

CHAPTER II

THE DYNAMICS OF UNITED NATIONS ROLE IN THE SETTLEMENTS OF INTERNATIONAL CONFLICT

The United Nations can be described as an intergovernmental organization that has a goal to promote and facilitate cooperation in international security, economic development, human rights, democracy, international law and political freedoms to get peace condition. The United Nations emerged in 1945 after the World War II, replacing the League of Nations at that time, with the mission to stop war and make a “room” for conducting the dialogue between states.¹

The name of “the United Nations” is coming from the 32nd US President Franklin D. Roosevelt. The name was first used when “the declaration of United Nations” emerged at 1st January 1945. The United Nations at that time was developed as the tool of 26 nations against the axis powers. As we know, the United Nations emerged during the Second World War.²

When the United Nations first emerged, this organization consisted of 51 member states. Until now the United Nations have 193 member states. With the branch office that spread over the world, the United Nations regularly conducts meetings in a year. The United Nations have six organs that in every organ have specialized object. There are the General Assembly which is the main organ, the Security Council for maintaining peace and security, Economic and Social

¹ *The United Nations Today*. United Nations Publications. 2008. p.3

² *Ibid*. p.3

Council (ECOSOC) for helping in economy and social development, the Secretariat which provides facilities, and the International Court of Justice for maintain the law matters. The United Nations also includes the World Health Organization that is responsible for international health matters, the United Food Programme which is maintain the food problem and children matters is conducted by UNICEF. All the United Nations organs are under control of the Secretary General, who is Ban Ki Moon from South Korea since 2007.³

A. The Institution of the United Nations as a Peacekeeping Agent

The emergence of the Cold War led to the formation of this organization, the United Nations, as a peacekeeping agent. There are a lot of repeated conflicts that happen in the international system. The condition needs a peacekeeping agent. Thus, the United Nations come as the answer to prevent the latent conflict among states in this world. The United Nations often took a role in stopping dispute escalating into war and persuading the actors of conflict to solve the problem with negotiation. That is the reason why the United Nations called a peacekeeping agent. In its history, the United Nations has dealt with a lot of conflicts.⁴

The United Nations strengthen their action to maintain international peace and security. The action is about strengthening its peacekeeping capacity to meet new challenges, increasingly being involved in regional organizations, and enhancing its post-conflict peace building capability. It is also in line with the goal

³ www.un.org retrieved on 12th November 2013 2013 08.06 p.m

⁴ The United Nations Today. United Nations Publications. *Opcit.* p.3

of the United Nations in terms of peacekeeping, helping countries in conflict and creating conditions for lasting peace.⁵

Talking about peacekeeping also involves discussing the duty of the United Nations itself. Peacekeeping has proven to be one of the most effective tools available to the UN to assist host countries navigate the difficult path from conflict to peace. Unique strengths come from peacekeeping. These include legitimacy, burden sharing and the ability to maintain troops and police coming from around the world, who are integrated with civilian peacekeepers. That is one goal behind that, to achieve the world peace.⁶ This gives a consequence for the United Nations as peacekeeping agent to provide security, political building and peace building support to help states in their early transition from conflict to peace.⁷

Naturally, according to the United Nations, on how they conduct peacekeeping in institutional terms, it is flexible and over the past two decades has been deployed in many configurations. The duty of the United Nations has become flexible because of the guidance of three basic principles, which is consent of the parties, impartiality and non-use of force except in self-defence and defence of the mandate.⁸

⁵ The United Nations Today. United Nations Publications. *Opcit.* p.3

⁶ www.un.org/peacekeeping retrieved on 24th November 2013 2013 08.35

⁷ *Ibid.*

⁸ *Ibid.*

As mentioned in the United Nations Charter, the purpose of the United Nations is to maintain international peace and security. To strengthen the purpose of the United Nations, it tries to uphold the charter by establishing the institutions that may help the United Nations conduct the peacekeeping action. In the role of the United Nations to maintain peace and security, the institutions that are formed especially for those purposes are categorized into two institutions. They are the General Assembly (GA) and the United Nations Security Council (UNSC).⁹

A.1.1 General Assembly

The main organ in the United Nations is the General Assembly. There are representatives of all member states in the General Assembly. In the General Assembly, each of the member states has one vote. The decisions about important matters like peace and security, the acceptance of new members and budgetary matters need two-third majority vote from the member states. The assembly has adopted its own rules of procedure and elects its President for each session.¹⁰

The function and power of the General Assembly according to the UN Charter include making recommendations in terms of peaceful settlement, making cooperations to conduct the disarmament, receiving reports coming from all organs in the United Nations and last but not least electing the members of the United Nations in all organs like non permanent members in the Security Council,

⁹ www.un.org/peacekeeping. *Opcit.*

¹⁰ www.un.org/ga retrieved on 13th November 2013 11.57 p.m

permanent members in the ECOSOC and additional members in the Trusteeship Council.¹¹

A.1.2. The United Nations Security Council

The Security Council have a responsibility for safeguarding international peace and security according to the UN Charter. The Security Council consists of 15 member states. The member states are divided into two groups, the first is made up of permanent members, which are United States, China, France, the Russian Federation, and the United Kingdom. The second is made up of 10 members elected by the General Assembly every two years. Every member state in the Security Council has one vote. When a decision is needed in the Security Council, the procedure needs a vote from at least 9 of 15 member states. In addition, when the Security Council needs a substantive decision it requires 9 votes and without any abstentions from the five permanent members.¹²

All five permanent members have implemented the right of veto several times. If permanent members in the Security Council do not agree with the resolution that is proposed but also do not want to use their veto right, they can abstain. According to the UN Charter, all the member states of the United Nations agree to accept and carry out all decisions coming from the Security Council.¹³

¹¹ *The United Nations Today*. United Nations Publications. 2008 p6

¹² *Ibid.* p8

¹³ *Ibid.* p.8

The functions and powers of The Security Council according to the UN Charter include maintaining the international peace and security with making plans to build a system to regulate the using of arms, doing the investigation toward the international conflicts, making recommendations and also giving a permission toward member states for using the arms as long as in line with the aim to maintain peace and security, and the last is making cooperation with regional government.¹⁴

The conduct of the United Nations Security Council as a special institution for maintaining peace and security is reflected in how they also apply the policy. Security A security policy programme is produced by the UNSC to help their conduct as peacekeeping institution.¹⁵

The security policy programme that is conducted by the United Nations rules out the threat or use of force even to enforce international agreements and requires that disputes about these agreements be settled peacefully. The security policy programme of the UN also forbids interference in domestic affairs of states.¹⁶

Understanding the means of force that come to challenge international peace and security is not only about direct force that leads to war. The force that comes is also about the human rights violation. The facts tell us that the security policy programme in the United Nations make the Security Council play a role

¹⁴ United Nations Publications. *Opcit.* p.9

¹⁵ Rittberger, Volker and Bernard Zangl. *International Organization: Polity, Politics and Policies.* Palgrave Mcmillan 2006. p 125

¹⁶ *Ibid.* p.125

against human rights violations. This is reflected in the role of the Security Council to authorize humanitarian intervention.¹⁷

The United Nations demands that all member states solve their conflict in a peaceful way without using threat and force. That condition has an exception if the member states give their authority to the United Nations to solve the conflict with conducting the operations. There are three categories of operation conducted by the United Nations which are enforcement, peaceful settlement of disputes and peacekeeping.¹⁸

B. The United Nations Role to End the International Conflict

International conflict is endemic. It regularly happens anytime and anywhere. That is common that every state in the world has a self-defence nature and also intention to get maximum authority for gaining a big advantage. The idiom of *civis pacem para bellum* or in other words if you want peace, prepare for war, is figuring that every state has their interest to broaden its authority and legitimacy and strengthen its power. Because of the same intention, the two different interests clash and conflict suddenly happens. That is the way international conflict becomes a "nature" that can happen anytime. But in fact, conflict must be prevented.

¹⁷ Rittberger, Volker and Bernard Zangl. *Opcit.* p.127

¹⁸ *Ibid.* p.127

There are two ways that are used by the United Nations. The first is normative way and the second one is practical way. The ways are designed by the United Nations to reflect their role as an institution that has a big authority.

B.1.1 Normative Way

The normative way has to do with how the UN uses their authority to produce a resolution. A formal text adopted by the United Nations body is called a resolution. In fact every organ in the United Nations can issue a resolution. But then, the Security Council and General Assembly are the organs in the United Nations that issue the most resolutions. It's about formal expressions coming from the United Nations organ.¹⁹

The process to get a UN Resolution is started from the council called the General Assembly. In the formal meeting at UN Headquarters, all member states are discussing the happening conflicts. The debate between member states happens because every single state upholds its interests. But then, in a good manner the member states try to influence or in other words conduct diplomacy for gaining support. All member states in the United Nations are waiting for an agreement for ending the conflict. Thus, the agreement shapes the normative way written in a United Nations Resolution.²⁰

¹⁹ www.un.org/en/sc/documents/resolution retrieved on November 19th 2013 0:50 am

²⁰ *Ibid.*

The format to write a United Nations Resolution is common. Each resolution has three parts: the heading, the preamble clauses, and the operative clauses. One resolution consists of one long sentence with commas and only one period. At the top of resolution or heading is written where the resolution come from. It would be from the General Assembly, the Security Council, ECOSOC or etc.²¹

This is a list of UN Resolutions that had been made to end the conflict between a state and other states:²²

Resolution	Date	Concerns
502	3 April 1982	Demands end to the Falklands War
510	15 June 1982	Extends mandate of the United Nations Peacekeeping Force in Cyprus
516	1 August 1982	Violations of ceasefire in Beirut
527	15 December 1982	South African attack on Lesotho
545	20 December 1983	South African occupation of southern Angola
573	4 October 1985	Israeli attack on Tunisia
598	20 July 1987	Demands a ceasefire and protection for civilians during the Iran-Iraq War

²¹ www.un.org/en/sc/documents/resolution. *Opcit*

²² *United Nations Security Council documents*. www.un.org/en/sc/documents retrieved on 24th November 2013 04.37 p.m

B.1.2 Practical Way

Practical way discusses the United Nations as a peacekeeping agent which conducts action for maintaining peace and security. In conducting the action, the United Nations on behalf of the Security Council calls their action an operation. Several operations to initiate peace had been conducted by the United Nations for maintaining peace and security. Some troops, called the UN Peacekeeping Troops, were sent to the conflict area to maintain peace.²³

The United Nations is frequently involved in many consultations to determine a good action to end the conflict. The consultation by the United Nations would likely involve:²⁴

- a. All the United Nations organs that are important in this case
- b. The regional government and the third parties
- c. Member states, which include the states who sent their troops and police to the area of the UN operation
- d. Intergovernmental organizations
- e. The other parties that still relevant into the conflict

At this phase, a strategic assessment can be requested by the UN Secretary General to see the possibility of United Nations involvement the conflict.

²³ www.un.org/en/peacekeeping/operations retrieved on 21st November 2013 04.58 p.m

²⁴ *Ibid.*

The United Nations usually conducts the technical field assessment before it follows the practical method. This is like an observation before entering the conflict area. The technical field assessment aims to analyse and assess the overall security, political, military, humanitarian and human rights situation on the ground and its implications for a possible operation. The Secretary General will make a report for the Security Council based on technical field assessment results. This report will produce the decision for the establishment of a peacekeeping operation.²⁵

Several operations have already been conducted by the United Nations. Their area of operation is broad, including Africa, America, Asia and the Pacific, Europe and also the Middle East. Several operations are successful and make the United Nations a peacekeeping agent to prevent an international conflict. Here is the explanation of practical ways used by the United Nations in the Iraq-Iran war.

a. United Nations Iran-Iraq Military Observer Group (UNIMOG)

The United Nations Iran-Iraq Military Group (UNIIMOG) was established in 20 August 1988. Its function was to verify, confirm and also supervise the process of ending the conflict including the disarmament process until the international recognized boundaries were restored in a peaceful way. This operation was the implementation of practical way by

²⁵ www.un.org/en/peacekeeping/operations. *Opcit.*

the United Nations for ending the war. UNIIMOG has its headquarters in Baghdad and Teheran.²⁶

In accordance with resolution 598, UNIIMOG was established to verify, confirm and supervise the ceasefire and withdrawal. UNIIMOG conducted operations in the scope of the Gulf region, Iraq-Iran territory and on the border between Iraq and Iran. The operation of UNIIMOG ended at the beginning of 20th February 1988.²⁷

Every operation that is conducted by the United Nations is categorized as the practical way, which is real action coming from the United Nations as a peacekeeping agent. It can be noted that the emergence of troops in every UN operation is not only about combating each other with civilian or other goals. But also, the troops conduct more peaceful action like giving assistance toward the resolution that had been made.

²⁶ *Iran-Iraq UNIIMOG*

background.<http://www.un.org/en/peacekeeping/missions/past/uniimogbackgr.html> retrieved on 24th November 2013 06.22 p.m

²⁷ *Ibid.*