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An Appraisal of the United Nations Peacekeeping Operations and Deployment

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ABSTRACT

Peacekeeping operation consists of military, police and civilian personnel, who work to deliver security, political and early peacekeeping support. The deployment of a new United Nations Peacekeeping Operation is a decision taken by the Security Council. This article introduces the subject matter, gives brief history of the United Nations peacekeeping, analyses the peacekeeping operations of the United Nations and deployment, the basic principles of the United Nations peacekeeping and concludes that despite the role of the United Nations, the peacekeeping operations are still ongoing in some crisis ridden states of the World and peacekeepers are still being deployed.

Keywords: United Nations, Peacekeeping, United Nations Operations, United Nations Deployment, Peacekeeping Operation, Peacekeeping Deployment.

INTRODUCTION

The United Nations Charter gives the Security Council the power and responsibility to take collective action to maintain international peace and security [1]. The International community usually expects the Security Council to authorize peace keeping operation.

By and large, it was the General Assembly that evolved the peacekeeping [2]. In the expenses cases [3], it was stated that:

... when the organization takes action which warrants the assertion that it was appropriate for the fulfillment of one of the stated purposes of the UN, the presumption is that such action is not ultra vires.

In Namibia case [4], the court stated that:

... the ... considers that prima facie this obligation (i.e. Article 25) extends to the decision contained in resolution 748 (1992)...

Libya V. USA [5]

Peacekeeping is defined by the United Nations as a unique and dynamic instrument developed by the organization as a way to help countries torn by conflict establish the conditions for lasting peace [6]. The United Nations peacekeeping goals were primarily limited to maintaining cease fires and stabilizing on the ground so that efforts could be made at the political level to resolve the conflict by peaceful means. The operations are usually established by the United Nations and it implements the operations with the use of troops which serve under its control. The peacekeepers remain members of the armed forces of the countries that contributed them. Peacekeeping do not constitute independent United Nations Army.

¹ Article 24 of the United Nations Charter

² United Nations-Wikipedia, the free encyclopedia en.m.wikipedia.org/wiki/united-nations Accessed 10/09/023 by 3:40pm

³ ICJ Reports (1962), 151

⁴ ICJ Reports (1971) 12

⁵ ICJ Reports (1992) 114

⁶ Peacekeeping, Wikipedia, the free encyclopedia en.wikipedia.org/wiki/peacekeeping Accessed 14/10/2023

Where direct United Nations involvement is not considered appropriate or feasible, the Security Council authorizes regional organizations to take, appropriate actions [7]. The Security Council could authorize the coalition of countries in response to the use of force,[8]. This coalition may be for instance the North Atlantic Treaty Organization (NATO), the Economic Community of Western African States (ECOWAS – ECOMOG) [9]. The Security Council may also authorize the coalition of willing countries to undertake peacekeeping or peace enforcement tasks.

THE HISTORY OF THE UNITED NATIONS PEACEKEEPING

Article 24 of the United Nations Charter gives the Security Council the primary responsibility for the maintenance of peace and security. The five permanent member states of the Council have the right of veto power. The effect of this is that if a permanent member uses veto against any resolution for the council, such resolution becomes nullified. In this connection, the veto power became a strong factor hindering objective decision or resolutions being reached by the council. The first peacekeeping was launched in 1948[10]. The mission was known as the United Nations Truce Supervision (UNTSO). This happened when the conflict between the two Israelis and Arab States reached the stage of a cease fire over the creation of Israel [11]. In 1949, there was the United Nations Military Observer Group (UNMOG). This group was authorized to monitor the relations between India and Pakistan [12]. The two states was split of following the United Kingdom's decolonization of India subcontinent. This group UNMOG was authorized to monitor the relations between India and Pakistan. In 1950, North Korea invaded the South Korea. The United States responded by leading a United Nations force at retaking all the Korean Peninsula [13]. The United Nations also returned its attention to the conflict between Israel and its Arab neighbours. It responded to Suez crisis in 1956[14]. It should be noted that the Korean issue was an enforcement action under Chapter VII of the United Nations Charter. USSR did not feature at the beginning but came back later to begin the use of veto [15]. This failed as the General Assembly passed a uniting for Peace Resolution 377(V) to restore peace in the area [16]. In 1960s and 1970s, the United Nations established short term mission in New Guinea, Yemen and the Dominican Republic,[17]. It started longer term deployments in Cyprus (UNRICYF) and the Middle East (UNEF, UNDO and UNIFIL) [18]. The end of the cold war brought about rapid increase in the peacekeeping missions. The unity prevailing in the Security Council gave rise to more operations that were established. The organization thereby expanded its field operations [19]. It shifted from traditional mission revolving strictly military tasks to complex multi-dimensional enterprises designed to ensure the implementation of comprehensive peace agreement. Currently, peacekeeping undertakes a wide variety of complex tasks. This task involves the helping to build sustainable institution of governance to human rights monitoring. It also helps to promote the Security sector reform disarmament, demobilization and reintegration of former combats.

⁷ (PDF) United Nations and Regional Organizations/Arrangement www.securitycouncil/report.org/.../... Accessed 14/10/2023 by 4:20pm

⁸ (PDF) is the Authorization Authorized?-European Journal of... ejournal.oxfordjournals.org/.../ii/...541.ful... Accessed 01/10/2023 by 2:40pm

⁹ Ibid

¹⁰ History of peacekeeping. United Nations Peacekeeping www.un.org/.../peacekeeping/.../history... accessed 19/10/2023 by 3:10pm

¹¹ Ibid

¹² United Nations Military Observer Group in India and Pakistan... www.un.org/en/peacekeeping/.../unmogi... Accessed 19/10/2023 by 3:10pm

¹³ UN approves armed force to repel North Korea – Hisotry www.history.com/...un-app... Accessed 19/10/2023 by 3:10pm

¹⁴ The Suez Crisis, 1956. Office of the Historian <https://history.state.gov/milestones/.../suez> accessed 14/10/2023 by 2:14pm

¹⁵ UN approves armed forces to Repel North Korea – History: Ibid

¹⁶ United Nations General Assembly Resolution A/RES/377(V) 3 November 1950 retrieved 21/09/2023

¹⁷ History of Peacekeeping – the early years, United Nations www.un.org/en/peacekeeping/.../early... Accessed 10/10/2023 by 8:14pm

¹⁸ Ibid

¹⁹ ibid

PEACEKEEPING OPERATIONS OF THE UNITED NATIONS

It is the prerogative right of the Security Council to determine when and where the United Nations peacekeeping operations should be deployed. However, the General Assembly stated peacekeeping [20]. The following factors may usually be taken into consideration before establishing a new peacekeeping operation. The factors to consider are:

- a) A situation exists, the communication of which is likely to endanger or constitute a threat to International peace and security;
- b) Regional or sub-regional organization and arrangements exist and are ready and able to assist in resolving the situation;
- c) A cease fire exists and the parties have committed themselves to a peace process intended to reach a political settlement;
- d) A clear political goal exists and can be reflected in the mandate;
- e) A precise mandate for a United Nations operation can be formulated; and
- f) The safety and security of the United Nations personnel can be reasonably ensured including in particular whether reasonable guarantee can be obtained from the United Nations personnel [21].

The United Nations Secretariat plays a critical role in helping the Security Council to determine whether the deployment of a United Nations peacekeeping operation is the most appropriate course of action or whether other options for the United Nations engagement should be considered. The strategic assessment would likely involve consultation with member states, including the potential host government and Troop contributing countries and Police Contributing Countries TCC/PCCs as well as regional and other intergovernmental organizations and other key external partners [22].

The strategic assessment allows the United Nations planners and decision makers to conduct a system-wide analysis of the situation, identify conflicts resolution and peace building priorities. After this, the Secretariat will define the appropriate framework for the United Nations engagements.

As soon as security conditions permit, the Secretariat usually deploys a Technical Assessment Mission (TAM) to the country or Territory where the deployment of a United Nations Mission is envisaged. The role of TAM is to analyze and assess the overall security, political humanitarian human rights and military situation on the ground and the application of an eventual United Nations peacekeeping operation. The Security Council may then pass a resolution authorizing the United Nations peacekeeping operation deployment and determine its size and mandate.

BASIC PRINCIPLES OF THE UNITED NATIONS PEACEKEEPING

There are three basic principles that have traditionally served and continue to set the United Nations peacekeeping operations apart as tools for maintaining International peace and security [23]. These are:

a) **Consent of the parties:**

The United Nations Peacekeeping Operations are deployed with the consent of the main parties to the conflict. However, the Security Council may take enforcement action without the consent of the main parties to the conflict in the event of a threat to peace, breach of peace and act of aggression. However, the Security Council does not need the consent of a state to act to bring about peace. It may also take enforcement action for humanitarian or protection purposes. This may be where there is no political process and where the consent of the major parties may not be achievable but where civilians are suffering [24]. Universality of consent becomes even less probable in volatile settings, characterized by the presence of armed groups not under the control of any of the parties, or by the presence of other spoilers. Spoilers are individuals or parties who believe that the peace process threatens their power and interests and will therefore work to undermine it [25].

b) **Impartiality**

²⁰ UN-Wikipedia, the free encyclopedia en.m.wikipedia.org/wiki/United-nations

²¹ Forming a new operation. United Nations Peacekeeping

²² United Nations Contingent Owned Equipment System www.un.org/.../peacekeeping/.../about... Accessed 10/10/2023 by 2:30pm

²³ Principles of UN Peacekeeping United Nations Peacekeeping www.un.org/.../peacekeeping/.../principle... accessed 10/10/2023 by 2:30pm

²⁴ Principles of UN Peacekeeping United Nations Peacekeeping www.un.org/.../peacekeeping/.../principles... accessed 10/10/2023 by 2:30pm

²⁵ Ibid

Impartiality is very crucial to maintaining the consent and cooperation of the main parties, but this should not be confused with neutrality or inactivity [26]. Humanitarian actors also use the terms impartiality and neutrality as, two of the fundamental principles of humanity and independence. The United Nations peacekeepers should be impartial in their dealings with parties to the conflicts but not neutral in the execution of their mandate. Although a good referee is impartial, but he is expected to penalize infractions, so a peacekeeping operation should not condole actions by the parties that violate the undertaking of the peace process or the international norms and principles.

c) None use of force should be maintained except in self-defense and defense of the mandate

The principles of non-use of force except in self-defense dates back to the first deployment of armed United Nations peacekeepers in 1956. The notion of self-defense has subsequently come to include resistance to attempts by forceful means to prevent the peacekeeping operation from discharging its duties under the mandate of the Security Council [27].

However, it is widely understood that the peacekeeping may use force at the technical level, with the authorization of the Security Council, if acting in self-defense and defense of the mandate Robust peacekeeping involves the use of force at the technical level with the authorization of the Security Council and the consent of the host nation.

A United Nations peacekeeping operation should only use force as a measure of last resort, when other methods of persuasion have been exhausted. An operation must always exercise restraint when doing so. The use of force by the United Nations peacekeeping operation should always be calibrated a precise, propitiate and appropriate manner, within the principle of the minimum force necessary to achieve the desired effect, while sustaining consents for the mission and its mandates.

CONCLUSION

The creation of defense Peacekeeping Operations by the United Nations was great measure to prevent threat to peace and keep it where crisis had broken out. The role of the Secretary-General by the use of his good offices and the commendable performance of the General Assembly despite the provision of Article 12(1) which has contributed greatly to the maintenance of International peace and security. Till today, the peacekeeping operations are still ongoing in some crises ridden states or territories of the world and peacekeepers are still being deployed.

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²⁶ Ibid

²⁷ Para. 5 of the Report of the Secretary-General on the Implementation of Security Council Resolution 340 (1973) of 27 October, 1973, (3/11052/REW1)