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MASTER'S THESIS

**How will the UN be able to resolve
international conflicts under the current
international system?**

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ABSTRACT

This research will generally deal with the international order, its relations and interaction on the UN efforts to find out what is the capability of the UN to solve international conflicts in the future under the changing order. Examples will be presented from the period of the Cold War when the UN was not able to solve some conflicts. The research will be explicitly concentrated on the UN's efforts exerted in the field of maintaining world peace by speaking about the fighting against the Afghani government of Taliban against the international community before and after 2001. Then we will present another example – Iraq after 2001 – as it was suspected be a potential threat to world peace and security because of widespread doubts about its probable arsenal of weapons of mass destruction. Those following points will be discussed in these three sections:

1. The first chapter will address two issues: the first will deal with UN's response to the changes of the international order since the end of the Cold War until the present international order, its character and the forces influencing it, and the second issue will deal with the relation between the international order and the UN in general and the summary about the influence of the former international order during the Cold War and changes which have occurred after the end of the Cold War, and their influence on the efforts of the UN on the international stage.
2. The second chapter will consequently deal with two issues; the first one will explain the UN's efforts on the international stage and its diplomacy in general, as well as exploring the meaning of preventive diplomacy and its role in achieving and preserving peace. In the following part, we will deal with the tools employed by the UN to avoid the rise of conflicts and to solve them before they expand or deteriorate and result in wars which are a threat to world peace.
3. The third chapter will also address two issues. The first will deal with Afghanistan. It will be a study case of the international crisis caused by the

former governing system in Afghanistan, how it was hosting some of the terrorist leaders suspected of many bombings in different places over the world (especially in New York city which had shocked the world in that time) and the involvement of the UN in this conflict before the war in Afghanistan, in spite of the political and security crisis, and about what the UN has been doing to keep the weak peace in Afghanistan. The second part will present Iraq as an example of the crisis and how it has been a threat to the world peace after the 11th of September 2001 when the UN took intensive efforts to bring the crisis to an end, and show how the crisis then developed into an invasion and occupation of Iraq by the American and the international coalition forces and into the overthrowing of the governing system there, the role of the UN before this crisis and before it will be dealt with, i.e. during and after the war.

INTRODUCTION

OVERVIEW

There is no doubt that the international politics needs now, more than at any other time, to hold down the influence of the international actors on the global system, especially as the UN has become one of the most important actors on the international stage within the current international order. It is clear that the United Nations has started to play a more important role on the international stage after the end of the Cold War and the collapse of the Soviet Union.

We assume:

1. The international order has been changing; it has an influence on the character of international conflicts and has been influenced by them.
2. The international order has been influenced by many complex factors since the end of World War Two, the UN being the most important of them. This relationship has also shaped the new international order, which shows the historical power and importance of the UN. This complicated role has been at times either helpful to its activities and facilitated them but it has also made positive development complicated, instead curtailing the UN's activities and initiatives on the international stage and mainly in regards to preserving world peace and the solution of conflicts.
3. The theory of power has still been very influential on international relations; specifically, US control over the international order since the end of the Cold War due to its military force. This is the factor which has influenced and continues to influence the ability of the UN to solve international conflicts. The US's interference in the activities of the UN, its misuse of force, or its ignorance, turning to its own force, that of NATO or even to acting by means of international coalition (as was the case during the Iraq War in 2003) is due to American hegemony.

The UN can play an even bigger role on the international stage if it has a chance to do so, but as the UN does not have its own army forces and no stable fund of financial recourse, it is influenced by many factors and circumstances which can be both benefits as well as liabilities. One of these factors is the international order. “The UN once sought to avoid relying on forces from the permanent members of the Security Council, to balance contributions from the East and West, and to favor personnel from nonaligned countries. In recent years, the UN has been forced by the sheer number and intensity of post-cold war operations to welcome the involvement of a diverse set of states, including many democracies.”¹

It seems to us that the previous international order paralyzed the UN’s ability to solve some international conflicts, whereas the present international order was helpful to the UN in finding solutions for some conflicts and so the main question to be answered in this research is: “HOW WILL THE UN BE ABLE TO SOLVE INTERNATIONAL CONFLICTS IN THE CURRENT INTERNATIONAL SYSTEM?”

To find an appropriate response to this question, we have to define the present international order, what it constitutes and we also need to reply to the following questions: What is the present status of the UN? What are the instruments which the UN has at its disposal?

This study we will apply a scientific analytic method which will outline the character of the system and the role of the UN. Moreover, the UN’s status will be investigated and the means the UN uses to resolve international conflicts shall also be examined.

It is also necessary to determine the goal of this research and that is providing a response to the following questions: “Why could the UN could not solve some international conflicts?”; “How can the UN be assisted in the future in order for it to be able to carry out its international role and be engaged in solving all conflicts, by means of preventive diplomacy?”; and “What will the UN’s future role be provided the system or order has not changed to another one?”

These questions can not be answered until a detailed examination of how the UN succeeded in solving some conflicts and failed in solving others is carried out. The two cases which will be studied in this thesis are as follows: one that can be analyzed both in terms of the UN’s success and the second in terms of its failure.

¹ Lebovic, J. H., “Uniting for Peace? Democracies and United Nations Peace Operations after the Cold. War.” International Law (2008)

The UN efforts and decisions in Afghanistan after 2001 will be followed and it will hence be apparent if the UN has solved this conflict or not, and in what ways. The case of Iraq before and after the U.S invasion of 2003 will also be examined to find out if the UN efforts succeeded or not.

This research will generally deal with the international order, its relations and interaction on the UN efforts to find out what is the capability of the UN to solve international conflicts in the future under the changing order. Examples will be presented from the period of the Cold War when the UN was not able to solve some conflicts,² in addition to presenting significant activities of the UN after the end of the Cold War. As there are other actors in the global system who can solve conflicts or help in solving them, there still is an important place for international organizations – especially the UN – to act in instances before the conflicts can be solved, through the international efforts, or even after them.³

Historical methodology will be applied in this research in addition to pointing out some historical facts, after which the analytic methodology will be applied on the analysis and evaluation of the international situation and conflicts, as well as evaluation of the UN's success or failure in solving those conflicts. An analysis of the past is needed in order to look to the UN's role in the present and in the future, and how it will be able to solve international conflicts, restrict the threat of conflicts and preserve the world peace and security. The instruments at the UN's disposal are also important to understand, and finally how the UN has applied them in current conflict – what successes it has had and what failures. Finally, the conclusion will help direct our thinking to a new international order.

LITERATURE REVIEW

However, there are a lot of researchers who have already studied the UN's role and its international engagement and those who have studied the UN's status after World War Two, during and after the Cold War period. Nevertheless, the international conflicts are in danger of sometimes being repeated, as well as the international system that has been changing for some time, and it is for these reasons that it is vital to once again study the possibilities of solving

² Stiles, Kendall W., and MacDonald, MaryEllen. "After Consensus, What? Performance Criteria for the UN in the Post-Cold War Era." Journal of Peace Research, Vol. 29, No. 3, 299-311 (1992)

³ See http://www.ethnopolitics.org/ethnopolitics/archive/volume_1/issue_1/zartman.pdf (Accessed 20, August 2009)

international conflicts under the present system and to research the UN potential, e.g., if and how the system has changed and if it will be able to solve future crises.

As to the existing literature, because of the current nature of these conflicts, very little – if any – summative work can be said to exist. It is simply too early to tell about the degrees of success or failure in Iraq or Afghanistan. The passing of time and further research will make this job easier, as it has in the conflicts of the twentieth century, the Cold War, for example.

But in terms of the literature to answer the question about how the UN can solve international conflicts, the main body of the literature was focused on peacekeeping efforts.

While the development of the peacekeeping force of the UN is helpful, and was a major part of the relatively successful end to the Cold War, it is, as we have seen, only one of the instruments the UN can use in preventive diplomacy.

Individual collections, comparisons and studies of the different parts of this diplomacy will be very helpful. Currently, the relevant information is scattered and available mostly only online. Databases of UN resolutions were helpful, but often without labels. The different programs and implementations of sanctions regimes have resulted in more political debate than actual facts and summaries, but this is again a problem of perspective.

The controversies surrounding troop presences in the two regions, especially since 2005, is very difficult to trace. Numbers often contradict one another, and depending on the agency or alliance, data and perspectives can be difficult to trust.

Following on that, the hundreds of NGOs operating in the regions and under partnership with the UN have their own material, but it can be difficult to accept their versions as factual because they have their own perspectives and agendas.

This study helps to clarify the role of the United Nations in the political and legal field, at the same time linking it with the international system. These contributions add to a literature that has largely focused on the UN's role in peace keeping operations and resolving the crisis, but in this study we will try to give more attention to the mutual relations between the United Nations and the superpower and other factors in the international system.

It is necessary to point out that the UN was, in the past, successful in solving some conflicts when it was relatively independent in its activities, especially concerning the activity of international envoys and international missions aimed at investigation and watching, as well as

gathering of real evidence, sending troops aimed at stopping conflicts and dividing the combatants, peacekeeping troops and election observers.

In the final analysis, the information is without a doubt being generated every day. There is some question and difficulty about finding which is useful. Until stable government regimes are established in the countries in question, third party sources will still be necessary for military, peacekeeping and humanitarian data. Because we cannot change that, in the meantime, an increase in the studies of the legal and political results of UN intervention will certainly help define the success – or failure – of the missions in Afghanistan and Iraq. Accordingly, it is necessary to stress that this research will focus on one aspect: The United Nation's potential for pacific settlement of conflicts under the changing international system.

The Current International System & the UN: Character of the System

Firstly it will be necessary to describe the UN's historical relationship to the current international system. But we have also to give definitions to some phrases which we will use in this thesis. So let us start with the international system, or international order.

The international system describes the relationships among many different issues among various actors on an international stage. Until World War Two, there had never been a real way that these concerns could be addressed. The failure of the League of Nations showed that international relationships require more than a meeting place, they require international order. The UN has provided that in its structure where the League of Nations did not.

Even so, the structure of the United Nations has taken much criticism. We will not spend much time with the General Assembly or the Secretariat, although they both play a crucial role in day-to-day operations. The most relevant to our discussion on the current international system is the Security Council, responsible for "maintaining international peace and security in accordance with the principles and purposes of the United Nations."⁴ In many ways, this role – and the responsibility to propose the judges for International Court of Justice and even the Secretary-General – means that the Security Council is where the U.N.'s real power resides. It is comprised of five permanent members: China, France, Russia, the United Kingdom and the United States.

All of these unchanging members have a veto. This is the rule of the "Great Power Unanimity." During the Cold War Era, which we will describe in more detail, this structure meant the Security Council's decisions were dependent on all five nations agreeing. In the context of the two superpowers which came out of World War Two, the result was a bipolar system, one at the mercy of the rare agreement of the U.S. and the U.S.S.R. This system also forced the UN to mediate the conflicts which brought the superpowers into open conflict in "third-world" stages in South-east Asia, the Far East, Latin America, and Africa, with each bloc supporting a side in civil conflict. This created much more work for the UN, as well as more possibilities for open disagreement among the permanent members.

Since the collapse of the Soviet Union, the bipolar nature has left only one superpower, and, as we shall see, one which operates somewhat independently of the UN. This has allowed the U.S. to act somewhat unilaterally, as it has been trying to lead and controlling the world with

⁴ See http://www.un.org/Docs/sc/unsc_functions.html (Accessed 11 December 2009)

or without the UN, as will later be addressed, and meant that the situations the Security Council must face in order to maintain world peace have grown.

As of the current writing, there are 16 peacekeeping operations around the world, with 100.000 troops committed⁵. This shows that the United Nations is stretched very far today. But how have we ended up here, after the Cold War Era, which perhaps saw the United Nations not stretched far enough?

So it is clear that the international system had changed after the war to a bipolar system, led by two superpowers which could lead the world in several areas: economy, technology, military and providing or developing political stability. They are far more powerful compared with other states, especially the traditional powers France, Germany and England. But even as the U.N. itself admits, “the Cold War rivalries frequently paralyzed the Security Council [and] peacekeeping goals were primarily limited to maintaining ceasefires.”⁶ But to understand our current system, we must first understand development of the Cold War mentality and the bipolar system.

It is not the main goal to point out the situation after World War Two, but this part will summarize what happened at that time to make it clear how we look within the context of the UN to move beyond the Cold War. Some thinkers divide that period in several steps, which is also not here a serious debate. However most of the researchers deem the period directly after the end of 1945th as a dividing point between the two superpowers. In particular, Charles Maier has put the Cold War period into phases which show the development of a bipolar order, and once which shows the UN’s changing international role.⁷ We will use Maier’s divisions in order to highlight how the UN’s position as an international actor has evolved, and later still to predict what the UN’s role has been in current international conflict, and what it might be.

Initially, conflict between the superpowers started in Berlin and became much clearer in the later civil war in Greece, when the world had clearly divided to east and west, under the umbrella of an international body, the UN. Until that time the competition was still largely in Europe, but would spread to other regions all over the world. This competition took one more logical step toward open conflict with an arms race. In general, after that time both the USSR

⁵ See <http://www.globalpolicy.org/un-reform/un-reform-topics/general-analysis-on-un-reform/48121.html> (Accessed 11 December 2009)

⁶ See <http://www.un.org/en/peacekeeping/> (Accessed 11 December 2009)

⁷ Maier, Charles. “Phases of the Cold War 1945-1990”. Princeton: Markus Weiner, 1996. Preface.

and USA both became convinced that they should not make war otherwise it could be nuclear war, which could destroy the world. Some thinkers even currently still prefer the bipolar system rather than other international order because it has controlled the world for such a long time and the threat has prevented open conflict. This is exactly what the situation was during the bipolar system, and the UN's role was central to keeping the two sides apart.

The conflict of the superpowers was not helped by what David Carment calls the "inherent dilemma" of UN Resolution 1514: the UN believes in both allowing states to be sovereign and in supporting self-determination⁸. This makes it very subjective to take sides, and means that states, specifically in the Security Council could just oppose one another.

Jan Nijman has drawn a quantitative map that shows the relationship of the two superpowers during the Cold War⁹. We can also refer back to this as we trace Maier's eight phases of bipolar Cold War relations, which will show the UN's role as most efficient when there are two superpowers as international actors.

1. 1944 -1945

The first phase saw not only the creation of the United Nations itself, but also the creation of organizations, often times ones that existed in both USSR and USA. This was to be the foundation for the bipolar relations of the next fifty years.

As memories of the League of Nations were strong, the United Nations still lacked credibility in the earliest years. The strongest nations after Second World War were the USSR and USA. There were big differences at the conferences in Yalta and Potsdam about how to divide Germany after the war, what to do with Poland and how Eastern Europe should be allowed to proceed.

The UN was in part responsible for providing a hope to a world, particularly to a Europe, bankrupted by Nazism and totalitarianism. The character of the relations of the international actors, however could not become clear until the end of the war and the decisions about redrawing borders, which was a process not yet overseen by the UN, but by multilateral conferences.

⁸ Carment, David and James, Patrick. "The United Nations at 50: Managing Ethnic Crises. Past and Present." Journal of Peace Research, Vol. 35, No. 1, 63 (1998)

⁹ Nijman, Jan. "The Limits of Superpower: The United States and the Soviet Union since World War II." Annals of the Association of American Geographers, Vol. 82, No. 4, 682 (1992)

2. 1945-1947

The UN was struggling for legitimacy during this phase, which saw the two blocs begin to direct its efforts and energies to establishing hegemonic structures on either side of Europe. It was also not yet prepared to deal with international conflict.

The fragile UN could do nothing about the promises at Yalta from Stalin to allow democratic elections in Eastern and Central Europe. Communist governments quickly took over, creating a sphere of influence for the USSR. For the UN, non-intervention was the best option, to avoid harming the new organization.

This was apparent in the 1946 conflict in Iran, where the Iranians complained that the USSR still had troops after the end of the war. The UN did not participate in the discussions, and left bilateral talks up to the two parties involved. It was also apparent in Kashmir, the region which is claimed by both India and Pakistan. Though the Security Council created a ceasefire, neither side took away its military forces.

The defining event was probably the Greek communist revolution, which was mentioned earlier. Though the UN investigated the Greek complaint that Balkan states were supporting the revolution, the end of the fighting came in 1949 when the Yugoslavs stopped sending weapons.

3. 1947-1948

As the roles and positions of the superpowers became clearer, the previous phases of uncertainty began to show two camps. Both sides began to create similar hegemonic institutions, but both respected the purpose and presence of the UN.

The establishing of NATO was followed by the Warsaw Pact. Both of these organizations wanted to bring military unity. NATO gave America the right to station troops in Western Europe, the same as Warsaw Pact allowed the USSR to place troops in Eastern Europe. NATO, which was begun by Britain, United States and France, was headed by Eisenhower, the man who became the next American president. The purposes of the pacts can be said to help maintain and defend the two blocs.

For NATO, the point was “containment,” to keep communism from spreading. The “Long Telegram,” written by a US official George Kennan, shaped much of foreign policy of the west to the Soviet Union for the remainder of the Cold War. In it, Kennan wrote that in his

opinion conflict was inevitable, but it didn't have to be military, and that the USSR would back down against a show of force.¹⁰

This feeling was proved one month after NATO's founding, when the Soviet Union ended the blockade of Berlin after the American-led airlift. This sending of airplanes by the west was a signal that they were at least as strong and willing to challenge as the east was. The city of Berlin, located entirely in the Soviet sphere of influence, was again to be an important symbol as the bipolar system would develop.

This led the United States to be more confident in their "Truman Doctrine," which had created the Marshall Plan. This promised to help rebuild countries which opposed communism. After the success in fighting communism with western money in Greece and Turkey, this was followed by COMECON. Josef Stalin had refused to let his satellite nations take this aid, and in response centralized the economies of these nations in trade with USSR.

Because of the leadership strengths of Eisenhower and Stalin, this was a very uncompromising time. These preventive measures were aimed at building and maintaining two blocs of collective security¹¹. Importantly, however, they were designed and implemented by two of the most powerful members of the UN's Security Council, and both remained committed to keeping the UN, unlike the earlier League of Nations, which was unable to accommodate different national ideals.

4. 1948 – 1953

The second phase saw conflicts on both sides which showed that international law and the role of the Security Council was not so effective with just two superpowers in control.

Hints of a more multilateral structure began to come, showing that even though two superpowers were getting most of the attention. For example, China under Mao Tse-Tung began to distance himself from the USSR. The European Coal and Steel Community (ECSC) from 1951 would become the European Economic Community (EEC) in 1957, and Organization of Petroleum Exporting Countries (OPEC). All of these factors reduced the simplistic bipolar nature which the first phase showed us.

¹⁰ See www.gwu.edu/~nsarchiv/coldwar.documents/episode-1/kennan.htm (Accessed 22 Dec 2009)

¹¹ Ackermann, Alice. "The Idea and Practice of Conflict Intervention." *Journal of Peace Research*, Vol. 40, No. 3, 340 (2003)

But as that simple opposition became more complex, the UN began to define itself as an in-between. That is, if the two sides had “mutually exclusive” positions, the UN was a common place they could share. Though the UN was not effective in the way it would be in later phases, it was also untested until this point.

In fact, the US and the USSR came in to conflict during this phase and the UN had one of its first major conflicts to mediate in the conflict in Korea. The UN was a new tool, and because both superpower nations were on the Security Council, it reinforced the presence of that earlier bipolar system. The Secretary-General Trygve Lie for example said the Security Council must intervene in Korea, after the communist North attacked the south in 1950. “This marked the end of his acceptability to the Soviet Union,”¹² writes Skjelsbaek, and ended with his resignation, and the end of the conflict in Korea with a stale-mate, which is still effective today. It shows still the unwillingness to compromise on the international diplomatic scene.

5. 1953-1956

But as the competitions between these two sides increased, especially following Stalin’s death, the UN began to find its usefulness. The two conferences in Geneva accomplished the partition of Vietnam and brought Soviet and American leadership to the same table.

It was as true in policy as it was in practice, for example in Egypt. The 1956 Suez War was still essentially a two-sided conflict: Western powers were upset about Egypt’s relationship with communist China, and invaded Egypt after they threatened to take the Suez Canal. The situation could be seen to threaten communism, and by extension, even the USSR. Even the west was badly divided over it. But thankfully, new international bodies had their influence here. UN troops were deployed on a peacekeeping mission for the first time for a solution to the conflict.

Other competitions between the two powers which other international actors were unable to prevent but learning to control include the growing arms race: the USSR developed its atomic bomb in 1949, and after the US created a hydrogen bomb, the USSR again made one seven years later. The UN had earlier failed to put a plan past the Security Council: in 1947, in the so-called “Baruch report,” the US had offered to destroy its atomic weapons if they could be forever

¹² Skjelsbaek, Kjell. “The UN Secretary-General and the Mediation of International Disputes.” The Journal of Peace Research, Vol. 28, No. 1, 102 (1991)

banned by the UN, but the USSR blocked the agreement in the Security Council. However, by the end of this phase, the International Atomic Energy Agency (IAEA), which promotes the peaceful uses of nuclear energy, was planned to be independent of the UN. It reports to the Security Council and General Assembly. This sort of organization kept the UN from sitting directly between the US and USSR.

However, these competitions also brought the nations fears which began to show themselves domestically. This phase in the early 1950s was the time of American Sen. Joe McCarthy who was a vicious anti-communist, and in Eastern Europe the times of the anti-western show trials. The UN was powerless to control either because, despite the fairly clear violation of human rights, including executions on both sides, they were domestic issues.

6. 1956 – 1964

As Kennan predicted, much of the conflict in the emerging international system was ideological. But Kennan also wrote that “in the long term there can be no permanent peaceful coexistence” between the USSR and US. If the first phases were dominated by the Truman doctrine, and then by each side reacting to the other, the third phase brings the conflict to the rest of the world, and shows each side that they must learn to live with each other, or destroy each other. Other international actors had great influence during the growth of this global polarity as we shall see, in particular the United Nations.

Nikita Khrushchev, who was premier after Stalin in USSR, tried to show the western bloc that it didn't want open confrontation. Khrushchev denounced Stalin in the “Secret Speech” in 1956 and began to give its satellite countries more freedoms to operate. This made less work like Korea for other international actors, and for a short time showed détente, or at least trying to follow “peaceful coexistence,” as was seen in non-international intervention in 1953 Berlin uprising and 1956 in Poznan, Poland and Hungary. It is during this time also that new premier of West Germany Konrad Adenauer was looking for “modus vivendi” with USSR, or a way to exist in two Germanies.

Even though both sides during this time were clearly violating international law, the idea not to anger one another and to become stable became important.¹³

¹³ Archibugi, Daniele. “The Reform of the UN and Cosmopolitan Democracy.” *Journal of Peace Research*, Vol. 30, No. 3 (1993)

The coexistence became harder with the doctrines of John Foster Dulles, an American politician. His ideas said that capitalism against communism was the struggle of good against evil. A series of international events broke the détente. In fact, both sides were to meet in Paris for talks of peace when a spy plane from the US was shot down in Soviet territory. This quickly led to a dangerous game, which in two years saw the building of Berlin Wall, the Bay of Pigs and Cuban Missile Crisis, where Khrushchev moved nuclear arms to Cuba, close to the United States.

Meanwhile, the UN was experiencing its first real successes, despite, or maybe because of, this developing international system. It sent a team to check on Lebanese-Syrian borders during a rebellion there in 1958. Lebanon then accepted the decision. Building on this success, 10,000 UN troops were sent to Congo from 1960-1964. This followed Belgian withdrawal. Even though the UN stabilized the region, the USSR claimed that the Secretary-General Dag Hammarskjöld had used too much authority.

This criticism and these events confirm the bilateral nature of the system, despite a growing role for other international actors. The UN, for example, continued its role in assisting the international system by getting USSR and US to sign a Nuclear Test Ban Treaty in 1963. It came at a time when both sides seemed to be able to understand that conflict management, and reliance on bodies such as the UN, were the only way to coexist, and that the competition would be better in a non-military way. Space programs, including the Soviet program which launched Sputnik in 1957, became a substitute for the open conflict of before.

This détente would later continue with French President Charles DeGaulle's desire for a united Europe and distance from United States – and from NATO, as shown by his taking away French troops from them in 1966. Also, the election of Willy Brandt as chancellor of West Germany would bring the new idea of “Ostpolitik,” which finally wanted normal relations with communist East Germany.

7. 1964 – 1978

The seventh phase again heats and cools. While on the one hand it shows reconciliation between two superpowers, before that, there was the conflict in Vietnam. This phase shows clearly how the conflicts began to be exported to third world countries, which we saw beginning in the relationship of Cuba and USSR.

In other words, the direct conflict of the previous phase went to third-party conflicts which were backed by the two powers. The Soviets supplied arms to the communist North Vietnamese and the Americans assisted the south. The French were supported early in the conflict by American money and then American troops. And the Americans were following their new “Nixon Doctrine.” This stated that the US would keep all of its treaty commitments.

The UN’s role in standing between the expansion of international conflict is clear. Even if the UN was not actively deploying peacekeeping missions to these two-party conflicts, the fact that such a venue existed meant that superpowers could publically engage in dialogue. Even if the rhetoric did not match the nation’s action on the ground, the presence of the institution for international diplomacy doubtless kept these conflicts from even greater dimensions.

As much as this Asian conflict would dominate this decade, other institutions and their influence reached higher levels than before. OPEC in 1973 ended the supply of cheap energy to the rest of the world, affecting both superpowers and other nations as well. This resulted in domestic problems, including student demonstrations and strikes in the 1970s.

Even though it was the “Domino Theory” which brought the US into Vietnam, it was the same theory which allowed for the world to gain more peace and stability just because of the fear of nuclear war. It was during this time that the UN sponsored talks on arms reduction (SALT). There were successful summits in Moscow, Helsinki and Vladivostok. Even the space programs worked together, linking two satellites in 1975. Especially in the first half of the decade of 1970s, the numbers of initiated conflicts were much lower than the 1960s.¹⁴ This is without question thanks to the necessity of the UN, how it provided a stable voice of reason for two sides experiencing economic hardship and domestic problems.

This is also in part to new, more realistic thinking. The US aide to Nixon Henry Kissinger gave a different view than Dulles, who had called communism “evil.” It was Kissinger who got Nixon to make a visit to communist China in 1972.

8. 1978 – 1989

This last phase is considered in some ways a “second” Cold War. By 1980, new conflicts started again when Ronald Reagan, the president of the United State, announced his platform

¹⁴ Regan, Patrick M. “Conditions of Successful Third-Party Intervention in Intrastate Conflicts.” The Journal of Conflict Resolution, Vol. 40, No.2. 344 (1996)

which contained the program of “Star Wars” defense plan. It was very expensive and designed to increase nuclear power of America. Like Dulles, Reagan was very much against communism. He called the USSR “the evil empire.”

This was in part responding to the Soviets who invaded Afghanistan to support a communist government there. In some ways it seemed very much like America in Vietnam, when a country would go into another, and make interventions in defiance of international law¹⁵. The United States also invaded the island Granada for similar reasons. Like the 1950s, international law was being broken, and all the gains of détente were at the stake.

But as before, another international body was used as a tool by these superpowers, as the US and 60 more countries did not attend the 1980 Olympics to protest the USSR in Afghanistan. The USSR did the same thing in 1984.

The USSR, however, was acting from a position of weakness, despite its show of force in Afghanistan. The economic mismanagement of the centrally-planned economy had left the Soviets with very little. It began to relegate the UN to a secondary role. As in the first phase, after the end of the war, there was again only one superpower, which takes away the need and purpose to a UN as it had been existing for decades.

We can see this when Reagan and Soviet premier Mikhail Gorbachev agreed on the Intermediate-range Nuclear Forces (INF) treaty, which was the first to reverse the arms race. The willingness of the USSR to make such radical changes to the Soviet system with decentralization and liberalism, led to the end of the bipolar system, and to the unchallenged hegemony of the US – and, like before, and uncertain position for the UN.

This is the general idea about the previous international system which, as we see, was certainly a bipolar order. The bipolar system went through several stages. Each period contained some crisis caused by conflicts at that time. Those were then influenced by the international system and the international actors, including the UN Security Council. That relationship between the system and the influential actors affected the UN’s effectiveness and their efforts in keeping the international peace and security, although the UN had a larger role and could perform best when the superpowers were not controlling the agenda.

¹⁵ Archibugi, Daniele. “The Reform of the UN and Cosmopolitan Democracy.” *Journal of Peace Research*, Vol. 30, No. 3 (1993)

The Current International System & the UN: Effectiveness of the UN after the Cold War

It was clear that the previous system which existed from 1945 till 1989 had a negative effect on the UN's efforts, and conflicts as well. By 1989, the USA started to lead the world with the idea of the protection of international community, and keep the international peace and security

This, as we have mentioned, is actually in a main resolution passed by the UN Security Council, which makes them the best choice to do that. Chapter One, Article One of the charter of the UN itself confirms that it wants a multilateral approach "to take effective collective measures for the prevention and removal of threats to the peace"¹⁶

In 1990, as the old bipolar system collapsed, Iraq attacked its neighbor Kuwait. Although it was a dangerous situation to examine the new system which has the authority from the international legitimacy and international law, it was a chance to see the rule of the international organizations in action, especially the United Nations.

Even though the Security Council is limited, it is true that the UN has been the only international institution which has the membership including most of the world. From this perspective, the great powers started to use the UN to make decisions through or by the Security Council to keep the world peace and security. Indeed, the world was in need of the UN at that time. It performed its duty perfectly by making eleven resolutions against Iraq in 1990 alone¹⁷.

The UN's efforts in the Kuwait crisis were successful in general, and the Security Council had made some decisions without any veto or abstentions from voting for the first time since 1945, even though Iraq had strong relations with some power states. That case gave the UN a chance to contribute to the implementation of international legitimacy. Then, as shown in this case, there was little questioning that the international order and the superpowers supported the UN.

As we have looked in the last section at the periods in the Cold War, we can say the world went through three periods after the end of the Cold War. Based on Maier, we look to major global events which show changes or at least effect on world order. Because our concern will be Iraq and Afghanistan against the continuing hegemony of the US – increasingly outside the

¹⁶ See <http://www.un.org/en/documents/charter/chapter1.shtml> (Accessed 11 December 2009)

¹⁷ See <http://www.casi.org.uk/info/scriraq.html#1990> (Accessed 11 December 2009)

power of the UN – it makes sense to use the first war in Iraq and the al-Qaeda terrorist attacks on the United States as borders for the phases of post-Cold War theory.

1. **1989 - 1990**

Michael Gorbachev became the premier of the USSR in 1985, and he found that the Soviet Union could not continue in any armed race through a new Cold War, so he decided to cooperate with the USA in international issues, and tried to solve the international conflicts together, rather than each of them opposing the other, for instance in the withdrawal from Afghanistan¹⁸. That kind of cooperation reflected in the UN's international works.

Even as relations between the superpowers had changed, the president of Iraq, Saddam Hussein, decided to attack Kuwait, and he could not read the changing in the international system at that time, which was not allowing states to occupy another independent country and change the political map any more. It was the time to implement the terms of the charter of the United Nations, and to give the UN more rule in intervention to resolve international conflicts. Both superpowers and other states agreed to the decision to liberate Kuwait, and kept the international peace and security. Resolution 678 (1990) had been taken by the Security Council and it was the first time it had spoken about Chapter Seven, which “authorizes member states...to use all necessary means” to bring Iraq into compliance¹⁹.

From that point forward, the UN started to follow different steps to solve this crisis, and showed that when two powerful states have good relations, systems can change to give other actors a chance to ply more rule on the international stage. The UN was able to do its duty in better way.

2. **Kuwait Liberation – September 11, 2001**

By the end of the Kuwait liberation, the Soviet Union had collapsed and there was serious international conflict in the former Yugoslavia. The world was left with only one great power, and the UN had difficulties in solving that crisis. The Balkan war had taken several years, and peace was brokered by the United States at Dayton on 21 November 1995. The UN had tried to solve that conflict, but the Russian veto stayed with Belgrade, which made the UN efforts harder.

¹⁸ Newman, Edward and Rich, Roland. The UN role in promoting democracy: Between ideals and reality. United Nations University Press: Tokyo. 2004. pp322

¹⁹ *ibid.*

It showed the emerging power of the US²⁰. Still, the independent states from the former Yugoslavia were still in need of what the UN could provide.

Then, again, the UN had an influential rule in Iraq with its many decisions aimed to prevent Iraq from having weapons of mass destruction. The economic blockades were effective. However, some thinkers began to say the USA was using the UN for its interests during that time and Iraq had no plans to have those kinds of weapons.

Whether they were right is not as important as the fact that the USA made several strikes against Iraq without UN sanctions, specifically during the Desert Fox operations in 1998. This cost them the support of much of the international community.²¹

We can see in general this period had become choppy for the United Nations. But the serious crises throughout the 1990s, the UN managed to prevent another war against Iraq with the help of the International Atomic Energy Agency (IAEA) observers and the cooperation of defected Iraqis like General Hussein Kamal Hassan (1994)²².

With the new system coming, the Soviet Union collapsed, new states on the map, and new maps with serious tension in several borders, it is clear that United Nations had a lot of work to do all over the world.

3. September 11, 2001 – Present

September 11, 2001 was a cornerstone in the current international system, as important as the end of the Cold War. We have seen the many changes which adversely affected the UN's work. The United State of America was left in a strong position, but then started to use all its military forces to discipline its enemies, starting with the ones who caused in September 11. The UN's reaction came within few hours by an announcement from the Security Council, followed by Resolution 1368 one day later. The decision "calls on all states to work together urgently to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks."²³

²⁰ Malone, David M. The International Struggle Over Iraq: Politics in the UN Security Council 1980 – 2005. Oxford University Press: Oxford. 2006. pp249.

²¹ *ibid.* pp275.

²² Westra, Joel H. International Law and the Use of Armed Force: the UN Charter and the Major Powers. Routledge: London. 2007. pp121.

²³ See <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N01/533/82/PDF/N0153382.pdf?OpenElement> (Accessed 11 December 2009)

The USA started its military army operations in Afghanistan on October 7th based on this wording. Two years later, the USA started another war in Iraq, and occupied the country without any international decision or international support, and indeed, with the objection of most of the international community²⁴. This shows a shift from the old bipolar system to a unilateral system from the remaining superpower, one which preferred to discipline its enemies itself rather than give chance to let nations disarm without war.²⁵

²⁴ Lynch, Marc. "Using and Abusing the UN." Middle East Report, No. 225 (Winter, 2002) pp. 8-13

²⁵ *ibid*, p13

The Role & Instruments of the UN in International Conflicts Resolution: The UN's Prevention Diplomacy

It is indisputable that since the end of the Cold War, there has been a dramatic increase in the UN's activities related to the maintenance of peace and security. The United Nation has been asked to play more of a role on the international stage after the end of the Cold War, but it should have appropriate instruments and global support to play that kind of role.

“It must also be recognized that the vast increase in field deployment has to be supported by an overburdened Headquarters staff that resource constraints have held at levels appropriate to an earlier, far less demanding, time.”²⁶

The UN is much more than a council. It performs plenty of non-political activities as well. The office of the High Commissioner, specifically, is involved in mostly promoting humanitarian, gender and other equality issues.

The World Programme for Human Rights Education, for example, is apolitical, and designed to implement global understanding of these issues (from 2005)²⁷. Likewise, programs to protect indigenous peoples and migrant workers, regardless of nation, are global and do not only target some specific state.

Aside from these human rights programs, the United Nations intervention also encompasses several aspects of conflicts which deal with refugees, humanitarian aid, running governance missions to stabilization the situation, military missions, political missions and development missions later on. In combination with the changing international order, this increase in scope has given the UN new roles which they didn't plan on.

The negotiated settlements involved not only military arrangements but also a wide range of civilian matters. As a result, the United Nations found itself asked to undertake an unprecedented variety of functions: the supervision of cease-fires, the regroupment and demobilization of forces, their reintegration into civilian life and the destruction of their weapons; the design and implementation of de-mining programmes; the return of refugees and displaced persons; the provision of humanitarian assistance; the supervision of existing administrative structures; the establishment of

²⁶ The United Nations. “Report of the Secretary-General on the work of the Organization, A/50/60 - S/1995/1.” New York. 3 January 1995.

²⁷ See <http://www2.ohchr.org/english/issues/education/training/programme.htm> (Accessed 12 Dec 2009)

new police forces; the verification of respect for human rights; the design and supervision of constitutional, judicial and electoral reforms; the observation, supervision and even organization and conduct of elections; and the coordination of support for economic rehabilitation and reconstruction.²⁸

The “unprecedented” functions show that even the UN found itself unprepared for the many roles it would be asked to play. So from this point of view the UN for example can be seen to have failed on the political or enforcement side, but it can still be so helpful in others. The criteria for success do not focus on what has been accomplished but on the manner in which it has been achieved.

Steven Ratner addresses this when he considers whether we can speak of failure and success with peacekeeping: “An abstract or noncontingent definition of peacekeeping success or failure is impossible. I have derived four different and relative ways of making such appraisals: (1) comparison with the mission's mandate, (2) comparison with the results of other peacekeeping operations, (3) impact on the states concerned, and (4) impact on the United Nations or other implementing organization.”²⁹

While this study will focus on relations between the international system and the political efforts of the UN, it can not ignore the rest of the United Nations’ activities, which is where the achievements of the UN are most visible. For example, to maintain peace in any state we have to keep a normal life, by which we mean it can continue with a minimum of basic needs met: security, food, and education – the things which can give politically sustainable development. This in turn can prevent or reduce international conflicts, and solve it fundamentally, as this study will explain later.

In this sense all these factors are connected to each other. To understand how the UN works in solving conflicts, this chapter will summarize the role and instruments of the UN in international conflict resolution. Chapter VI of the UN Charter is the framework for this, and contains a series of preventive devices such as fact-finding, negotiation, mediation, conciliation, judicial settlement and arbitration.³⁰

²⁸ The United Nations. “Report of the Secretary-General on the work of the Organization, A/50/60 - S/1995/1.” New York. 3 January 1995.

²⁹ Druckman, Daniel, et al. “Evaluating PeaceKeeping Missions.” Mershon International Studies Review, Vol. 41, No. 1 (May, 1997), p5.

³⁰ Ackermann, Alice. “The Idea and Practice of Conflict Intervention.” Journal of Peace Research, Vol. 40, No. 3, 340 (2003)

In general, the UN's charter explains the modus operandi of the UN, as well as UN targets, agencies, and instruments (which this chapter will highlight). The focus will mostly be on some specific instruments, because those mentioned specifically in the charter are delivered by the following instruments:

1. The UN's preventive diplomacy
2. Missions: The UN's international envoys, fact-finding missions and peace-keeping, making and building missions
3. Resolutions: The UN's political, Security Council, economic and military decisions
4. Military: The UN's troops and international coalitions

The UN may still be adapting to a new international order and finding its place on the international stage, but the Secretary-General's Report summarizes these instruments:

The first three can be employed only with the consent of the parties to the conflict. Sanctions and enforcement, on the other hand, are coercive measures and thus, by definition, do not require the consent of the party concerned. Disarmament can take place on an agreed basis or in the context of coercive action under Chapter VII³¹.

Preventive diplomacy requires cooperation, then, but military interventions do not. Now we will examine the use of these instruments in international affairs, and their relationships to one another.

Preventive Diplomacy

Preventive diplomacy is a kind of new diplomacy which focuses on trying to prevent crises, and it can come from any actors or factors in the international community, but we will only focus on the efforts of the United Nations.

³¹ The United Nations. "Report of the Secretary-General on the work of the Organization, A/50/60 - S/1995/1." New York. 3 January 1995.

“The preventive diplomacy is action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur.”³²

One of the main rules of international law is states must not use military force in international relation. The UN charter contains the clause that states have to use diplomatic means to resolve their conflicts. But the official charter makes no mention of preventive diplomacy; nevertheless, the former Secretary General Dag Hammarskjöld used this expression during the Suez crisis in 1956, when the United Nations was trying to maintain the status and prevent aggravation of the nationalizing of the canal at that time.

Although preventive diplomacy (“Chapter six and a half” to Hammarskjöld) has been used since 1956, it has taken widespread definitions after the end of the Cold War through the UN efforts which have tried to prevent the conflicts by sensing the danger before it happened. The UN established in 1992 a Department of Political Affairs, which can help in preventing conflicts through early warning. The UN claims that this “department has since passed through successive phases of restructuring and is now organized to follow political developments worldwide, so that it can provide early warning of impending conflicts and analyse possibilities for preventive action by the United Nations, as well as for action to help resolve existing conflicts”³³.

The world needs sometimes a warning to prevent the conflicts when it’s easier to be solved rather than late interventions from the international community, which can make the missions more difficult.

The same report also affirms that “preventive action should be initiated at the earliest possible stage of a conflict cycle in order to be most effective”³⁴. This is the way the UN is trying to improve its preventive diplomacy, but it is impossible to ignore the other international actors and the parties in conflict. This is the picture of relations between the UN and the nature of the international system. The mutual influence between the actors in the international order and the

³² The United Nations. “Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992, A/47/277 - S/24111.” New York. 17 June 1992.

³³ The United Nations. “Report of the Secretary-General on the work of the Organization, A/50/60 - S/1995/1.” New York. 3 January 1995.

³⁴ The United Nations. “Report of the Secretary-General on the work of the Organization A/55/985,S/2001/574.” New York. 7 June 2001.

UN appears through states' representatives in the United Nations and by the UN secretary general, employees, decisions, envoys, missions and other UN works in the international stage.

The United Nations is not the only actor in prevention and may often not be the actor best suited to take the lead. Therefore, member states, international, regional and subregional organizations, the private sector, non-governmental organizations and other civil society actors also have very important roles to play in this field.³⁵

UN Preventive Diplomacy During and Post- Conflict

The UN efforts should ideally start before the conflicts, but of course at least after the beginning of the crisis. At any rate, the UN's role has been continuing throughout different conflicts, trying to find a way to resolve them. Each step of the UN interventions has normative rules.

The first step is often a warning involving the Security Council or the international community (wherever it comes from), the Secretary-General or the Department of Political Affairs in the United Nations, General Assembly or even from any one of the member states. So this warning can be from the UN to the world or from states to the United Nations.

The second step should be from the UN by using one of the tools mentioned above. The UN actions have been taken in different ways from time to time and from case to case.

Generally, UN efforts start with resolutions, the sending of diplomatic envoys, and fact finding or observation missions. These efforts are typically before the conflicts become military crisis. When the conflicts evolve the UN move to the third step which is through the conflicts and it should be by sending, buffer force, or peace keeping missions.

The fourth step of UN intervention comes when the situation has improved and then the UN will send a peace making mission. The last step of the UN efforts is the coming of the peace building missions.

Though it is a general list, the actual practice depends on the situation. The real point of conceptualizing criteria for evaluating peacekeeping is to think about peacekeeping within the much bigger context of peacebuilding and conflict transformation.³⁶

³⁵ The United Nations. "Report of the Secretary-General on the work of the Organization A/55/985,S/2001/574." New York. 7 June 2001.

³⁶ Druckman, Daniel, et al. "Evaluating PeaceKeeping Missions." *Mershon International Studies Review*, Vol. 41, No. 1 (May, 1997), pp 4

Perhaps the best example of the practice of preventive diplomacy was during the conflict in Macedonia, the former Yugoslavian republic. The UN felt the situation needed a different kind of intervention. In fact, that peacekeeping operation was the first UN mission with a mandate of preventive deployment.

The main lesson to be drawn from past United Nations experiences in this regard is that the earlier the root causes of a potential conflict are identified and effectively addressed, the more likely it is that the parties to a conflict will be ready to engage in a constructive dialogue, address the actual grievances that lie at the root of the potential conflict and refrain from the use of force to achieve their aims.³⁷

In practice, then, the UN's very presence helped to shape the dialogue. The successful application of preventive diplomacy meant that further conflicts were avoided.

³⁷ The United Nations. "Report of the Secretary-General on the work of the Organization A/55/985,S/2001/574." New York. 7 June 2001.

The Role & Instruments of the UN in International Conflicts Resolution: The UN's Methods

1. UN missions

The United Nations missions are group of UN employee or even one envoy or UN forces, being close to conflicts zone. The UN established Department of Political Affairs which lead field operations, provide a forward platform for preventive diplomacy and other activities across a range of disciplines, to help prevent and resolve conflict or to build lasting peace in nations emerging from civil wars. Missions are a broad term which refers to a UN presence in a state or region. From the outset, the missions were defined in terms of long- and short term tasks.³⁸

Timely application of preventive diplomacy has been recognized by the General Assembly as the most desirable and efficient means for easing tensions before they result in conflict. To that end, the political affairs Department is endeavoring to develop more effective ways of undertaking preventive diplomacy. These include fact-finding missions, visits by special envoys to sensitive regions³⁹.

The terms 'UN forces' and 'UN missions' are often used loosely. They can encompass many different types of military forces and missions. In actual practice forces and missions under the Council have been used in three broad types of operation, though there is some overlap between the categories⁴⁰.

Then it is certainly clear that United Nation missions are often – or always – influenced by factors outside the control of the peacekeepers, the procession of international events. It is a mission's goal to accomplish the arranged task; which type of mission is chosen depends on the event, and how likely it is that the mission will be able to contain it.

The International Envoy

Envoys are representative of and to states or parties in any conflict. The international envoys can be the UN secretary general, a chief of UN staff, or any eminent international personality.

³⁸ Aksu, Esref. *The United Nations, Intra-State Peacekeeping and Normative Change*. Manchester University Press: Manchester. 2003. pp142

³⁹ The United Nations. "Report of the Secretary-General on the work of the Organization A/55/985,S/2001/574." New York. 7 June 2001.

⁴⁰ Lowe, Vaughn and Roberts, Adam. *The United Nations Security Council and War*. Oxford University Press: Oxford. 2008. pp45

The UN international envoys have been very often successful. They aim to solve conflicts and crises with dialogue and diplomacy. They and their staff members travel among and within states, meeting leaders and parties at crisis, and do their work in the worst situations. Unfortunately, sometimes they do not succeed and further instruments and actions are needed.

A considerable part of the preventive work of the Department of Political Affairs is done in support of special representatives and envoys of the Secretary-General, as well as field-based missions and offices⁴¹.

One good example of a UN envoy is Lakhdar Brahimi, who we will speak more about later. He has done excellent work for the international community all over the world, in Algeria, Haiti, Iran, and more recently Afghanistan and Iraq. In contrast to office many diplomats, Brahimi is a realist who is successful because he remembers meeting minimum requirements is the first condition of his success.⁴²

The lesson to remember from these kinds of successes is that success in the field is almost never the same as success someplace like the Security Council. Private sector experience seldom prepares envoys for the real life experiences of this sort of UN diplomacy.⁴³

To affect those parties' actions, there must be a direct connection between both sides, between formal action by the Security Council and diplomatic or peacekeeping action by the Secretary-General or Secretariat on the ground. Therefore, practical relationships develop in the international sphere: "Such a connection can be achieved only if the Secretary-General, or his principal envoys or advisors, retain close relations of trust with the United States or another of the Permanent Members of the Security Council."⁴⁴

As an example of this, in the case of the 1994 civil war in Yemen, the leader in the south declared that they wanted their independence from the north. UN envoys were unsuccessful to make a cease fire because they could not get both sides to negotiations. It shows that the United Nations can play a major role in solving conflicts, but these envoys must have the cooperation of the all conflict's parties and the states which are able to influence those conflicts.

⁴¹ The United Nations. "Report of the Secretary-General on the work of the Organization A/55/985,S/2001/574." New York. 7 June 2001.

⁴² Malone, David M. The International Struggle Over Iraq: Politics in the UN Security Council 1980 – 2005. Oxford University Press: Oxford. 2006. pp225.

⁴³ *ibid.* pp299.

⁴⁴ Lowe, Vaughn and Roberts, Adam. The United Nations Security Council and War. Oxford University Press: Oxford. 2008. p326

The Fact Finding Mission

The strength of the individual is less in fact-finding and observational missions. In general, the United Nations fact finding missions are intended to discover and document information. This is a common technique used in the peaceful settlement of disputes and is designed to collect accurate information about the allegations made by the parties involved⁴⁵.

They are teams often sent to troubled areas, to find out the truth by more closely observing the situation. It is too difficult some times to take information from the parties in conflict, because it may not be reliable. To make right decisions, specific information must be gathered, and this is what the fact finding missions should do to let the United Nations pass resolutions and solve international conflict.

The Security Council delegates fact-finding roles to groups of experts or commissions of inquiry with appropriate technical and contextual knowledge. This has been seen, for example, in the Democratic Republic of Congo, Liberia, Darfur (to assess evidence of genocide) and Lebanon⁴⁶. In the last case, following the assassination of former Prime Minister Rafik Hariri, there was tension between the government and opposition parties. Both the Syrian and Israeli army were still in Lebanese territory. There was high suspicion among everyone and it seemed there would be another civil war. The UN immediately began a public investigation into his death, which made tension easier.

These missions are relatively small in size, and though informally considered a peacekeeping mission⁴⁷, their duties, as we shall see, are slightly different. The ultimate goal is to retrieve information for conciliation. They are frequently deployed by the Security Council or the Commission for Human Rights and organized by the Secretary-General, as Jacques Fomerand notes.⁴⁸

The Observer Mission

⁴⁵ Fomerand, Jacques. Historical Dictionary of the UN. Scarecrow Press: Lanham, Maryland. 2007. p120

⁴⁶ Malone, David M. The International Struggle Over Iraq: Politics in the UN Security Council 1980 – 2005. Oxford University Press: Oxford. 2006. p 290

⁴⁷ Aksu, Esref. The United Nations, Intra-State Peacekeeping and Normative Change. Manchester University Press: Manchester. 2003. pp23

⁴⁸ Fomerand, Jacques. Historical Dictionary of the UN. Scarecrow Press: Lanham, Maryland. 2007. pp120.

Observer missions contain UN observers or international employees who follow and report the activities of the conflict's parties during the situation, when the conflicts become crisis or after the military operations end.

In contrast to fact-finding missions, observer missions are sent with a more specific aim. Frequently they are in fact military observers, even though still considered part of a peacekeeping mission. Their duties are such tasks as the implementation of cease fires and to make sure all sides in a conflict are still in agreement.⁴⁹

These missions are a critical part of preventive diplomacy. Some have said that observer missions can cut the risk of another war by about 30 percent.⁵⁰

This is also practical diplomacy, because the conflict has already progressed past the point where envoys and fact-finding could succeed. Ackermann contrasts fact-finding and observer (“operational”) missions with preventive (“structural”) diplomacy.⁵¹

The observer missions happen frequently during elections, especially when some parties or even influential states suspect fraud in the electoral process, and ask for the United Nations' assistance. A good example of this is the most recent presidential elections in Afghanistan. The role of UN observers there was to verify the legitimacy of the process as conducted by the host government, and most UN assistance involved the recruitment of hundreds of international election observers who worked for many months in the context of large peacekeeping operations.⁵²

The Peace Making Mission

So far we have seen a linear progress of diplomatic tools, from individuals to information teams and then to those who must see if the agreements are being respected. But agreements don't mean peace is assured, which is where the last three phases of the UN's missions come in.

“Peacemaking” is a term coined by Secretary-General Boutros Boutros-Ghali in his agenda for peace. It refers to a range of activities designed to bring parties together in forging an

⁴⁹ *ibid.*

⁵⁰ Fortna, Virginia Page. “Inside and Out: Peacekeeping and the Duration of Peace after Civil and Interstate Wars.” *International Studies Review*, Vol. 5, No. 4, Dissolving Boundaries (Dec., 2003)

⁵¹ Ackermann, Alice. “The Idea and Practice of Conflict Intervention.” *Journal of Peace Research*, Vol. 40, No. 3, 341 (2003)

⁵² Newman, Edward and Rich, Roland. *The UN Role in Promoting Democracy: between ideals and reality*. UN University Press: Tokyo. 2004. pp173-4

actual settlement agreement by peaceful means as spelled out in Chapter VI of the United Nations Charter on the peaceful settlement of disputes.⁵³

The peacemaking missions are almost always a complementary and supplemental stage to the UN's preventive actions. In other words, the parties in the crisis have stopped open warfare, and then it is the task of peace making mission to negotiate and maintain acceptable terms.

Importantly, as Skeljsbaek mentions, any discussion of peace making (which he and others equate with mediation) must exclude conflict prevention or suppression by use of any force. Because it an art of persuasion, nor coercion, this stage can be seen by sides in a conflict as voluntary, and therefore, difficult.⁵⁴

But we can not move to the second step until the peace has been made, for example in the former Yugoslavia. Because of the circumstances, it was impossible for international agencies to respond to the resulting humanitarian needs without getting drawn into the politics of the conflict. Humanitarian relief and peacemaking then become intertwined in a way that complicated the life of international officials engaged in both activities.

The Peace Keeping Mission

The peace keeping operations try to maintain the situation among a conflict's many parties. In this stage, the United Nations sends missions which contain civilian and military personnel who control the circumstances after the conflict's conclusion and the peace making terms have been accomplished.

We can better appreciate the differences between making and building peace in the Secretary-General's report from 1995:

It is now recognized that implementation of the settlement in the time prescribed may not be enough to guarantee that the conflict will not revive. Coordinated programmes are required, over a number of years and in various fields, to ensure that the original causes of war are eradicated. This involves the building up of national institutions, the promotion of human rights, the creation of civilian police forces and other actions in the political field. As I pointed out in "An Agenda for Development"

⁵³ Fomerand, Jacques. Historical Dictionary of the UN. Scarecrow Press: Lanham, Maryland. 2007. p287

⁵⁴ Skjelsbaek, Kjell. "The UN Secretary-General and the Mediation of International Disputes." The Journal of Peace Research, Vol. 28, No. 1, 102 (1991) p100

(A/48/935), only sustained efforts to resolve underlying socio-economic, cultural and humanitarian problems can place an achieved peace on a durable foundation⁵⁵.

Taking away the original causes of the war is mentioned here, and the creation of the institutions is designed to do that. This highlights the difference between traditional enforcement solutions and peace keeping. Its emphasis on personnel and field work expands the possibilities for both the prevention of conflict and the endurance of peace”⁵⁶.

The peace keeping operations trying to keep the situation among the conflicts parties in this stage the United Nations send missions contains civilian and military persons whom control the circumstancing after the war stopping and the peace making has done. This process was seen in Rwanda and Burundi between 2004 and 2007 following the civil conflict there. The force, “involving United Nations military and/or police personnel” requires the consent of all the parties concerned.⁵⁷

The Peace Building Mission

After the situation has been made more sustainable, the UN has other tools that it can use. These are not to solve the conflicts, but in this stage to build new atmospheres which can help the conflict’s parties work together to achieve similar goals and the same future plan. The organization’s perspective is practical because ideally, preventive diplomacy would work every time.

At this moment of renewed opportunity, the efforts of the organization to build peace, stability and security must encompass matters beyond military threats in order to break the fetters of strife and warfare that have characterized the past. But armed conflicts today, as they have throughout history, continue to bring fear and horror to humanity, requiring our urgent involvement to try to prevent, contain and bring them to an end.⁵⁸

⁵⁵ The United Nations. “Report of the Secretary-General on the work of the Organization, A/50/60 - S/1995/1.” New York. 3 January 1995.

⁵⁶ The United Nations. “Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992, A/47/277 - S/24111.” New York. 17 June 1992.

⁵⁷ *ibid*

⁵⁸ *ibid*

The reality means that peace building is the most important phase, and certainly the last part of the intervention operation. In this part, the work must focus on supporting peace efforts on one hand and finding the best way of consideration between the conflicts parties which helps transform the conflict to cooperation.

This stage can take the most time to realize. For instance, after the conflict in the former Yugoslavia, in 2009 the media announced that the railway between Belgrade and Sarajevo would again be open. This is a major step in seeing the conflict in a bigger context and bringing the conflict to a close. The real point of conceptualizing criteria for evaluating peacekeeping is to think about peacekeeping within the much bigger context of peace building and conflict transformation.⁵⁹

Other examples of this include improving support for democratic principles such as a fair role for the opposition, equitable access to public media, security sector reform, promoting tolerance and respect for human rights and providing technical assistance for the constitution and national institutions⁶⁰. These are happening every day with the UN's help all around the world.

⁵⁹ Druckman, Daniel, et al. "Evaluating PeaceKeeping Missions." Mershon International Studies Review, Vol. 41, No. 1 (May, 1997), p4.

⁶⁰ The United Nations. "Report of the Secretary-General on the work of the Organization A/55/985,S/2001/574." New York. 7 June 2001.

The Role & Instruments of the UN in International Conflicts Resolution: Decisions

1. UN Decisions:

The UN decisions are: the decisions and resolutions which have been taken from all UN agencies, in different fields, but the study will focus only in the international conflicts resolutions.

The decision making mechanisms of the UN are resolutions. These are intended to show that the groups of states which make up the UN and the bodies which pass the resolutions (the Security Council and the General Assembly) are acting together and would have collective political, economic and even military support.

International actors have been trying to use the UN in terms of its decisions and missions and so on, but on the other hand, the United Nations has been trying from its side to use these influences in its communications with the international community, and attempt to solve the conflicts by its instruments and international influence in the conflicts.

One of the important issues is if the UN decisions can solve the international situations, positively affecting parties in conflict and working with interests of state actors, or not. It is really difficult to confirm or disagree with such an argument; it works in some cases, but not always.

“The UN was also increasingly deemed competent – in normative terms, not necessarily in terms of actual capability – to take vital decisions with respect to intra-state conflicts at hand and any necessary follow-up”⁶¹.

Generally the United Nations makes decisions according to UN charter, but there are two different kinds of decisions: one in accordance to chapter VI, and the second one accordance to chapter VII. Resolutions taken according to chapter VI contain some recommendations for appropriate procedures or methods of adjustment to prevent an aggravation of conflicts and disputes. The resolutions taken according to chapter VII contain “action by air, sea, or land forces as may be necessary to maintain or restore international peace and security.”⁶²

⁶¹ Aksu, Esref. The United Nations, Intra-State Peacekeeping and Normative Change. Manchester University Press: Manchester, 2003. p107.

⁶² UN Charter, chapter VII, Article 42.

The main contradiction is that it should use its international allies as much as it can; on the other hand, unfortunately, the UN needs the backing of superpower states in order to be legitimate in the international system. These would be able to support the United Nations' actions each time – the Security Council resolutions during the vote and later on by their presence with the conflicting parties – as well as giving logistical and moral support to the various United Nations missions at different stages.

There is only one superpower left, however, the United States. Furthermore, because the UN is an organization which mediates, no coerces, it means that this superpower can have the ability to act in a unilateral way and bypass the resolutions passed by the UN.

Firstly we will look at the two most common types of resolutions and the difference in the councils which pass them. Second, we will see how these resolutions can be seen in political, economic and military ways. Finally we will make these more concrete by looking at examples of these types of resolutions passed with respect to both Iraq and Afghanistan, two nations whose actions have overwhelmingly been the subject of UN resolutions in recent decades⁶³.

2. UN Resolutions

The main function of the United Nations is to help create policy which maintains a peaceful international environment. Although anybody may pass a resolution, the two most common are those passed by the Security Council and those passed by the General Assembly.

The General Assembly has a central position as the chief deliberative, policymaking and representative organ of the United Nations. Comprising all 192 members of the United Nations, it provides a unique forum for multilateral discussion of the full spectrum of international issues covered by the Charter.

The work in General Assembly is more complicated than Security Council because 192 states represented in one place. These countries, outside the General Assembly meetings, are divided in several groups, with each group having some general interest and so on. Throughout those meetings, alliances, sometimes blocs, the character of the international system can be influential in the UN's efforts and resolutions in resolving conflicts.

According to the Charter, the General Assembly may consider and make recommendations on the general principles of cooperation for maintaining international peace

⁶³ See <http://www.casi.org.uk/info/scriraq.html> (Accessed 13 December 2009)

and security, including disarmament; discuss any question relating to international peace and security, and recommendations for the peaceful settlement.

The states and groups sometimes trying to avoid veto by recourse to General Assembly which has the mandate to, “pursuant to its ‘Uniting for Peace’ resolution of November 1950 (Resolution 377 (V)) . . . take action if the Security Council fails to act, owing to the negative vote of a permanent member, in a case where there appears to be a threat to the peace, breach of the peace or act of aggression. The Assembly can consider the matter immediately with a view to making recommendations to Members for collective measures to maintain or restore international peace and security.”⁶⁴

Each of the peace-keeping operations undertaken by the UN has been organized through formal Security Council resolution (with the exception of UNEF I, which was initiated by the General Assembly and later transferred to the Security Council).⁶⁵

The General Assembly’s resolutions are generally considered to be non-binding. Their resolutions may be directed to other states, or more directly to the Security Council. As Chapter IV, Article 10 of the UN Charter says, the purpose of their resolutions is to “recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations”⁶⁶

The resolutions passed by the Security Council though are designed to maintain international peace and security. The deployment of missions, for example, is largely dependent on the decision of the council, who can also have recommendations given to them by the General Assembly. The council has the ultimate say.

It is so organized to be able to function continuously, and a representative of each of its members must be present at all times at United Nations Headquarters.

When a complaint about a threat to peace is brought before it, the Council's first action is usually to recommend to the parties to try to reach agreement by peaceful means. In some cases, the Council itself undertakes investigation and mediation. It may appoint special representatives or request the Secretary-General to do so or to use his good offices. It may set forth principles for a peaceful settlement.

⁶⁴ See <http://www.un.org/en/index.shtml> (Accessed 15 Dec 2009)

⁶⁵ Stiles, Kendall W., and MacDonald, MaryEllen. "After Consensus, What? Performance Criteria for the UN in the Post-Cold War Era." *Journal of Peace Research*, Vol. 29, No. 3, 299-311 (1992)

⁶⁶ See <http://www.un.org/en/documents/charter/chapter4.shtml> (Accessed 12 December 2009)

When a dispute leads to fighting, the Council's first concern is to bring it to an end as soon as possible. On many occasions, the Council has issued cease-fire directives which have been instrumental in preventing wider hostilities. It also sends United Nations peace-keeping forces to help reduce tensions in troubled areas keep opposing forces apart and create conditions of calm in which peaceful settlements may be sought. The Council may decide on enforcement measures, economic sanctions (such as trade embargoes) or collective military action.

The Security Council resolutions are taken under many discussions and amendments, this process has a lot of pressing dialogue between the international factors and key states and the relations between the international system and solving the conflicts are becoming more clear, especially when permanent members use the veto to prevent the UN from doing its duties.

The work in the international organizations is challenging: the side conversations, fringes, political and economic pressures, taking common positions, all these things happen in the United Nations conference rooms. In other words, diplomacy of the states appear in the UN works and it can impact on it, but the United Nations efforts and resolutions can be affected in the state and the international conflicts as well.

3. Character

Although they are not official designations, resolutions have three different categories: political, economic and military. Because they are international recommendations, often, as we will see, there is not such a sharp line which divides them. It is true in many cases, including the cases we will examine, one resolution does not fix the situation, and many resolutions are passed. In these cases, most often they follow the pattern of first being political. When these demands are ignored, the UN body will then make an economic sanction of some sort. The Security Council is thirdly allowed to recommend and authorize a military intervention.

Political resolutions are the UN decisions dealing with the politics issues between and within the states. Those decisions had been taken by the United Nations have an effect on the states, and therefore on the international community. The actions and reactions between the UN's efforts in solving conflicts and: states, the key actors, affected by UN political resolutions can give the real perspective of the interrelations between the international system and the UN ability in resolving conflicts.

Political resolutions tend to condemn regimes or actions, or to make explicit some certain demands. Ending hostilities and calling for a state and its actors to correct a situation refers to the political actions the UN – mostly the Security Council – wishes for that state to take. They touch secretive issues and need sacrifices from conflicts’ parties, to confidence and trusting among them.” The fault lies first in the lack of political will of parties to seek a solution to their differences through such means as are suggested in Chapter VI of the Charter”⁶⁷

In general the political resolutions can have several operations such as: elections, creating governments, adoption of constitutions, establishing, and so on. But when the conflicts between states the resolutions may ask the states take apolitical or military decisions which can have political reflections to defy the resolutions on one hand, on the other hand approval of some or all UN political resolutions can be impact in to the political future of parties in conflict.

Finally these resolutions need patient diplomacy and long term to be acceptable and success for all parties even power states which have interests over the world, that’s why the UN can not solve such disputes without its supports, while in others the UN find difficulties to convince key stats to intervention in some conflicts.

Economic resolutions can limit imports and exports, or in the more extreme cases, complete embargoes. If other international structures and organizations are involved, the states or members of the offending party may have part or all of its assets frozen. This means a reduction of capital.

These resolutions affect a state in solving disputes, and “measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations”⁶⁸

This describes the least common sort of resolution, one which is endorsing or authorizing military force. These are uncommon because the UN does not have a standing army, but also because to recommend force seems to contradict the stated purpose of UN to maintain peace.

4. Application

⁶⁷ The United Nations. “Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992, A/47/277 - S/24111.” New York. 17 June 1992.

⁶⁸ The UN Charter, chapter VII, article 41.

Since we will be speaking about both Iraq and Afghanistan in some detail in the final chapter, a short view of the some resolutions will be written to show how resolutions generally move from political to economic to military.

First, after Iraq's 1990 invasion of Kuwait, the Security Council passed Security Council Resolution (SCR) 660, which demanded an immediate and unconditional withdrawal.⁶⁹ However, the military component is not here. The resolution's reference to Article 39 obliged the two nations (Iraq and Kuwait) to settle their differences themselves.⁷⁰ The Security Council then was making a mostly political statement, which can be within the UN or between the key states and the parties in conflict. It did also have economic impact, though because just following, the United Kingdom, France and the United States froze Iraqi assets.⁷¹ Militarily, Russia stopped supplying Iraq with weapons.

A more pure economic aspect is seen in the next resolution SCR 661, which represented only the third time in history the Security Council had ever authorized sanctions. These 1990 sanctions "imposed comprehensive mandatory sanctions on Iraq except for medical supplies and, in humanitarian circumstances, foodstuffs. These sanctions required all states to prevent import into their countries of all commodities and products originating in Iraq or Kuwait and to prevent the supply of any commodities or products other than the exceptions mentioned above."⁷² On the international stage, where areas are richer, often the discussions about economic sanctions can be long arguments.

The best-known resolution was to be passed as SCR 687. Malone calls it among the most important decisions of the post Cold War period.⁷³ It "authorizes member states co-operating with the Government of Kuwait. . .to use all necessary means to uphold and implement resolution 660 (1990) and all subsequent relevant resolutions and to restore international peace and security in the area."⁷⁴ This created a "coalition of the willing" and the UN's willingness to endorse not only economic sanctions but the use of force made a turning point in the

⁶⁹ Westra, Joel H. International Law and the Use of Armed Force: the UN Charter and the Major Powers. Routledge: London. 2007. pp112

⁷⁰ Conforti, Benedetto. Law and Practices of the UN. Martinus Nijhoff: Leiden. 2005. pp181

⁷¹ Malone, David M. The International Struggle Over Iraq: Politics in the UN Security Council 1980 – 2005. Oxford University Press: Oxford. 2006. pp324

⁷² Pearson, Graham S. The Search for Iraq's Weapons of Mass Destruction. Palgrave Macmillan: Hampshire. 2005

⁷³ Malone, David M. The International Struggle Over Iraq: Politics in the UN Security Council 1980 – 2005. Oxford University Press: Oxford. 2006. pp69

⁷⁴ See <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/575/28/IMG/NR057528.pdf?OpenElement> (Accessed 12 December 2009)

international scene. It was a new world order that leaves the door open for superpowers, “authorizing a whole range of forcible actions by member states.”⁷⁵ In this case, the United States was the only superpower and had the strength to affect the other factors in the international community.

It is SCR 678 that makes the differences between Iraq and Afghanistan obvious. While the general process of resolutions from Security Council is also from political to economic to military, we shall see that the difference is that the UN never authorized a coalition of the willing in Afghanistan, but the situation was different, as we will explain.

Politically, SCR 1076 called for the end to hostilities and outside interference, and also an end to the supply of arms to parties in the conflict. The wording strongly suggests that non-interference is the most important part of the resolution⁷⁶. The economic sanctions, shown in SCR 1267 froze assets of the Taliban and also forbade aircraft to take off or land in Taliban-controlled territory, limiting the flow of goods.⁷⁷ But most importantly, and what may be the difference between the “success” or “failure” of the UN, the Security Council in SCR 1386, authorized only the deployment to Afghanistan for six months of “an International Security Force.” Lowe and Roberts include an appendix which shows that the 31.000 troops were to be provided by NATO, not a coalition of the willing.

Resolutions are one of the clearest ways the system and international factor are addressed, and the way the United Nations can communicate with one itself and rogue states. But whether the resolutions are followed or ignored is even more important than what is written.

⁷⁵ Lowe, Vaughn and Roberts, Adam. The United Nations Security Council and War. Oxford University Press: Oxford. 2008. p89

⁷⁶ *ibid.* pp456

⁷⁷ *ibid.* pp618.

The Role & Instruments of the UN in International Conflicts Resolution: The UN's Instruments

The UN is also concerned with the ability of peacekeeping operations to deter more serious conflict.⁷⁸ Thus they have various practical instruments at their disposal because as we have seen, resolutions alone sometimes are not enough. Military intervention is the last option of the United Nations, and in the few cases where this has ever been authorized by the Security Council, it was only after all other instruments had failed. Disarmament, sanctions, and demilitarized zones are all methods of maintaining a fragile peace, but in reality enforcement must occur in order to ensure any success. These are the instruments we will examine.

1. DISARMAMENT

Disarmament is the most fundamental instrument in a way. Theoretically, to remove the weapons from the fighters is to ensure peace. According to some estimates, light weapons (small arms) account for at least one third of the world's arms trade, and therefore justify separate consideration from artillery.⁷⁹ The definitions can vary, but in general, light weapons are considered the arms which a soldier can carry on his person in a conflict.

There is a second class of these light weapons which also include anti-personnel land mines, of which there may be more than 110 million⁸⁰. Between the two groupings, some thinkers are of the opinion that these, perhaps not heavy artillery, cause most of the deaths in international conflict⁸¹.

With the already documented proliferation of conflicts around the globe which the UN is attempting to contain, disarmament becomes a critical instrument. Indeed, in order to differentiate it from a nation's large artillery stockpiles, the increased UN focus on these weapons is referred to as "micro-disarmament," which was addressed at the 2001 UN Conference on Illicit Trade in Small Arms and Light Weapons.

⁷⁸ Druckman, Daniel, et al. Evaluating PeaceKeeping Missions. Mershon International Studies Review, Vol. 41, No. 1 (May, 1997), pp. 151-165

⁷⁹ See <http://www.un.org/Docs/SG/agsupp.html#DISARM> (Accessed 13 December 2009)

⁸⁰ See <http://www.un.org/Docs/SG/agsupp.html#DISARM> (Accessed 13 December 2009)

⁸¹ Peters, Rebecca. "Small arms and light weapons: making the UN programme of action work." Disarmament Diplomacy. Issue 82, Spring 2006.

They are relatively easy to transport without detection and all too effective, as we have seen in Somalia. This is despite the 1992 SCR 733 prohibiting arms trade to the country. However, this is largely because the arms embargo was a stand-alone measure.⁸²

Disarmament without sanctions is almost as useless as disarmament without enforcement, both of which can be seen as supporting instruments. In Angola in 1992, for example, the UN was accused of not insisting on thorough disarmament and demobilization⁸³. The UN's underestimation of troops in Sierra Leone the same year required Great Britain's assistance, only after which "the United Nations was able to oversee a process of disarmament."⁸⁴

Despite this, it has also been put into practice successfully, especially in Africa in the period directly following the Cold War era.

The early post-Cold War UN-led operations in Namibia, Cambodia, El Salvador and Mozambique followed a similar pattern. The international community, with U.S. and Soviet backing first brokered a peace accord. The Security Council then dispatched a UN peacekeeping force to oversee its implementation. In each case, the UN mission's responsibilities included initiating an expeditious process of disarmament, demobilization, and reintegration. . . The United Nations became adept at overseeing the disarmament and demobilization of willing parties.⁸⁵

2. SANCTIONS

Even better than disarmament would be to limit or ideally stop the flow of these armaments into the conflict area. In general, an arms embargo is a part of any UN sanction in a region of conflict, but on occasion disarmament is not enough. Sanctions are economic penalties which are a mandatory instrument for the Security Council if peace is threatened and diplomacy has failed.

Sanctions are justified by Article 41 of the Charter, which essentially allows any punitive measures not including armed force. As Malone points out, before the Iraq War, they were in fact quite rarely used.⁸⁶

⁸² Lowe, Vaughn and Roberts, Adam. The United Nations Security Council and War. Oxford University Press: Oxford. 2008. pp214

⁸³ Newman, Edward and Rich, Roland. The UN Role in Promoting Democracy: between ideals and reality. UN University Press: Tokyo. 2004. pp204

⁸⁴ Dobbins, James. UN's Role in Nation Building. Rand: Santa Monica. 2005. xx

⁸⁵ *ibid.* xvii

⁸⁶ Malone, David M. The International Struggle Over Iraq: Politics in the UN Security Council 1980 – 2005. Oxford University Press: Oxford. 2006. pp134

Despite the obvious advantages of sanctions, there are a number of disadvantages to sanctions, even though they have sometimes proved effective.

They are a blunt instrument, which means that they strike all people essentially the same way. When there is an embargo on food in a hungry country, no-one eats. The application of a sanction can have unintended effects, including anti-UN sentiment, which can reinforce the leaders the sanctions are targeting.

The sanctions regime against Iraq stands as a paradigm of both the virtues and vices of the sanctions approach. [It] demonstrated the utility – and also the challenges – of Security Council subsidiary bodies operating as delegated regulators. . . . Although Haiti and other cases provided lessons, it was also the Iraq sanctions regime that demonstrated most clearly how a cunning target government could turn sanctions to its own ends, and how terrible the resulting cost to civilians might be.⁸⁷

There is also the question of when the sanctions should be lifted, a debate that has happened about Cuba and Haiti. In the most recent case in Iraq, the instrument was specifically modified to be “coercive disarmament,” which linked disarming with the removal of sanctions.⁸⁸ The international system has seen changes in the use of sanctions since the end of the Cold War. In previous years the USSR was often opposed to such sanctions, but the United States supported them in the instances such as Iran, Iraq, Cuba, Haiti and North Korea.

3. Demilitarized Zones

Ghali thought enough of demilitarized zones to include them when he spoke of five important instruments, one of which was all of preventive diplomacy itself⁸⁹. However, recent history has shown that demilitarized zones, which may have success at first, quickly become attractive for the locally strongest power.

⁸⁷ *ibid.*

⁸⁸ Pearson, Graham S. *The Search for Iraq's Weapons of Mass Destruction*. Palgrave Macmillan: Hampshire. 2005. xvi

⁸⁹ Ackermann, Alice. “The Idea and Practice of Conflict Intervention.” *Journal of Peace Research*, Vol. 40, No. 3, 340 (2003) pp340

The zone from 1993 to 1996 in Rwanda existed in a fragile way. It did not prevent genocide. In fact, the UN-sponsored troops were attacked and withdrew, sizably reducing the mission and allowing local militants to gain control of the zone.⁹⁰

More recently than that, the zone between Iraq and Kuwait, following the invasion of the United States in 2003, was formally abandoned by the U.N. in October, seven months later.⁹¹ In both cases, the presence of a stronger power – and these instruments without enforcement – were as effective as a resolution on a paper.

4. Enforcement Action

This is the ultimate instrument of the UN's famous Chapter VII, stating that "such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations."⁹²

This capacity to deploy, direct, command and control operations has been seldom used: only Korea and Kuwait – and for humanitarian relief in Somalia and Rwanda and the restoration of democracy in Haiti.

The wording of the charter also makes it possible for the Security Council to delegate the peacekeeping mission to organizations like NATO, which they did during the crisis in Bosnia, when military flights were banned.

The obvious benefits are that multilateral intervention is more legitimate (and therefore preferable, if necessary) than unilateral intervention, and that it gives the UN a capacity it would not have had otherwise.

On the other hand, if the force is not prepared to commit fully, as we have seen in Angola and Sierra Leone, intervention can be costly.⁹³ But half measures may still be better than full measures. Ghali, in an interesting piece of prophecy, warned in 1995, "There is also the danger that the states concerned [in the intervention] may claim international legitimacy and approval

⁹⁰ Lowe, Vaughn and Roberts, Adam. The United Nations Security Council and War. Oxford University Press: Oxford. 2008. Appendix I

⁹¹ *ibid.*

⁹² UN Charter

⁹³ Oliker, Olga. Aid During Conflict: Interaction Between Military and Civilian Providers in Afghanistan. Rand: Santa Monica. 2004. pp9

for forceful actions that were not in fact envisaged by the Security Council when it gave its authorization to them.”⁹⁴

In fact, this was the case seven years later, after President George W. Bush dared the United Nations either to “be irrelevant” or uphold the “purpose of its founding”:

The uncomfortable implication for the Council was clear: either it must back the US demand for forceful disarmament of Iraq – and by implication regime change – or it would be sidelined. For the UN, the options were stark: kowtow to the hegemon, or face irrelevance.⁹⁵

As we can see, any of these instruments, preventive or practical, needs to have at least the threat of some force behind it. But the fundamental problem is that the missions need the resolutions, the resolutions need the instruments, and the instruments need the force. But how much, if at all? Enforcement is a sword with two edges: too little and the conditions don’t change and too much and they change too much. Iraq and Afghanistan after 2002 will provide us with an interesting analysis of UN’s policy – and its effectiveness.

⁹⁴ See <http://www.un.org/Docs/SG/agsupp.html#ENFORCE> (Accessed 13 December 2009)

⁹⁵ Lowe, Vaughn and Roberts, Adam. The United Nations Security Council and War. Oxford University Press: Oxford. 2008. pp397

The UN's Success or Failure in Solving Certain: The Case for Afghanistan & Iraq: Afghanistan

The question of success and failure is not so much a question of definition as it is a question about scope. When we consider how the situation in post-2002 Afghanistan or Iraq might have developed without the aid and assistance of international bodies, specifically the UN, how the situation might have evolved without a peace accord (or with an accord but without an international presence to help implement it), the feeling is almost certainly worse. Both regimes were well-known for mistreatment of their portions of their own populations. We do not intend to answer the question, "Were the interventions justified?" We are concerned with isolating the successes or failures of the UN as an instrument of world peace and assessing whether such a system in practice will be able to be of assistance in future international conflicts and crises.

This is a quotation to be asked every time before evaluating UN efforts in solving conflicts: "Selection of criteria and any collection and "interpretation" of data are in some important senses subjective. And these subjectivities need to be clearly addressed and discussed in any study."⁹⁶ The source of the data is not within the scope of our study; instead we will examine the instruments and factors as they have been reported. In this way, it is true that any future possible conflict for which this study might be relevant would depend if the situation in such a region was comparable to Afghanistan and Iraq of the 21st century.

Sir Brian Urquhart makes this more specific in his nine factors which he claims are essential for successful peacekeeping: a viable political context, consistently broad support-political, diplomatic, military, and financial-for the operation, representativeness in the force, feasibility built into the mandate, cooperation from the parties to the dispute, skill and sensitivity in directing the force, quality in the command process, military discipline in the troops, and no imposition of an external will or solution.⁹⁷

⁹⁶ Druckman, Daniel, et al. Evaluating Peacekeeping Missions. Mershon International Studies Review, Vol. 41, No. 1 (May, 1997). p151

⁹⁷ *ibid*, pp 8

This list, while helpful, only shows what allows successful peacekeeping to happen. It is difficult to speculate about the effect the UN's mere presence had, but possible to determine the to-date performance of the UN in these fields.

It is important to remember that the standards which can measure the success or failure in each UN efforts and intervention in solving conflicts because UN's role can be success or fail in any stage of the conflicts: it might be fail in political field, but succeed in other efforts. Therefore we will have to consider our factors and instruments individually before we look at the process and the "verdict."

From this point of view the final evaluation is better to be on the overall efforts. The many factors which vary from case to case can then become a general observation and thus validate one of the main assumptions of this thesis, which connect the international system with all factors and powers natural in the character of the system, which in its turn influences the United Nations and its work in solving international conflicts.

After nearly a decade in Afghanistan and Iraq, it is a good question to consider whether the UN's preventive diplomacy, the passage of resolutions and application of instruments has affected the region positively.

ENVOYS

The UN's role in the democratic restructuring of the return to a lawful Afghanistan began in a very promising way. The presence of Brahimi and the UN's willingness to comply with his structural suggestions would eventually result in the creation of the United Nations Assistance Mission in Afghanistan (UNAMA). His prior experience in serving the United Nations – even before the al-Qaeda attacks of 11 September in Afghanistan – made him a respected diplomat by many factions.

Kofi Annan, then the Secretary-General, appointed Brahimi to oversee the transition of Afghanistan even before the military interventions of 2002. His purpose was to "initiate preparations. . .through the development of plans for the reconstruction and rehabilitation." His position there as the principal international diplomat, and the charge that he assumed over the existing UN structures in Afghanistan, meant that country got the stability of a trusted and experienced leader when they were in the midst of a number of crises.

It can be argued that it was his ability to unite different groups within Afghanistan that allowed for a united anti-Taliban front to be presented internationally to Bonn, where he chaired the meeting that would enlist international support for future UN intervention.⁹⁸

The successive envoys have enjoyed much less success, particularly during 2009, when two international diplomats associated with the UN's Afghanistan presence have unexpectedly ended their work. Some of this uncertainty can be ascribed to a confused enforcement and inconsistent peacekeeping policy, as we shall see later. A second, perhaps better, argument might be that the American Peter Galbraith and the Norwegian Kai Eide lack the perspective and legitimacy that Brahimi had. Afghanistan has a long history of actively resenting the presence of outside groups, most recently with Soviet occupation and British invasion a century before that. Even though the aims of Galbraith and Eide were to oversee the election of an Afghan president, the task of Brahimi was more basic: to offer Afghans at the very least a regional or tribal representation.

Galbraith, the former UN deputy head of the mission to Afghanistan complained about fraud in the 2008 round of presidential elections. He was quickly removed from his post. It is too early to tell, but it raises questions about whether the loss of his job had something do less with fraud and more with seeming to oppose Karzai, who is without question a very important person for the United States, who dominates the agenda. Eide, who was the one who fired him, took the position as envoy at the beginning of 2008, and the timing of his appointment was similar to the Taliban's renewed strength. His decision to leave, whether he has been asked to or not, therefore, has all the look of failure.

The admission of "widespread fraud" was disappointing because the UN had helped to work so hard to make the result legitimate. The disagreement with Eide Galbraith and also the cause of some of the fraud were voting stations, where no observers could be present, and whether they should remain open or close, and make it impossible for some Afghans to vote. These internal fights harm the election procedure, in this case, but also take away hope from Afghanistan, which is in need of strong leaders: presidents, governments, but also international diplomats, like envoys.

⁹⁸ Newman, Edward and Rich, Roland. The UN Role in Promoting Democracy: between ideals and reality. UN University Press: Tokyo. 2004. pp326

MISSIONS

As the envoys seem to have had more success earlier in the conflict, so too do their missions. In 2002, Brahimi managed to convene a Loya Jirga from a disparate group of Pashtuns and Tajiks, without which any candidate for Afghan leadership would certainly have failed.

He was not the first to attempt this in the modern age; ten years earlier, one had been tried.

The UN-sponsored political process aimed at unifying Afghanistan under a legitimate central government was marred by factional competition [in June 2002]. . . The main reason factional rivalry did not develop into armed clashes similar to those in 1992 was the presence of coalition forces and international peacekeepers in the country.⁹⁹

We can appreciate, then the early successes of the missions by internal comparisons with Afghanistan's own recent history. From this Loya Jirga, some kind of hope was emerging. Even though it had been convened by outside forces, it was promising Afghan leadership.

As Brahimi and UN diplomats became further from the process, however, and nations like United States, and their envoys, which could represent their own special interests in the process began to become more influential. This led to the declining ability of the UN missions to be effective.

Furthermore, the Northern Alliance, the military intervention arm authorized by the UN, found they needed to back regions after the first defeat of the Taliban forces in 2001-2. This would prevent the leaders of often mountainous regions from returning to Taliban rule during the combat phase. In practice, it often meant opposing the will of Kabul, which then weakened Hamid Karzai, who gained selection as the leading candidate to lead Afghanistan under the UN mandate based on the Bonn agreement chaired by Brahimi.¹⁰⁰

Even though the UN had "closely supervised" the Loya Jirga elections, including women and clerics, there were two large problems relating to tradition. The first was the last Shah, who had been overthrown in 1973, was in a position to take some legitimate leadership of the new government. The second was that the loss of the Taliban and the selection of the more secular

⁹⁹ Jalali, Ali A. The Legacy of War and the Challenge of Peace Building. Brookings Institution Press: Washington, D.C. 2007. pp30

¹⁰⁰ Olikier, Olga. Aid During Conflict: Interaction Between Military and Civilian Providers in Afghanistan. Rand: Santa Monica. 2004. pp79

Karzai over Rabbani (whose attempt to control government in the 1990s is well-remembered), these both showed to people that Islam in Afghanistan was not going to be an important part of political government¹⁰¹. For Zahir Shah and Islam not to have any obvious place in the government was perhaps a dangerous position, one which the UN and its mission to install the Loya Jirga overlooked.

It is further possible that in its interest to back Karzai, the UN has failed to consider the long-term meaning:

Moreover, the formula for rebuilding the state has been weighted toward creating a strong central government, even as the light American military footprint opened the door for warlord to return and entrench themselves in the provinces. In a country that traditionally had a weak state and strong society, a push for a strongly centralized government means an inevitable showdown with the powerful warlords.

Some of this growing failure to address the needs in the Afghan context can be seen in the changing of UNAMA. When it was created, it was the combination of UNSMA and UNOCHA into one organization that Brahimi would oversee. After his resignation, the organization has passed, as we have seen, into the hands of envoys that lack his apparent credibility.

The UNAMA, created in March 2002, became a sort of catch-all organization for instituting all reforms. “The UNAMA mandate, as it developed over time, included constitutional reform, elections, security sector reform, police training, significant judicial sector reform, reconstruction, initiatives on gender issues, and new human rights institutions.”¹⁰² With such an ambitious list of reforms, and given the UN’s admittedly thinly spread resources, it is more of a failure to anticipate that this system would shortly become overwhelmed and/or dominated by special national interests, such as those of the permanent members of the Security Council.

Yet despite all of this, the UN continues to extend UNAMA’s mandate.

Its size may be one reason that diplomats who should certainly know better have taken the critical step of “fact-finding” to themselves. Though there are plenty of missions sent to

¹⁰¹ Rasanayagam, Angelo. *Afghanistan: a modern history*. I.B. Tauris: London. 2005. pp257

¹⁰² Lowe, Vaughn and Roberts, Adam. *The United Nations Security Council and War*. Oxford University Press: Oxford. 2008. pp595

Afghanistan, it is interesting that two high ranking diplomats from the EU (the head of the mission) and the UN would independently travel around the country and meet with different groups in different regions. But they have been accused of meeting with pro-Taliban forces (which is likely), and the appearance of something wrong has caused them to be “persona non grata.” Karzai’s government has said the meetings were not their jobs.¹⁰³ But the bottom line is the missions do not seem to be able to operate effectively, whether it is because of internal pressures, too-big structures or lack of effective leadership.

The resolutions which the UN has passed about Afghanistan since 2001 have had some success from the point of view of humanitarian aid, assistance for refugees and education. The political, economic and military arms, as we shall see, were a different case.

Often, since the Security Council’s resolutions are meant as statements of international opinion and not as directives, then it is not the UN who makes the progress. Instead it can be the sister organizations of the UN, or other international bodies supported by and helped by the UN.

The Afghanistan Independent Human Rights Commission (AIHRC) is an excellent example of this. It was established, according to its own history, in 2001 “pursuant to the Bonn Agreement.” The UN Human Rights council and its commissioner are some of the instruments of this group, so the relationship is clear, but is actually part of the Afghanistan government.

SCR 1868 (2009) is an important recent document that can help us understand the many resolutions which have been passed about Afghanistan in the last decade, and to help see how the UN is assisting organizations in the area of goals of human rights (including refugees and civilians, women and children). For instance, it says of the cooperation with AIHRC that they are monitoring “the situation of civilians to coordinate efforts to ensure their protection and to assist in the full implementation of the fundamental freedoms and human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State part, in particular those regarding the full enjoyment by women of their human rights.”

This also refers to the efforts made to make sure that girls can again go to school for education and that children are not recruited by “armed illegal militias” (e.g., the Taliban) as fighters, but not so explicitly, because it is not the job of the resolution to do this, but the instruments of the UN organization.

¹⁰³ See http://news.bbc.co.uk/2/hi/uk_news/7159961.stm (Accessed 13 December 2009)

For instance, the 2005 SCR 1612 addresses just exactly this issue, children and armed conflict, but never mentions specific offenders or recommends an action to be taken. The UN Security Council indeed does not have that task. It “takes note,” “strongly condemns” and is “gravely concerned.” But these resolutions also summarize. SCR 1868 again, shows us in the text that these organs and instruments are working, when it mentions the “significant progress achieved on gender equality in recent years [and] strongly condemns continuing forms of discrimination and violence against woman and girls. . .”

This refers to the 2000 SCR 1325, which addressed issues from women’s roles in peacekeeping forces to civilian rights. The social resolutions have had a good degree of success, as we are seeing even today. However, the more purely political and economic resolutions are a different case.

The UN SCR 1401 was passed on 28 March 2002. This was the UN’s political reaction to Bonn, whose general aim was to establish a government and structures, as we have seen. The one important piece which was missing was a military mandate. The two main functions of the UNAMA were political affairs and reconstruction. Seen another way, in the context of the three sorts of resolutions, this covers the political and economic, but not the military. As we saw in the previous section, without a detailed commitment to reinforcement, such resolutions can often have negative or unwieldy consequences.

Of further note is 1444, passed later on by the Security Council. It “calls upon member states to contribute personnel, equipment and other resources” to fulfill the mandate¹⁰⁴. The text also mentions supporting international efforts to root out terrorism, which the resolution claims is “in keeping with the charter of the United Nations.”

The most important resolutions taken in the case of Afghanistan is the earlier SCR 1373, which reaffirms “the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001) [and] the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts.” While SCR 1444 attempts to deal with a situation which is already military, this important SCR 1373 is the resolution which the USA used as the basis to start the war in Afghanistan, claiming a legal right to collective self-defense.

¹⁰⁴ See http://www.adh-geneva.ch/RULAC/pdf_state/S-RES-1444.pdf (Accessed 13 Dec 2009)

In fact, this may or may not be the case. Either the resolutions fail adequately to address reality or accuracy. There is a legitimate question about whether this resolution is harmonious with the charter or not. Conforti's analysis says, "The reaction against terrorism should not consist of the use of armed force against a state, involving the death of innocent people but rather in the adoption of preventive and repressive measures against the individuals committing or organizing such crimes."¹⁰⁵

Understandably, any UN declaration of "war" on terror will be mostly ideological. But SCR 1444, because it heaps enforcement power on organizations and bodies which lie beyond the direct control of the UN (such as the already stressed UNAMA), practically opens the door for a confused ideological platform which is at the risk of being inconsistently or even unfairly applied by nations whose economic and military hegemony may have a hidden agenda. This would be particularly true for the nations and enforcers for the powerful permanent members of the Security Council.

The principle that peacekeeping operations are UN operations has weakened since the end of the Cold War. Rather than running operations itself the Security Council has authorized regional organizations to implement a range of peacekeeping missions.¹⁰⁶

Here the author is referring to the International Security Assistance Force (ISAF), a separate but cooperative unit of force made up of representatives from 43 nations. It is dominated however by the United States, which only shows importantly that the US is at least one of the factors which are dominating the UN. The net result, however, is to fail to use the power the resolutions can offer the UN, instead delegating to organizations which may have political agendas, like NATO or any member nations with structural interest. The United States, for example, contributes over three times as many troops to the ISAF than the next power, the United Kingdom, which itself is dozens of times more than the next contributing nation.¹⁰⁷

SANCTIONS

¹⁰⁵ Conforti, Benedetto. Law and Practices of the UN. Martinus Nijhoff: Leiden. 2005. pp175

¹⁰⁶ Lowe, Vaughn and Roberts, Adam. The United Nations Security Council and War. Oxford University Press: Oxford. 2008. pp170

¹⁰⁷ See <http://www.isaf.nato.int/en/troop-contributing-nations/index.php> (Accessed 22 Dec 2009)

The first sanctions against Afghanistan were two years before the terrorist attacks in the United States. The UN Security Council in October, 1999, wished to have Osama bin Laden extradited. These pressures were gradually increased (SCR 1333 and SCR 1363) when the government of Afghanistan was still the regime of Taliban. Some permanent members of the council, The United States and Russia, both had an interest not in taking away the Taliban, but in putting enough pressure on the ruling coalition in 2001 to have Osama bin Laden extradited for a trial.¹⁰⁸

These types of sanctions were not very effective against such a regime, and also the infrastructure of Afghanistan is so weak that such sanctions were not noticeable. It is also clear that the UN would not be able to stop its humanitarian work in Afghanistan. Most importantly, the continued support of Pakistan for the Taliban regime meant that the sanctions had little, if any, effect.¹⁰⁹

What we can see here is that for sanctions to work, the whole region must be involved. The dialogue with other nations around Afghanistan was missing. After the initial defeat of Taliban in 2001-2, successful sanctions involving neighboring powers like Pakistan, Iran and China, for example. This could have limited the flow of arms and drugs, and allowed disarmament to happen.

It was the United States, and also Russia, and their pressures which imposed the sanctions in 2000. The influence of these international actors on the Security Council, and perhaps placing their national interests above making Afghanistan a better country, shows how the idea and approach of sanctions was a failure.¹¹⁰ Certainly, then, every resolution for deeper sanctions will show this as well.

The adoption of SCR 1333 (December 2000) added an arms embargo to keep arms away from the Taliban, but said that anything “intended solely for humanitarian or protective use” is acceptable. It means that arms were still flowing into the country. Ordinary Afghans again suffered from SCR 1390, which extends the freeze of financial assets of the Taliban. The large amount of territory under Taliban influence, and that fact that Taliban had enough money to run a government, create an army and buy Ariana Afghan Airlines certainly means that when their

¹⁰⁸ Lowe, Vaughn and Roberts, Adam. The United Nations Security Council and War. Oxford University Press: Oxford. 2008. pp459

¹⁰⁹ *ibid* 461

¹¹⁰ See <http://www.globalpolicy.org/component/content/article/202/41753.html> (Accessed 13 Dec 2009)

assets were frozen, common people would suffer. The most recent UN report on progress in Afghanistan estimates one from every six Afghans does not have enough to eat.

Sanctions were increased in 2002, 2003 and 2005. If Taliban were affected, it was not enough to stop them from fighting. More recently, specific sanctions have been undertaken, like SCR 1817, which establishes Targeted Anti-Trafficking Regional Communication, Expertise and Training (TARCET). They are charged with looking for and destroying narcotic drugs, which seem to be funding Taliban resistance. It “invites the international community to provide financial and technical assistance,” and tightens regional controls. It has the possibility, however, to affect more sides of international trade than only the movement of drugs.

While we can see from this that states can be affected by sanctions, people are also affected by them, and sometimes more than governments. But UN sanctions, if applied in the proper way, can encourage people to change their system of government, peacefully, while the UN for example keeps the peace.

MILITARY

Brahimi’s efforts in Bonn were a perfect start. Afghanistan, even as its ideological government of the Taliban was collapsing, needed someone to fill the void so that regional tribal leaders and warlords did not reassume control of the nation. Brahimi, who understood this, worked actively with the UN to convene the Loya Jirga. But the face of Brahimi, which he wanted to show to the UN, was largely “replaced” with the face of Hamid Karzai, whom the west found “most acceptable.” Since then, elections accused of massive fraud have soured the legitimacy of the process. It disregards Brahimi’s vision and assertion that elections are “the most important milestone. There is no substitute for the legitimacy that comes from free and fair elections.”¹¹¹

Force, perhaps, and its use, have made the west feel that Karzai is the only thing standing between a “new” Afghanistan and a return to the lawless days of the Taliban. Indeed, the difference may not be so great.

Even as early as 2004 and as recently as November 2009, the UN has been unable to guarantee the safety of its own non-security members. In October 2004, several UN hostages

¹¹¹ See <http://www.washingtontimes.com/news/2004/apr/15/20040415-124444-4930r/> (Accessed 13 December 2009)

were taken ahead of the first round of elections and not released until the following month. Periodic attacks on UN offices have also forced difficult decisions and elicited vague threats.

The UN will require nearly a month to relocate 600 staff from Kabul which they feel to be in danger. It points not only to the relative bureaucratic inefficiency, but also, some feel, to the need for more enforcement presence.

The shortage of troops on the ground is well documented. The concentration of the troops is in Kabul, which the UN mission doesn't consider safe for its workers. The roads and routes outside of Kabul, however, are in Taliban hands. It is the job of the ISAF to look after Kabul and the American forces, whose numbers are 3 times more, are hunting the Taliban outside of the capital.¹¹²

It is, however, only the Americans who are speaking of sending more troops. This increases, as we have seen, the ratio of Americans to the ISAF quite dramatically. Even before the ISAF was created, Ambassador Richard Holbrooke stressed the need for a multinational force, perhaps seeing the trouble that a failure to observe this might mean. He defined success as eliminating terrorist structure and replacing them with new, deploying 3 000 UN staff for four years, and a multilateral force.¹¹³

It has been far more than four years, there are still terrorist structures in place, and it has been suggested that President Obama will deploy more US troops to Afghanistan and from other countries as well. There is, as we can see, significant US influence on this "multinational force."

This force must be explicitly sanctioned by the Security Council, which the resolutions have shown us, is not. Holbrooke further warned that not having a multinational force – as was the case in Rwanda, Somalia and Bosnia – has the effect of "almost bringing down the UN with them."¹¹⁴

Without the power of the UN, we can't define how much force is permissible. The US argued in going to Iraq that they were only defending their own collective security, by stopping a threat with force before it could strike them. It is arguably not in the UN charter to do this. So without a multinational force, we see how difficult it is to make international lines for when defense becomes offense.

¹¹² See <http://www.globalpolicy.org/component/content/article/178/33213.html> (Accessed 13 December 2009)

¹¹³ Holbrooke, Richard. "Send a Multilateral Security Force to Afghanistan" International Herald Tribune. 15 November 2001.

¹¹⁴ Rasanayagam, Angelo. Afghanistan: a modern history. I.B. Tauris: London. 2005. pp 257

The UN's military authority has not been so much undercut by individual state actors or nations as it has been tacitly unspecified by the UN instruments and organizations. It is a fundamental fact that the Security Council never authorized the war conducted by the United States and its allies in Afghanistan, yet appeared prepared to endorse the United States to act as its military wing while the UN provided infrastructural support (i.e., SCR 1401).

Because the UN's authority has consistently been undercut by US, the effectiveness of the international organization and its possibility to affect change in the future is called into question. The Security Council never authorized the war conducted by the United States in Afghanistan¹¹⁵

There are serious questions about the effectiveness of policy. Many are of the opinion from this that international policies have been undercommitted and inconsistent, and which never really reflected what an international community wanted, only reactions when nations' direct interests were threatened.¹¹⁶

¹¹⁵ See <http://www.echecalaguerre.org/index.php?id=187> (Accessed 13 December 2009)

¹¹⁶ Lowe, Vaughn and Roberts, Adam. The United Nations Security Council and War. Oxford University Press: Oxford. 2008. pp457

The UN's Success or Failure in Solving Certain: The Case for Afghanistan & Iraq: Iraq

The United Nations and its effectiveness have clearly been influenced by international actors in the recent years of international diplomacy since the end of the Cold War. In contrast to Afghanistan, the UN's role in Iraq has been hard to define, intermittent and mostly secondary.

Iraq for the UN has presented problems that Afghanistan did not. This is in some way because in the second Iraq Crisis, by which we mean the actions following the invasion of United States in 2003, was not an intervention supported or sanctioned by most of the United Nations.

Where the story of the UN in Afghanistan has been one of constant involvement, of international dialogue and multilateral support, in Iraq, the UN has essentially been trying to make the best of a situation they didn't want to be in, and in some sense, were not in for much of the decade.

ENVOYS

This is best shown in the fact that the highest-profile envoys to Iraq have been Americans, not international diplomats. One reason for this is that from 2004 to 2008, there was no UN envoy to Iraq. Citing the instability of the region and the death of two of the highest diplomats (including the envoy, Vieira de Mello) in the Iraqi mission, the United Nations essentially pulled out of the entire region in 2004.

Similar to the end of the Cold War, the loss of one essential superpower can destabilize a region further and faster. The UN's absence was basically started by the inability to guarantee the safety of its diplomats in Iraq, a trend which even continues today, although the situation, as we will see, has improved.

The failure to maintain a diplomatic presence made the envoys from the United States even more visible. The best known was perhaps Paul Bremer, a "Washington Insider" with no international experience whose job was basically to be the interim president of Iraq. As an American appointment, his leadership was essentially unchecked by the United Nations. He also had plenty of money to spend. At that time of the UN's pullout, the American budget was 20 billion USD a year for infrastructure and maintenance. There was also a political side, which

allowed Iraq to be “rebuilt” in the image of the United States. Bremer, for example, removed the death penalty, established freedom of assembly, and a central criminal court.

Following his departure in 2004, John Negroponte came, and recommended what no one wanted to hear, that the troops would need to be in Iraq for at least 5 more years, which he announced in 2006. Most recently Chris Hill, appointed in 2009, has been the “face” of the United States in Iraq. Even so, the money United States can spend has gone down quite a lot (Hill has a budget of 500 million USD, 40 times less than six years ago). The recent announcements that there will be a troop reduction in Iraq has influenced this as well, though American envoys are better known than the UN counterparts. Although under Ban Ki-Moon, there have been UN ambassadors, because the UN structure was absent from Iraq for so long, the position holds not as much power or profile.

While Staffan de Mistura was the UN envoy after the break, it is not exactly correct to say that he helped decrease the instances of violence from 300 to 90 per day. It is true that this reduction happened while he was stationed there for two years. He recommended better security, and announced that Iraq was doing better. This can be seen as a good political move for everyone. It is clear that the United States is looking for a way out. This year, two American lawmakers proposed giving all operations to the UN by the end of 2010. This is not realistic, but it can be seen as wise politics to let the UN begin to assume credit for the progress of the years when the UN was not in Iraq. De Mistura cites that shops are reopened, that the IMF shows Iraq’s economy is 7% better than the last year, that the de-Baathification is allowing all ethnic groups to serve in the new government and that the UN has a stronger mandate than ever before.¹¹⁷

Ad Melkert, a Dutch politician, has just taken the position from da Mistura. He was previously in charge of the UN’s Development Program and an executive at the World Bank. He has adopted the UN’s “strong mandate” and advocated the return of refugees from Camp Ashraf and dialogue with neighbors over political issues (e.g., Kuwait and Turkey).¹¹⁸ We will see more about the issues confronting the new envoys.

The lack of UN diplomacy in a militarily difficult part of the war basically gave the Americans little choice. Like the new international system after the collapse of the Soviet Union,

¹¹⁷ See <http://www.uniraq.org/newsroom/getarticle.asp?ArticleID=517> (Accessed 22 Dec 2009)

American “diplomacy” while influencing Iraq seemed unilateral. The return of the UN envoys after the absence is a successful political move for all parties concerned.

MISSIONS

The expanded role of the UN in Iraq is due to Ban Ki-Moon’s efforts to reestablish a mission in Iraq. This is despite the fact that the Staff Council is very much opposed to the idea. The Staff Council is a group which represents the actual workers on the ground in places like Iraq. This shows a gap between the goal of the organization and the people who will have to carry it out.

In 2004, before de Mello’s assassination, the United States had asked the UN for help in constructing a new interim governing body. In those short months, the United States showed its real desires by offering very little possibility for the UN to do anything but assist in whatever the US wished. It shows that the UN’s presence was to keep everything to look legitimate while having a very weak political role. It was this, as well as de Mello’s death, which probably influenced the UN’s decision not to continue its mission in Iraq in 2004. Kofi Annan had already gone on record publically, saying that the United States invasion of Iraq was considered illegal by the Security Council and UN bodies in general. He would certainly oppose the idea of the UN being an obvious puppet of the US.

Since in recent years, though, the violent situations have somewhat stabilized, Ban saw the opportunity to reestablish UNAMI, the UN Assistance Mission for Iraq. Now that elections are a possibility, as they were much earlier in Afghanistan, UNAMI’s mandate includes training electoral observers, establishing free and fair balloting, and brokering peace among the different ethnic groups in Iraq: the Sunni and Shia, as well as the Arab and Kurd.

The UN’s real role, though, is to continue what the United States had been trying to do, not with peacekeepers or military presence, but politically. In other words, the UN’s mission is now trying to give Iraq what it is proving it is ready for: to put Iraq back in the hands of Iraqis.

We can see this in the missions of UNAMI, which have expanded to cooperate with the Iraqi government to provide meals to schools. This is a project of the World Food Program, a body of the UN. This year, 170 000 meals were provided, and they hope to take that number to nearly one million. Importantly, this is not a UN intervention: it is cooperation, funded partly by the Iraqi government and the ministry for education.

Yet another political piece, which was spoken about by Ad Melkert, the new UN envoy, involves what to do with Camp Ashraf, which has become a refugee camp for mostly Iranians. There is a mission which exists in order to help the refugees decide on global resettlement, and to assist in the transfer of the camp's supervision from US to Iraq.

The UN Development Program, until recently under Melkert's leadership, has also made a critical piece of work for the goals of previous envoys like Bremer, and making possible the ideas by the development of such websites as the Iraqi Legal Database. This is completely free, and non-subscription and it makes the text of the law available to anyone who needs legal knowledge. It has compiled 27 000 legal texts on line. It is interesting that they are written only in Arabic, which again shows that the purpose of this mission is not to make it possible for English-speaking judges to have this access for a kind of foreign or international criminal court system, but again Iraq for Iraqis.¹¹⁹

This doesn't mean, however, that Iraq is refusing assistances. On the contrary, there are a number of non-military challenges which the UN (and the United States) have been trying to meet, especially under the recent US envoy leadership of Christopher Hill.

First are elections. For the first time since 2005, elections will be held in Iraq in 2010. These are important, especially that they are safe and appear uninfluenced by foreign hands, as we saw in Afghanistan. The present leader, Nouri al Maliki, has promised a coalition government which will have the results of de-Baathification. Nonetheless, most observers have the opinion that violence will increase before the voting. This is one reason for the 130 000 US troops who are still in Iraq. It is also shown in the Electoral Commission of the UN, who are, as noted, training observers for the upcoming elections.

They are not so much there to settle disputes, as with the disputed territories. One such city is Kirkuk in the north, which is an important city for oil. It is also claimed by the Kurds as their own separate city, which the Sunnis dispute. This crisis has been taken before the United Nations, who have managed to postpone a referendum on the city which might have badly influenced the upcoming elections.

There is also an issue over water rights to the Euphrates, a river which begins in Turkey. During the 1980s and 1990s, it was dammed by Turkey so that Iraq claims they have not enough water today for drinking, hydro power and affordable electricity. The United States, under Hill,

¹¹⁹ See <http://www.iraq-ild.org/AboutEn.htm> (Accessed 22 Dec 2009)

have refused to intervene, and the UN, under da Mistura, have encouraged international dialogues on the matter.

Iraq is thirdly looking for a way to pay less reparations to Kuwait because of the invasion in the first Persian Gulf Crisis. They have paid 27 of the 52 billion USD they owe. Though Kuwait has not answered Iraq on this matter, recently a high-ranking Kuwaiti diplomat traveled to Iraq, which was the first time since the war this has happened. This can also be seen as encouraging bilateral dialogues which do not necessarily involve the UN or US.

So we see that Iraq is taking itself back with the assistance of the UN missions. We see that in the good, and maybe the bad, as the Iraq government has, without the sanction of the UN, put the death penalty back in place. It will also have to face such complaints as long terms in prison with no access to lawyers, torture and honor killings. But once such issues are concerns firstly for Iraqi structures and institutions, and then perhaps UN missions can be of greater assistance.

RESOLUTIONS

Because as we have seen, the UN's presence was under-represented in Iraq for several years, the resolutions show this as well. They can be characterized by being unspecific and general. This is even true now as UNAMI tries to find what its new mandate will be. Even since 2006, six of the last seven resolutions from the Security Council are extensions of previous mandates, which is essentially a "hands-off" approach, or buying time until UNAMI can make more specific recommendations.

Previous to this, of course, most of the resolutions dealt with the sanctions, which we will examine more closely in the following section. Here our focus will be mostly on political, and more recently, social resolutions, or ones which help to show the UN's perspective on being unwilling part of what has been seen by the UN as an illegal US action¹²⁰.

The passage of R 1409 gave authority to the International Atomic Energy Agency (IAEA) and the UN Monitoring, Verification and Inspection Commission (UNMOVIC) to determine whether Iraq still had weapons of mass destruction. Iraq under Saddam Hussein was mostly unwilling to allow these UN weapons inspectors into the country to determine this, and therefore, the sanctions which the UN had already authorized continued. The UN in the 1990s

¹²⁰ See <http://news.bbc.co.uk/2/hi/3661134.stm> (Accessed 22 Dec 2009)

had passed resolutions which tied the lifting of the economic sanctions not to repayment of Kuwaiti war debt, but to eliminating these weapons of mass destruction.

This R 1409 also came at a time when the United States was acting very politically strong, putting holds on contracts and movements of any goods into Iraq which could be seen as having anything to do with the weapons of mass destruction. Many of these contracts were from France and Russia, who are permanent members of the Security Council. But instead of fighting with the powerful US, the UN chose in this resolution to authorize the inspectors to verify the weapons were gone in order to lift the sanctions and help to end the conflict with Iraq, before the US invasion in 2003.

We can see here that the UN could not stop the war or solve the conflict between USA and Iraq, the inspectors were in Iraq even before 2001, and they had not found any evidence that Iraq owned weapons of mass destruction, but the UN diplomacy could not convince the US administration not to invade Iraq.

The UN at this time found support from other actors like Russia and France, which prevented the US from too much influence in the Security Council and going to the war without UN resolutions. However, the UN efforts have gone back to Iraq on other stages and fields, practically after the US invasion in 2003, and still there.

The UN in resolution form welcomed the July 17th creation of a governing council, as previously noted, but months before the invasion. SCR 1511, passed in October of that year, then strengthened the mandate, authorized a multinational force with a twice-yearly military review, with the focus to be only on elections to let Iraqi governing council be in control. We can see this as the UN reacting in the only way it could to the Security Council's most powerful member acting in a unilateral show of force which was contrary to the stated wishes of everyone except the United Kingdom and Spain.

The seemingly automatic renewals of the mandates for UNAMI characterized the rest of the resolutions for the rest of the decade. SCR 1700 and 1723 extended the previous mandates which allowed for an international force, but which did not condone the military actions of the United States. This also covered the continued support of a development fund for Iraq in 2003, a fund which was to be overseen by the United States when the UN was absent from Iraq, but which today is overseen by the Security Council.

These resolutions, which reflect the changing – increasingly relevant – mandate of UNAMI, “reaffirm the importance of UNAMI to support the efforts of Iraqi people and government to strengthen institutions for representative government, promote political dialogue and national reconciliation, engage neighboring countries, assist vulnerable groups, including refugees and internally displaced persons and promote the protection of human rights and judicial and legal reform.”¹²¹

These resolutions all demonstrate how the UN has generally maintained its position, without comprising or going back on what it believed, but waited for a more correct and stable time to intervene. They show the unwillingness of the UN to support the US invasion, but realistically that they could afford to be absent from the ground in Iraq, but not absent from the political side.

SANCTIONS

The international community largely agreed before the start of the second crisis in Iraq that Saddam Hussein’s regime needed to be punished, after the invasion of Kuwait. It was a multilateral force which went to Iraq and restored Kuwait, and Iraq’s retreat cost that country billions of dollars in infrastructure damage, according to the UN humanitarian mission in 1991.

SCR 661 was intended to propose a short embargo, but because of that damage, the economic sanctions were extended. This included the limiting of the oil that Iraq could export, and the things that could be bought with the oil money. Soon after, SCR 661 was tied to the removal of weapons of mass destruction.

This was accomplished with R 706 and R 712, both of which limited the sale of oil, and gave the basis for the Oil for Food program, which was a controversial sanctions program of the United Nations.

Under this program, the UN and its related NGOs supplied food and necessary medications while other UN offices made sure that only a limited supply of oil was leaving Iraq. It was around this time that the influence of the United States began to show the strength over UN resolutions. For example, R 986 from 1995 established the OIP, the Office of Iraqi Programs. The trouble was that this allowed any permanent member of the Security Council to review and hold contracts from any other nation. The US exploited this, and placed holds on

¹²¹ See <http://www.un.org> (Accessed 22 Dec 2009)

many contracts, as noted. Any of the money ended up in a US-controlled escrow account, so that the United States essentially held veto- and economic power over Iraq. This, as early as 1996, also prevented Iraq from having recourse against defaulting contractors or price fixing, and couldn't see any profit from their limited exports.

This made the way easier for the move to unilateral control, which was de facto already in place, as we have seen. The issue in the late 1990s became whether Iraq still had any weapons of mass destruction. The last real agreement was on SCR 1441, which passed 15-0 in November 2002. It is often noted that this mandate is greater than the UN's decision to authorize force in the first Persian Gulf crisis. The reason for this was the understood agreement that there was in 2002 no force to be used.

It was understood, for example, by Fayssal Mekdad, a Syrian diplomat, that his country had "also received reassurances from the permanent members of the Security Council that the resolution strengthens the mandate of the international inspectors; that it serves the objective of preserving Iraq's sovereignty, territorial integrity and inviolability, and that it will lead to a comprehensive solution of the Iraqi issue. . . [and that] it would not be used as a pretext for striking against Iraq."

In fact, that is precisely what happened, but unilaterally. The chief inspector for the IAEA, Hans Blix, reported that he was not sure that Iraq had complied. The result was that the UN used it as a reason not to act yet, and the United States decided, for their own reasons, that it was a reason to act now.

In March 2003, at a conference in the Azores, the UK, US and Spain drafted the so-called "eighteenth resolution," which wanted to call for military intervention in Iraq. It became clear, though, that there would not be support on the Security Council to pass it, and it was withdrawn so that it wouldn't appear that the UN opposed it, and the previous resolution was allowed to stand. This shows the power of the UN, and the fact that even in the international community, the UN was needed for states to act legitimately.

For ten years then, the sanctions were hurting Iraq. Hussein could stop shipping any oil under the Oil for Food program to protest to the international community, and the people it would hurt would be common Iraqis. The next ten years were a story of American hegemony in the region, and the sanctions were less important than the American presence. But after the invasion, the United States, because of the unilateral military presence in that country, were able

to control the import and export of goods according to their own wishes, above the UN sanctions program.

With the recent reintervention of the UN, though, the sanctions seem to be able to come to a responsible end. This month, the Security Council have extended international protection of Iraqi assets, and, as mentioned, have taken control from the US of the 2003 fund to help rebuild Iraq. The end of the sanctions regime appears to be in sight, and may show a responsible end to a difficult period.

PEACEKEEPING

As in Afghanistan, it is clear that any unilateral presence causes resentment. In Afghanistan, as we have seen, it is a reaction against the blue helmets of the UN peacekeepers. But in Iraq, because they were not there as long as the US, the peacekeepers are not resented as much as the unilateral force of the United States.

It is documented that US hegemony in the region has helped to determine policy even before the invasion in 2003. The US ability to veto new entry to NATO for other nations, the influence that it has about controlling the size of exports through its presence of the World Bank and the International Monetary Fund and its role in the creation of WTO from GATT in the Uruguay Round, also from the mid-1990s, shows a nation either interested in taking the controlling role the UN could not take, or taking a controlling role away from the UN.

We cannot be sure which, but we do know that the UN presence after October 2003 was minimal. They kept only the most basic forces for UN humanitarian efforts, and withdrew all peacekeepers and inspectors for security reasons.

The initial success of the United States was shown on April 9, as Baghdad fell. But the continued presence, not of an international agency, but of one nation, helped the first joy Iraqis felt at liberation turn to oppression. As, indeed, in Afghanistan, upset civilians, loyalists, and those interested in Islamic government found the United States not willing to cooperate. This accounts for both the 2004 rise in violence in Iraq and the resistance of Taliban in Afghanistan. It is thought that many Taliban fled from Afghanistan in this time and found refuge in sympathetic Iraq.

The lesson for the United States was that it is difficult to stay on top alone. The very public 2004 murders of American soldiers in Iraq outraged Americans in the United States.

Because perhaps they were American soldiers and not peacekeepers, and because to the international community, they were symbols of a unilateral and illegal invasion, they failed to outrage other nations. The result was an increased troop presence in Iraq, and that year's battle in Fallujah.

It also saw the tortures at Abu Ghraib, the prison Americans maintained for Iraqis of the resistance. The 2006 capture, trial and hanging of Saddam Hussein was also executed only by the United States. Fortunately for all concerned (the US, the UN, and Iraq), this was the time that Ban Ki-Moon returned a UN presence to the region.

This comes at the same time as the announcement of the planned withdrawal of US forces. This is in agreement with the prediction of Negroponte, as we have seen, but does call for 50 000 soldiers to remain to train an Iraqi Security Force, which has already had some success in engagements.

As international conflict between America and Iraq became more centered in local areas, the international community, also in this key year of 2006, began to see the conflict as a disagreement between Iraqis, specifically, the Shia and the Sunni in the 2006-7 Battle of Baghdad. It made it politically easier for the US to make plans to move out, and for the UN to make plans to move in, now that the situation is a little more stable than during the US invasion and Hussein's regime of 2003.

In 2009, these United States forces gave the "Green Zone," the demilitarized zone originally set up by the UN in the 1990s, to Iraqi Security Forces. Shortly after, in June of that year, the US withdrew from Baghdad, which has had the lowest civilian death toll since the start of the war. In fact, the US had intended to hand control of all the International Security Forces to Iraq, but the situation was too dangerous. It is possible that the lack of UN support kept the situation more dangerous for too long, but whatever the reason, the Iraqi forces were short on logistics and firepower in 2006.

It is at least true that the US has had a larger military presence in Iraq than the UN, but as the balance changes, both bodies must listen to what Iraq has to say. Recently there have been problems in listening, probably because of too many players on the field:

Our fieldwork in different regions of Iraq confirms that it is now often virtually impossible to Iraqis (and sometimes for humanitarian professionals) to distinguish between the roles and activities of local and

international actors, including military forces, political actors and other authorities, for profit contractors, international NGOs, local NGOs and UN agencies.¹²²

The Iraq parliament in June 2007 requested the US to timetable a withdrawal for their military forces and also to have the UN consult with the Iraqi parliament before the Security Council extended the mandate for coalition operations in Iraq. Neither of these things happened. The bottom line is that if the US expects to hand operations over to the UN, both must make bridges with Iraq's government, as it has been attempting to make itself more self-governing in the last several years. Effective communication regarding peacekeepers or troops must be considered before Iraq can be made sustainable.

¹²² See <http://www.iraqanalysis.org/info/236> (Accessed 22 Dec 2009)

Though the UN has been involved in Iraq and Afghanistan for close to ten years, the experiences faced have been very different. In general, the difficulties and the many duties the UN has in Afghanistan make the whole experience more challenging on many levels. In Iraq, the UN has had the benefit of experiencing regime change and targeted fighting. This may not seem like a benefit, but the perception can be that since troops seem closer to leaving Iraq than Afghanistan, that it is a comparatively more stable environment. The infrastructure, though not perfect, is in a better way than Afghanistan, where only Kabul, the capital, is “secured.” This restricts the flow of goods, movement of personnel and ability to control safety.

It is certainly too simple to state that the UN has simply failed or succeeded in the tasks which they had, but because we have analyzed these two cases in which the UN has played an international role during the same time, we can come to this conclusion: although neither situation is resolved, it can be seen from the instruments we have analyzed, that the UN’s role in Iraq is better defined, and despite the questionable start of the envoys, missions, resolutions, sanctions and peacekeeping, the UN is enjoying more success than in Afghanistan. In Afghanistan, by contrast, clear beginnings were made more difficult as the conflict has continued. In the conclusion, we will refer to and make in detail the general points listed in the table below.

TABLE

	Afghanistan	Iraq
Envoys	Success → Failure <i>Envoys became irrelevant</i>	Failure → Success <i>New envoys appointed</i>
Missions	Success → Failure <i>UNAMA information failures</i>	Failure → Success <i>UNAMI becoming focused</i>
Resolutions	Success → Failure <i>Targeting a group</i>	Success <i>Targeting a government</i>
Sanctions	Failure <i>Regulation impossible</i>	Failure → Success <i>Regulated flows of goods</i>
Peacekeeping	Success → Failure <i>More troops sought</i>	Failure → Success <i>Exit strategy planned</i>

CONCLUSION

In Iraq, the initial picture was that the US was operating as a separate international actor, above the UN. De Mello's assassination, as noted, helped the UN to take time to consider its presence and the effectiveness of further preventive diplomacy. It has come to a position, however, where the UN appointment of new envoys signals a new beginning, face and future for international roles in Iraq. This is a willingness to come to dialogue, perhaps, when the US realized it could not accomplish everything.

In Afghanistan, by contrast, the Loya Jirga organized in part by Brahimi showed a strong start. It became weaker, though, when Karzai was supported at all costs by the US. Even now, the US is threatening to take away financial support if Karzai's government doesn't delay new elections, which it doesn't want to do. This shows the still weak position of the UN and of Afghan government in this case. Further envoys became less and less relevant

It was also not helped by the complicated nature of UNAMA. After the same period of time in Afghanistan, high ranking UN officials are taking unbelievable professional and personal risks simply to gather information, which appears unavailable, even though there are uncountable organizations and agencies acting in Afghanistan. This shows the decline of effectiveness of the mission there.

On the other hand, the UN made it clear it would not be some puppet of the US military in Iraq, and suspended UNAMI until the US showed a plan to hand control back to Iraqi government, like the demilitarized zone the UN had helped establish. The UN, with support of other international actors, is able to deal with concrete ideas about repatriation of refugees and the rule of law. Where the elections in Afghanistan seem surrounded by fraud, the comparative stability of Iraq allows what seems to be a more fair election process, with UN observers at many posts instead of very few, as in Afghanistan.

In Afghanistan, the resolutions which were passed by the UN are against a "war or terror" where the resolutions on Iraq were against a regime of Saddam Hussein. The success of social reforms backed by the UN is limited, even in the writing of resolutions, it is said that the solutions are working, but the problems are still very large. The UN is forced to work only where it has control in a stable region, which is the area of Kabul. Even there, though, the safety of UN personnel cannot be guaranteed.

But in Iraq, UNAMI had a time away to consider how to make itself most useful. At the very least, the UN was clear about what it authorized to do in Iraq. Even if other international actors, specifically the US, did not respect those resolutions, the UN's authorization of sanctions, for instance, and tying them to disarmament is clear. This was certainly not the case in Afghanistan. Current resolutions about Iraq can look beyond building a peace, and instead to maintaining it.

This can be seen in the sanctions as well. The UN imposed sanctions against a regime. Though the US acted unilaterally with the military in 2003 and though the Oil for Food program was criticized, the ability to regulate the flow of goods into and out of Iraq was important for all international actors. It was most important because it had a targeted end. The US believed in regime change, while the UN believed in proving that Iraq had disarmed. The confusion in the earlier times was due to this, but both international actors believed the sanctions would have an end.

In Afghanistan, though, the sanctions are directed against al-Qaeda, an organization which is less like a government and more like a corporation. They were first imposed to get the leader bin Laden extradited for a trial in a western court. But after al-Qaeda stopped being a government, it became a disorganized force which can not be contained by the US or by the UN. Therefore, sanctions in Afghanistan have no end, or will not until they can have the support of a legitimate government of that country, and the agreement of its geographic neighbors.

The real story of moving to success and moving to failure can be seen in the contrast of peacekeeping in Afghanistan and in Iraq. The US military intervention in Iraq in 2003 was unilateral, and upsetting to the international community. In the beginning, US troops certainly caused resentment of local people. This resentment has declined because the US troops have trained Iraqi military units, and both are gradually being joined by peacekeepers of the UN. This is the reason the US can announce plans to pull the military out of Iraq.

No such guarantee can be made in Afghanistan, where the call is for more military troops on the ground. The power struggles in this country have become very regional, like with the return of the warlords, in a way, where Iraq was at the beginning of the decade. Many nations are involved in the ISAF, which is directed by NATO. This has led to some thinking that certain nations are more likely to be involved in areas of heavy fighting, while others are in quieter

regions. This may be affecting the force's ability to keep the peace, and certainly shows the UN's inability to keep the peace outside of Kabul.

It seems then, that for international actors, the US has learned that it can direct international policy whether the UN has agreed or not. Whether this is because it feels like it must intervene or the UN will not, we cannot say for certain. The international instruments which we have examined have shown that they can be effective when properly applied. Though at first a problem in Iraq, these instruments seem to be working better now. Though at first strong in Afghanistan, these instruments seem to be working worse.

Special interests, and many of them, in Afghanistan could be to blame. But the world's largest economic powers, many of which are permanent members of the Security Council, can have their own interests, but be opposed because of the veto. We have seen this in the holds placed on Iraqi contracts by the US and in intervention in Afghanistan. This makes the international system as effective as it was during the Cold War. The difference is that the Cold War system worked because it was designed to avoid conflicts mostly, not to intervene in them. The removal of the veto or a restructuring of the Security Council may be one way to address this.

Additionally, this will address the question of international actors, at present: Is the US using the UN, or is the UN standing by, waiting for its time? The famous Chapter VII of the UN Charter has only been cited a few times, but two of those were in Iraq and Afghanistan. Perhaps until the Security Council answers to the General Assembly, or until the UN's relationship with NATO is redefined, there will always be this question.

Based on the history of the UN's involvement in conflict and in the shadow of the hegemony of superpowers, we can make some conclusions about the UN by reviewing where Maier's phases of the cold war intersect bilateral relations. First, the UN had a stabilizing influence on a bipolar system. Though the nature of the UN's efficiency changed, directly after the cold war, it was effective (if unproven), even though the economic powers of the next greater powers behind the US (USSR and the UK) were only 20%.¹²³ Second, as the USSR became more relevant in opposing the US, the UN became necessary to mediate, which we saw as conflict became legitimately international. Even though the bilateral pressures were growing in theory, in practice, the UN took much of this pressure away. Finally, after the Soviet invasion of

¹²³ Maier, Charles. Phases of the Cold War 1945-1990. Princeton: Markus Weiner, 1996.

Afghanistan and Reagan's characterization of USSR as the "evil empire," it became clear that the USSR's power was falling. The UN became less able to mediate conflict as America became able to do it itself.

When the USSR had disappeared, the uncertainty gave brief hope to the UN, as it played a central diplomatic role in the first war in Iraq. By 1995, however, the unilateral negotiation of the Dayton Accords, for example, by the US, showed that it no longer needed or relied on the UN diplomatically. We can say, as in the early and late stages of the Cold War, the UN became less effective as one power's hegemony was growing.

Our final phase, however, and the one about which we wish to make our predictions, is from September 11, 2001 until the present. As we have seen, international conflict in this decade has focused on Iraq and Afghanistan. The UN's role in both is too early to define, but it seems that, given the conclusion that the UN is less effective when one power is growing, as America's power falls, the opposite is also true. The need for international support of the hegemon US in these regions has meant that they cannot seek it from allies, because they have kept them weak and mostly uninvolved. There is no national force opposing them, which means that a loose group of opposition (al-Qaeda or Iraqi insurgents) is dictating the rules of the game. This means that the power of the US is certainly less than it has been in any of its previous phases, and that because of the lack of a balancing hegemon, the UN is again indispensable.

The next phase for the UN to solve international conflict will likely again be positive. The emergence of any second international actor, nation or otherwise, to counter the presence of the US, will create a needed balance in international affairs. Given the analyses of Iraq and Afghanistan, we have proved that the UN is most effective when it can operate in a zone with less open conflict. The failures of the UN in Rwanda in the 1990s also support this. Until the threat of open combat is taken away, the missions, resolutions, and peace building and keeping of the UN cannot function effectively. Thus, the UN is at its best when it can allow a military presence when preventive diplomacy has failed, or when it can replace a military presence with peacekeeping forces until total stability has returned to the parties in conflict.

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