

Security

In the realist view, the so-called security dilemma that results from the anarchic structure of the international system sets extremely restrictive conditions for meaningful and durable international cooperation and governance to ever take place, especially in the field of security (see Chapter 2). While we tend to disagree with realists' all-too bleak conception of unregulated anarchy, suggesting rather to conceive of the contemporary international system's ordering principle as 'regulated anarchy' (Rittberger & Zürn 1990) or 'heterarchy' (Rittberger et al. 2010: ch. 5; see Chapter 12), we acknowledge that the obstacles to international cooperation and global governance are particularly challenging in the security field.

Owing to the absence of a world government, there are indeed strong incentives for states not to rely on other states but to provide for their security on their own. Since there are ultimately no guarantees that their security will not be undermined by the threat or use of force by others, states have a tendency to be prepared to protect themselves and deter others from threatening or actually using force against them. The efforts of a state to enhance its security by enlarging its power (through military build-up and/or the formation of alliances) are frequently perceived by other states as threatening their own security, resulting in a vicious circle of mutual distrust, security competition and strife for power. The pervasive distrust that lies at the heart of the security dilemma and is fostered by the usually low degree of transparency inherent in the field of security entails the risk of threats and of the use of force even among states that, in principle, agree to renounce such activities against each other (Herz 1950; Jervis 1983). This distrust may be regarded as the most fundamental and very real obstacle to international cooperation and governance in the field of security. Moreover, states caught in the security dilemma will tend to assess not only their absolute gains from international security cooperation but also, and even more so, their gains relative to others. This is because a relative loss from cooperation can result in a particular decrease of power which then undermines security for a particular state. This may result in conflicts over the distribution of gains, constituting a serious obstacle to international cooperation and governance in the field of security (Efinger et al. 1988: 92-8; Efinger & Zürn 1990).

However, while the security dilemma and the problems of trust and distribution which come along with it make international cooperation and governance particularly difficult in the field of security, they are not unalterable. International organizations can help to change the structural conditions in order to facilitate international cooperation and governance in the field of security. The activities of the United Nations (UN), as the most significant international security organization in two issue areas, those of 'violent self-help' and of the 'dynamics of arms procurement', reflect international organizations' capacities in enabling and stabilizing international cooperation and governance, as well as their limitations.

Violent self-help: the UN

Inherent in the security dilemma is the latent danger of the threat or use of force by each individual actor, independently of the good or bad intentions of the actors concerned. Thus even actors who prefer mutual non-aggressive behaviour can be tempted to threaten or use force in order to guarantee their own security. The fundamental security problem therefore consists in stabilizing actors' expectations about the non-violent behaviour of others in order to make it possible for them reciprocally to desist from the threat or use of force. International organizations can contribute to stabilizing such expectations through their political programmes as well as operational and information activities. We shall focus on the UN as the most significant international security organization.

Policy programme of the UN

The principal aim of the UN is 'to maintain international peace and security' (Article 1 UN Charter). To achieve this end, the UN Charter already contains a programme which has since been complemented by further detailed acts such as resolutions of the General Assembly and the Security Council, and also agreements reached by international conferences organized by the UN. The result is a regulative programme which – although incomplete – attempts to curb the threat and use of force. In fact, the Charter lays down, for the first time in history, a general ban on the threat or use of force between states. Article 2, paragraph 4 states that 'all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations'. This general ban on the threat or use of force is complemented by Article 2, paragraph 3 according to which 'all Members shall settle their international dis-

putes by peaceful means in such a manner that international peace and security, and justice, are not endangered'.

The UN Charter provides only for two exceptions from the general ban on the use of force (Ebock 2000: 305; Gareis & Varwick 2005: 68–73): Article 51 confirms the right of states to individual and collective self-defence in case of aggression by others, and Chapter VII foresees military enforcement measures decided by the Security Council. The 'enemy state' clauses of Articles 53 and 107 of the Charter, which in the case of renewed aggression allow for unauthorized enforcement action against 'any state which during the Second World War has been an enemy of any signatory of the present Charter' (Article 53, paragraph 2), are also exceptions to the general ban on the use of force, but have become obsolete (Gareis & Varwick 2005: 78).

Since the UN Charter recognizes the 'inherent right of individual or collective self-defence' (Article 51), the use of military force by states is justified if it is an act of self-defence. The right to self-defence thus could provide a potential cover for states that want to engage in aggressive warfare. To reduce the risk of such an abuse of the right to self-defence, the UN General Assembly was asked to define the concept of aggression. This proved to be difficult, and the General Assembly only decided on a definition in 1974 after lengthy and tough negotiations (Resolution 3314 (XXIX)). On a very basic level, one could say that an act of aggression is committed when a state uses military force first. But as states may use force first when an act of aggression is imminent, things are more complicated than that. The Resolution therefore defines a whole number of state actions which are to be considered as acts of aggression, such as an invasion or an attack, a blockade of ports and coasts, and the deployment of armed groups, irregulars or mercenaries by a state (Resolution 3314 (XXIX), Article 3). This Resolution has thus contributed to clarifying which actions do or do not amount to an act of aggression, even though international legal discussions on the precise definition of aggression continue to the present day.

In case of an act of aggression, a threat to peace or a breach of the peace, the Security Council may, according to Chapter VII of the Charter, decide on military enforcement measures. However, the matters which are considered as threats to peace and which thus can give rise to the use of military force that is exempted from the general ban on the use of force have been subject to change. While originally only threats of interstate warfare have been considered as threats to peace, nowadays internal wars and internal massive human suffering caused by the use of military force are also regarded as threats to peace that can lead to military enforcement measures authorized by the Security Council (Pape 1997).

The first time that the Security Council declared an internal conflict

as a threat to peace was in 1991, when in the aftermath of the Gulf War Iraqi military forces took action against its Kurdish population in the north and its Shiite population in the south (Resolution 688). Of course, the cross-border effects of the conflict, with the massive outflow of refugees blocked at the Turkish border and the actual movement of refugees into Iran, played a considerable role, so that the situation could be in fact seen as threatening international peace. Yet, already in 1993 in the case of the civil war in Angola, the Security Council determined a threat to peace without implying that the international peace between states might be endangered (Resolution 864). The Council based its conclusion entirely on the situation inside the country (Chesterman 2003: 137–8). Following this precedent the Security Council also considered the internal wars in, for instance, Somalia, Bosnia, Kosovo, East Timor, the Democratic Republic of the Congo, Sudan and Libya as threats to peace.

Apart from internal violent conflict, the Security Council increasingly viewed continued serious human rights violations within states as a threat to international peace and security which might lead to military intervention (for more details see Chapter 10). The protection of human rights through the Security Council's actual practice has been strengthened since the 1990s and a non-binding norm of a responsibility to protect has begun to emerge (ICISS 2001). However, the Security Council, and in particular some of its permanent members, still resist the conclusion that the principle of non-intervention has been replaced by a general right or even a duty of the Security Council to authorize humanitarian interventions in case of serious human rights violations. The General Assembly has emphasized the responsibility of governments to protect their populations from mass atrocities and endorsed military intervention as a last resort to stop such mass atrocities in general terms under the heading of the responsibility to protect. Security Council Resolution 1973 (2011), which authorized military enforcement measures against the Libyan regime of Muammar Gaddafi in 2011, explicitly emphasized 'the responsibility of the Libyan authorities to protect the Libyan population'. But all relevant Security Council resolutions in which enforcement measures were decided upon in response to massive human rights violations referred to the uniqueness of the prevailing circumstances. Thus, the Security Council has so far refrained from recognizing a generally valid principle, let alone a legal duty, of humanitarian intervention (Chesterman 2003: 160–2).

Beyond the two above-named exceptions – self-defence and Security Council decisions to enforce the peace – the Charter does not foresee any further exceptions from the general ban on the threat or use of force. However, the Charter does not explicitly ban the intervention by one state upon the request of another. This obviously provides a loop-

hole to circumvent the general ban on the threat or use of force, as in the case of the US intervention in Grenada in 1983 and the former Soviet Union's intervention in Afghanistan in 1979. This is all the more unfortunate as in many internal conflicts it may not be clear which political group has legitimate state power and is therefore entitled to request intervention by another state (Bothe & Martenczuk 1999: 129; Woyke 2008: 265).

All in all, the UN requires states to solve their disputes peacefully, prohibits the threat as well as the use of force between states and, with the exception of intervention on request and the right to self-defence, gives a monopoly to the Security Council in legitimizing the use of force.

Operations of the UN

To help states to comply with the ban on the threat or use of force, the UN has embraced three types of operations: enforcement (collective security), peaceful settlement of disputes (consensual security), and peacekeeping (consensual security).

Collective security: enforcement

The UN has devoted parts of its operations to enforcement, under the rubric of collective security. A system of collective security gives member states a guarantee against the threat or use of force by other member states. It provides for collective enforcement, by military or non-military means, by the community of member states against any aggression on the part of one or more of its members. Unlike collective defence, collective security is not an alliance aimed at threats from outside its membership, but deals with any aggressor from within its own ranks.

The UN Charter allocates far-reaching competencies to the Security Council in order to implement collective security (Thompson 2006; Voeten 2005). The Security Council can authorize collective enforcement measures by the community of states in the event of a breach of, or acute threat to, international peace. Only the Security Council can determine whether an infringement of the ban on the threat or use of force has occurred. Threatened or attacked states may themselves inform the Security Council of any aggression against their territorial integrity or political independence. In addition, other states or the UN Secretary-General may bring to the attention of the Security Council any matter which in their opinion may threaten international peace and security (Article 99). The Security Council has to determine 'the existence of any threat to the peace, breach of the peace or act of aggression' (Article 39). Only such a conclusion by the Security

Council legitimizes further measures of collective enforcement within the framework of the UN system of collective security.

In view of the number of wars waged since 1945, the number of breaches of, and threats to, the peace or acts of aggression determined by the Security Council has been modest. We must, however, point out that the number of international wars in comparison with internal wars has also been modest (Harbom & Wallensteen 2010). During the Cold War, only in the case of pariahs like South Africa and the former Rhodesia did the Security Council – normally hamstrung by a veto of one or the other of the main contenders in the East–West conflict – repeatedly determine that there was a breach of, or threat to, the peace or an act of aggression. In addition, North Korea was condemned for its attack on South Korea (1950), and Argentina for its occupation of the Falkland Islands (1982).

Since 1990 the number of condemnations by the Security Council acting under Chapter VII has increased considerably (Human Security Project 2010: ch. 4; Rithberger et al. 2010: 389–90). The end of the Cold War accounts for much of this development, since it loosened the stalemate that prevailed between the Permanent Five during the Cold War and enhanced the Security Council's leeway in determining threats to, or breaches of, international peace. It also facilitated the above-mentioned broadening of the concept of a threat to peace. The condemnation of Iraq after its invasion of Kuwait (Resolution 660 (1990)) still determined a traditional breach of international peace, namely the violation of the territorial integrity of a member state. Similarly, in Resolution 713 (1991) concerning the conflicts in the former Yugoslavia, the clashes *between* the states were decisive for the Security Council's determination of a threat to international peace and security by the rump of Yugoslavia, that is, Serbia and Montenegro. However, the cases of Somalia (Resolution 746 (1992)) and Rwanda (Resolution 918 (1994)) were different, already reflecting a broadening of the concept of a threat to, and breach of, international peace. Here the Security Council saw the threat to peace in humanitarian crises resulting from internal armed struggles. As internal armed conflict has further gained relative weight compared to international armed conflict (Chojnacki 2006; Human Security Center 2005; Human Security Report Project 2010), the Security Council has increasingly condemned internal conflicts – with more or less pronounced cross-border externalities – as threats to peace (see, for instance, Resolution 1272 (East Timor, 1999); Resolution 1925 (DR Congo, 2010); Resolution 1973 (Libya, 2011)). Moreover, the Security Council no longer reserves condemnations of threats or breaches of peace exclusively to states' actions; more recently the Security Council has also determined activities of non-state actors such as Taliban, al-Qaeda and pirates to be threats to peace according to Article 39, thus suggesting a further

broadening of the concept (see, among others, Resolutions 1267 (1999), 1371 (2001) and subsequent resolutions on international terrorism, as well as, concerning the threat of piracy, Resolutions 1814, 1816 and 1846 (2008)). After all, there has been a massive increase in Resolutions under Chapter VII in the post-Cold War era, from zero in 1989 to more than 40 in 2008 (see Human Security Project 2010: ch. 4).

Once the Security Council has determined the existence of a breach of, or threat to, the peace or condemned an act of aggression in accordance with Article 39 it can impose legally binding obligations onto states. Thus the Security Council condemned Iraq's invasion of Kuwait and demanded the immediate and unconditional withdrawal of its armed forces (Resolution 660 (1990)). It simultaneously called on Iraq and Kuwait to settle their differences through negotiations. In the Kosovo crisis the Security Council condemned the acts of aggression by the Serb police forces in Kosovo as well as acts of terror by the Kosovo Liberation Army (Resolution 1160 (1998)). It linked the demand for the start of a political dialogue with concrete proposals such as the re-establishment of the Kosovo region's autonomous status, which later proved to have paved the way for Kosovo's controversial declaration of independence from Serbia (2008). The Security Council can demand cessation of military action, withdrawal from occupied territories, respect for the sovereignty and territorial integrity of a state, destruction of nuclear weapons or cessation of human rights violations. In short, the Security Council imposes clear limits to the freedom of action of the parties concerned and prescribes (case- and actor-)specific behavioural guidelines aimed at maintaining or restoring international peace and security.

Should the parties concerned not follow its resolutions, the Security Council can decide what measures of collective enforcement 'are to be employed to give effect to its decisions' (Article 41). First of all, it can decide on non-military enforcement measures. The Charter provides for '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' (Article 41). The Security Council, which needs the cooperation of member states, can make a legally binding request for them to implement its decisions (Cortright & Lopez 2002; Cortright et al. 2007).

During the Cold War the Security Council only twice used Article 41 of the Charter to enforce its resolutions. In the first case it imposed economic sanctions on the former Rhodesia in 1966 (Resolution 232) after having determined that the declaration of independence by the white minority regime constituted a threat to peace (in accordance with Article 39). Subsequently the Security Council intensified its enforcement measures through a series of additional resolutions until 1979, when these were lifted following the former Rhodesia's attain-

ment of independence as Zimbabwe under a black majority government. In the second case, that of the apartheid regime in South Africa, the Security Council imposed an arms embargo (Resolution 418 (1977)) following the bloody unrest in the black townships in 1976. Legally binding economic sanctions were not imposed and the Security Council chose instead to recommend to member states a voluntary imposition of comprehensive economic sanctions against South Africa. These were lifted in 1994 after the end of the apartheid regime.

Since 1990 the Security Council has imposed sanctions through non-military enforcement measures in numerous instances (Hurd 2005): Afghanistan, Angola, the Democratic Republic of the Congo, Ethiopia and Eritrea, Haiti, Iran, Iraq, Ivory Coast, Liberia, Libya, Rwanda, Sierra Leone, Somalia, Sudan and the former Yugoslavia. For example, only four days after the invasion of Kuwait by Iraq in 1990 a comprehensive trade embargo was imposed (Resolution 661). To stem the fighting in the former Yugoslavia the Security Council decided on a total arms embargo (Resolution 713 (1991)) which extended to the whole territory of the former Yugoslavia. In addition economic sanctions were imposed upon Serbia and Montenegro (Resolution 757 (1992)), specifically the interruption of trade in raw materials and manufactured products as well as air traffic. The Security Council lifted the sanctions in 1996 (Resolution 1074) but imposed an arms embargo only two years later in the context of the Kosovo conflict (Resolution 1160 (1998)) which was then lifted in September 2001 (Resolution 1367 (2001)). It also extended a broad range of sanctions against Taliban-controlled Afghanistan to all al-Qa'eda members worldwide (among others Resolutions 1267 (1999), 1333 (2001) and 1363 (2001)) and imposed arms, travel, and diamond-trade sanctions against Ivory Coast (1572 (2004), renewed several times).

In addition, the Security Council increasingly relied on so-called smart sanctions which are not directed at states, but rather at individuals such as former Yugoslav President Slobodan Milošević, who are seen as being a threat to peace. The listing of terror suspects whose bank accounts states are required to freeze are the most obvious example for this trend of the Security Council to use smart sanctions directed against individuals rather than encompassing sanctions against states (Cortright & Lopez 2002). In conjunction with this development, the Security Council has established a number of sanctions committees such as the Ivory Coast or the al-Qa'eda and Taliban Sanctions Committee (1267 (1999)), which administer the application of sanctions, for example by compiling and revising lists of targeted individuals and entities.

When deciding on non-military sanctions after the Cold War the Security Council has also used the possibility of asking UN members (in accordance with Article 48 UN Charter) to enforce these non-mil-

itary sanctions through the use of armed force. In relation to Iraq the Security Council called in 1990 'upon those Member States cooperating with the Government of Kuwait which are deploying maritime forces to the area to use such measures commensurate to the specific circumstances as may be necessary under the authority of the Security Council to halt all inward and outward maritime shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions related to such shipping laid down in resolution 661 (1990)'. The arms embargo against former Yugoslavia (Resolution 713 (1991)) was policed by maritime forces of NATO and the (then) Western EU in the Adriatic Sea on behalf of the UN.

When non-military enforcement measures have proved inadequate to implement its decisions, the Security Council can resort to measures of military enforcement. According to the Charter it can take 'such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security' (Article 42). To allow the Security Council to apply military enforcement measures, the Charter provides for the establishment of a Military Staff Committee, responsible for the strategic direction of armed forces (Article 47). Its role is to assist the Security Council in the implementation of military action. Article 43 stipulates that member states 'undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces'. In reality no such special agreements have been reached and the UN has no armed forces permanently at its disposal (Kühne 2000a: 295). Although the permanent members of the Security Council had passed a resolution in 1946 asking the Military Staff Committee to debate the availability of UN troops, the principal powers were unable to agree on the modalities of such a UN force in the context of the East-West conflict. Thus one of the conditions for an effective collective security system has remained unfulfilled. The UN has to rely on the case-by-case supply of armed forces from member states (in accordance with Article 48) or of regional arrangements (in accordance with Article 53, paragraph 1).

During the Cold War the Security Council could not agree in a single instance on measures of military enforcement. The measures decided in relation to the Korean War in 1950 came close to enforcement as stipulated by the UN Charter. This was only possible because of the exceptional situation that the former Soviet Union at the time was boycotting Security Council meetings and thereby losing the possibility of using its veto. Thus in accordance with Article 48, UN members were recommended to provide assistance to the Republic of Korea. However, since the USA was asked to form the UN supreme command, rather than the Military Staff Committee, the deployment had the character of a US-led military action rather than that of a UN deployment in the spirit of collective security.

After the Cold War measures of military enforcement decided upon – or at least authorized – by the Security Council have become more common. However, in many of these instances the Security Council did not mandate military enforcement in clear terms. The Gulf War of 1991 is a case in point. In the aftermath of Iraq's invasion of Kuwait the Security Council did not take military action itself (in accordance with Article 42), nor did it call upon its members to take military enforcement measures (in accordance with Article 48). It only gave its consent 'to use all means necessary', thereby in effect authorizing member states collaborating with Kuwait to employ military force against the Iraqi occupation. Thus the liberation of Kuwait can be seen as an act 'of individual or collective self-defence' (Article 51), albeit explicitly supported by the Security Council.

By contrast, the Security Council really called for military enforcement measures in 1994 when it asked NATO to implement the no-fly zone over Bosnia-Herzegovina (Resolution 816 (1993)). Moreover, in the cases of Somalia (Resolution 746 (1992)), Rwanda (Resolution 918 (1994)) and Haiti (Resolution 940 (1994)), the Security Council considered humanitarian crises resulting from internal armed struggles and grave violations of human rights as threats to peace and security under Chapter VII, and authorized so-called humanitarian interventions, that is, military interference in states that aims at stopping violations of human rights of their own citizens rather than sanctioning acts of aggression committed against another state. Similarly, Resolution 1973 (2011) authorized UN member states 'to take all necessary measures ... to protect civilians and civilian populated areas under threat of attack' from the Libyan regime of Muammar Gaddafi. Whereas a foreign occupation force on Libyan territory was explicitly excluded, Resolution 1973 served as authorization for air strikes against positions of Muammar Gaddafi's troops by NATO states.

The massive air strikes by NATO against positions of the Bosnian Serbs in 1993 were also based on a Security Council resolution (Resolution 836 (1993)) which empowered member states and regional agencies to provide support for the UN protection force (UNPROFOR) through the use of force. By contrast, the NATO operation 'Allied Force' in the Kosovo conflict in the spring of 1999 was carried out without the approval of the Security Council. Despite Resolution 1244 (1999), passed by the Security Council after the cessation of military hostilities, the North Atlantic Treaty Organization (NATO) strikes against the former Federal Republic of Yugoslavia were not authorized according to the UN Charter (Bothe & Martenczuk 1999) and took place outside its collective security system (Brock 2000: 136; Chesterman 2003: 213–15). Neither was the invasion of Iraq in 2003 by a multinational 'coalition of the willing' led by the USA authorized by the Security Council. The USA and the UK had argued that the pos-

sibility of Iraq possessing and employing weapons of mass destruction posed a threat to international peace and security. However, the UN Monitoring, Verification and Inspection Commission (UNMOVIC), which pursuant to Resolution 1441 (2002) conducted on-site inspections of suspect facilities in Iraq, found no conclusive evidence of weapons of mass destruction (see below). However, the USA and the UK took Iraq's failure to unconditionally and immediately cooperate with UN weapons inspectors as stipulated by Resolution 1441 as justification for pressing for a further Security Council resolution authorizing military enforcement actions against Iraq. When the USA and the UK met with disapproval from the majority of the Security Council members (including the permanent members China, France and Russia), they went ahead with a multinational force, invaded Iraq and eventually overthrew Saddam Hussein's regime, even though this military action was not covered by Resolution 1441 (Cockayne & Malone 2008: 396–405).

Consensual security I: peaceful settlement of disputes

UN peace enforcement under the system of collective security is complemented by a system of consensual security based on the peaceful settlement of disputes. Unlike a system of collective security which envisages collective enforcement measures against individual member states, the measures in a system of consensual security always require a consensus of all the parties involved. Thus the UN system of consensual security provides operational measures aimed at fulfilling the obligation to see to the peaceful settlement of disputes (Chapter VI UN Charter).

The UN seeks to enhance the possibilities of peaceful settlement of disputes through the use of a variety of techniques. Such techniques include *good offices*, usually undertaken by the UN Secretary-General (or a special representative). When engaging in good offices, the Secretary-General offers indirect communication channels to the disputing parties that are unwilling to directly communicate with each other (Whitfield 2007). The parties concerned can make use of the good offices to agree on conditions for starting negotiations. They can communicate in this way without officially entering into negotiations, that is to say, without recognizing the other side as a negotiating partner. The good offices of the Secretary-General may contribute to the initiation of negotiations which may then lead to the peaceful settlement of the dispute. The Secretary-General has repeatedly offered his good offices in disputes, for instance between the USA and Iraq. For example, in 1998 Kofi Annan helped to (temporarily) alleviate the dispute over arms inspections in Iraq. Using the prestige of his office he convinced Saddam Hussein to allow the continuation of UN inspections.

Another technique of peaceful dispute settlement is the conduct of *investigations* by the UN. If the UN uses investigations as a means of peaceful dispute settlement it sets up a commission which is given the task of clarifying the facts behind a dispute. This provides the disputing parties with reliable information established by a neutral third party. Although the disputing parties are not bound by these findings, they can be helpful in reaching a settlement. Article 34 of the Charter specifically authorizes the Security Council to establish commissions of inquiry. It has used this possibility in a series of cases, although only in two situations (1946 in relation to Greece and 1948 in relation to Kashmir) with explicit reference to Article 34.

The UN can also play a role in the peaceful settlement of disputes as a *mediator*. Mediation clearly goes beyond the possibility of good offices and investigation since it is concerned with procedures, factual information *and* the specific content of a peaceful settlement (Bercovich 2007; Crocker et al. 2004; Keashly & Fisher 1996). As a mediator the UN plays an active role in the negotiations and can contribute to a negotiated settlement by suggesting solutions. The Secretary-General has repeatedly been charged by the Security Council with mediating in conflicts between states or with naming a representative as mediator. The latter was the case in the wars in the former Yugoslavia when UN representatives (Cyrus Vance and Thorvald Stoltenberg), in conjunction with EU mediators (David Owen and Carl Bildt), strove to secure a peace plan. The mediation efforts, however, only led to the ending of hostilities under the leadership of the USA with the Dayton Accord of 1995 (Holbrooke 1999). Nonetheless, demand for UN mediation has skyrocketed since the 1990s (UN Secretary-General 2009: 3). UN representatives have been involved in offering mediation, with varying degrees of success, in, for example, Afghanistan, the Central African Republic, Cyprus, Georgia, Myanmar, Nigeria/Cameroon and Western Sahara.

In the case of legal disputes between member states there is the option of a *judicial decision* through the International Court of Justice (ICJ) (Roseme 2003; Schulte 2004). An appeal to the Court, whose Statute is part of the UN Charter, can be an effective means of peaceful settlement of a dispute, since its judgements are binding. However, this presupposes a declaration by the parties that they recognize the jurisdiction of the Court. By the end of 2010 only 66 UN member states had declared their general submission to the jurisdiction of the Court. The remaining states have to declare their acceptance for each specific case where the Court is asked for a judgement. For this reason a multitude of international legal disputes did not reach the Court. Since 1946 the Court has delivered only about 100 judgements (as of the end of 2010).

Consensual security II: peacekeeping

Peacekeeping is not mentioned in the UN Charter but it has been a major UN operational activity in the field of security (Doyle & Sambanis 2006, 2007; Weiss et al. 2007: 33–41, 45–80). The repeated recourse to peacekeeping and its recognition by the community of states have become part of customary international law. Peacekeeping activities were first developed at the time of the Cold War and – like the techniques of peaceful dispute settlement under Chapter VI of the Charter – required the consensus of all the parties involved. Since the classic form of peacekeeping is based on the agreement of the parties to the dispute to deploy UN observers or a UN force ('blue helmets'), it belongs to the system of consensual security (Chapter VI) rather than the system of collective security (Chapter VIII). However, it does assume the deployment of military personnel, which is why peacekeeping has also been called 'Chapter Six and a Half' of the Charter (Dag Hammarskjöld, cited in Weiss et al. 2007: 39). Moreover, more recent 'robust' peacekeeping missions have been mandated under Chapter VII to restore a 'secure environment', if need be by force, and are no longer contingent upon the consent of all parties (see below).

The Security Council authorizes all peacekeeping operations (Article 24 UN Charter). Not only does it specify the deployment of UN observers or a peacekeeping force in the relevant mandate and deployment resolutions; it also decides upon the material conditions for deployment, adapting them to the requirements of the specific conflict. In addition to the Security Council, the Secretary-General, the parties to the dispute and the countries supplying the peacekeeping force play an important role in the definition and content of a peacekeeping operation. The Secretary-General determines with the parties the area of deployment, the objectives, the competencies of UN personnel and similar matters in a Memorandum of Understanding which is then confirmed by the Security Council. Furthermore, the Secretary-General requests all civilian personnel (police, administrative and technical specialists) and the troop contingents necessary from the member states and coordinates their deployment with the participating states.

Peacekeeping operations have had a variety of functions, which have expanded progressively over time. Traditionally, such operations dealt above all with monitoring ceasefire agreements. The UN sends observer groups or a peacekeeping force with the aim of observing and supervising adherence to a ceasefire agreed between the parties to the dispute. UNIIMOG, the 400-strong UN force charged with supervising the ceasefire between Iraq and Iran after the first Gulf War (more precisely from 1988 to 1991), is a classic example of an observer mission. The observer group or peacekeeping force also determines which party to the conflict is responsible in the case of a breach of the ceasefire.

Thus, the party violating a ceasefire agreement is subjected to international pressure and perhaps even to pressure from its own population. This helps to create a minimum level of trust in a ceasefire situation. UN military observers have also been deployed preventively to deter the outbreak of hostilities. The preventive deployment of UN military observers in the former Yugoslav republic of Macedonia (UNPREDEP 1995–99) is a case in point. The mandate of UNPREDEP included monitoring and reporting any developments in the border areas of Macedonia (*vis-à-vis* the then Federal Republic of Yugoslavia and Albania) which could undermine stability in the country and threaten its territorial integrity.

In recent years, more encompassing, ‘multidimensional’ peacekeeping operations have taken place which are increasingly given the task of creating the conditions in which a peaceful settlement of the dispute can emerge. Thus UN observers or peacekeeping forces supervise elections; are involved in the democratization process (e.g. UNMIBH in Bosnia-Herzegovina since 1995); deal with or supervise the disarmament of the parties in a civil war (e.g. UNMOT in Tajikistan after extending the mandate from 1997 to 2000); assume the role of state bureaucracies (e.g. UNOSOM I and II in Somalia 1992–95); or provide humanitarian aid (e.g. UNPREDEP in Macedonia 1995–99).

However, the mandates of these multidimensional peacekeeping operations could only be fulfilled when all parties had agreed on a ceasefire and expressed their consent to the deployment of peacekeepers. These conditions are often not met in civil-war zones, where external involvement seems most pressing. This made former UN Secretary-General Boutros Boutros-Ghali plead in his *Agenda for Peace* (1992) for a strengthened UN involvement in connection with civil-war situations and the onset of the break-up of states. As a result, the mandate of peacekeeping operations has been broadened even further. Peace missions were now authorized under Chapter VII of the UN Charter to create a secure environment – if necessary by force – to enable them to fulfil their mandate. The peacekeeping operations in Somalia (UNOSOM II 1993–95) and in the former Yugoslavia (UNPROFOR 1992–95) thus represent another peacekeeping innovation called ‘robust peacekeeping’. However, it should be noted that this broadening of the mandate is in fact not entirely new: it had already been tried out in the mission to the Congo (ONUC) in 1960, almost thirty years before the multidimensional peacekeeping which began in 1989 with UNTAG in Namibia (Doyle 1999: 456). Missions which belong to the category of robust peacekeeping have entered the system of collective security, since the consensus of one or more parties to the conflict is no longer a condition for sending a mission (Doyle 1999: 448; Doyle & Sambanis 2007).

Lastly, the mandates of the peacekeeping operations in Kosovo (UNMIK, since June 1999; from 2008 on in support of the EU Rule of Law Mission in Kosovo (EULEX)) and in East Timor (UNTAET, 1999–2002) have led to the conclusion that we have witnessed the emergence of yet another category of peacekeeping. These complex mandates combine securing the peace through the deployment of armed forces with consolidating the peace through deployment of civilian personnel (Kühne 2000b: 1357; Rittberger 2007: 13). The latter is characterized by the taking of substantial political and administrative responsibility: civilian personnel assume government responsibility in trust until local or regional self-government can be put in place. Thus, complex peacekeeping takes on the daunting task of state-building, that is, (re-)constructing effective and legitimate state institutions, which are considered prerequisites for sustainable peace.

The system of consensual security, with its further development in the area of UN peacekeeping, provides at least in part a suitable example of cooperation and global governance in the area of security. For example, the peace missions to Namibia (1989–90), El Salvador (1991–95) and Cambodia (1991–93) are repeatedly cited as successes (Fortna 2004a; Gareis & Varwick 2005: 104–5; Weiss et al. 2007: 46–9). As to robust peacekeeping under Chapter VIII of the Charter, the organization recognized the necessity to get involved, even against the will of at least one of the parties to a conflict. Yet, it initially failed – as is painfully exemplified by the missions to Somalia (1992–95), the former Yugoslavia (1992–95) and Rwanda (1993–96) – because of insufficient operational capacity and ultimately also because of the indecision, mainly of its Western members, to provide timely and adequate financial, material and personnel resources (Gareis & Varwick 2005: 105–8; Lipson 2007: 5–6).

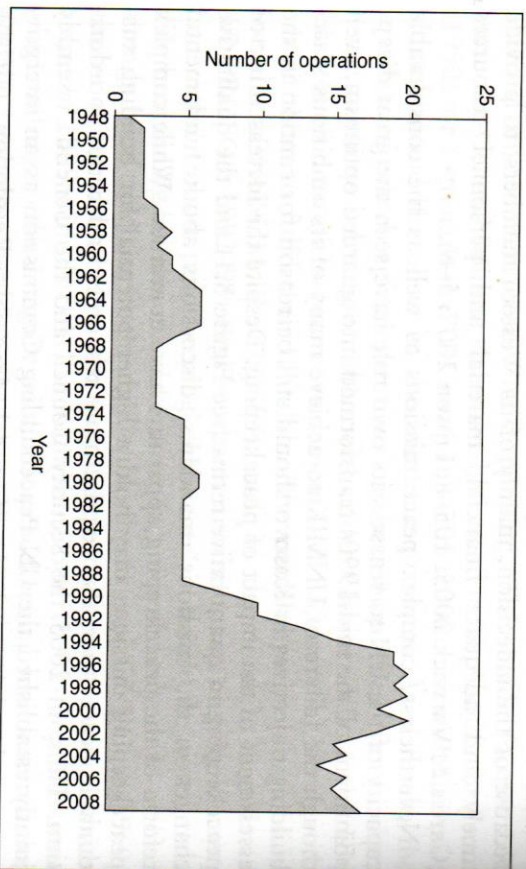
Nevertheless, complex peace missions as well as the considerable capacity of the UN to reassess its own role have seen the great disappointment of the mid-1990s transformed into guarded optimism, even though the failure of UNMIK to achieve many of its ambitious state-building objectives in Kosovo should still be reason for caution in the assessment of the impact of peacekeeping. Despite the increased use of peacekeeping in quantitative terms (see Figure 8.1) and the qualitative changes in the missions’ mandates, discussions about fundamental reform of the peacekeeping apparatus have continued. While complex peacekeeping missions may hold a higher potential for building sustainable peace, they also require more resources and better coordination. Thus, in 2005 the Security Council and the General Assembly jointly established the UN Peacebuilding Commission as an intergovernmental advisory body (General Assembly Resolution 60/180, Security Council Resolution 1645). This Commission was tasked with the development of reconstruction strategies for states in post-conflict

situations, the stimulation of member states' contributions to UN peacekeeping operations and the improvement of the coordination of all relevant actors in complex missions (Paris 2010; Rittberger et al. 2010: 393). Finding a solution to this coordination task becomes all the more important since the Security Council has increasingly relied on mandating operations by other regional organizations such as NATO (International Security Assistance Force (ISAF) in Afghanistan, under NATO command since 2003) or the EU (EUFOR in the Democratic Republic of Congo, 2006) and even on deploying hybrid missions with regional organizations (Pelz & Lehmann 2007: 2). An example of the latter can be found in the joint UN-AU peacekeeping mission UNAMID with up to 20,000 military and 6000 police personnel being deployed to the Sudanese region of Darfur (Resolution 1769 (2007)).

Information activities of the UN

International cooperation always depends on the availability of reliable information. The UN can exert some influence on the provision of information in the field of security. First and foremost it represents a forum for the exchange of information between states and also between states and non-governmental organizations. In the meetings,

Figure 8.1 Number of UN peacekeeping operations, 1948–2008



Sources: Based on data from Rittberger et al. (2010: 391); UN Department of Peacekeeping Operations (2008).

negotiations and discussions taking place in the various organs and bodies of the UN, states share with one another their understanding of the international situation, inform one another about their ability (and willingness) to react, communicate their proposed courses of action, and so forth. Thus, they exchange information which helps to shape their own behaviour (Dicke 1988: 2, 6). To obtain reliable information about certain conflict hotspots, government representatives increasingly make use of humanitarian international non-governmental organizations (INGOs) such as Oxfam and Médecins sans Frontières. Even the UN Security Council has cautiously opened up to non-state actors and provides ad hoc access for them through the so-called Arria Formula. The Arria Formula, named for UN Ambassador (1991–94) Diego Arria of Venezuela, is an informal arrangement that allows the Security Council to be briefed by non-state (mainly civil society) actors about international peace and security issues. It offers members of the Security Council the opportunity to invite other Council members to an informal meeting in which one or more persons (e.g. representatives of humanitarian NGOs), who are considered expert(s) in a matter of concern to the Security Council, are heard (Kruck & Rittberger 2010: 60).

Especially significant in terms of information activities is the Secretary-General's Annual Report. This document receives considerable publicity and enables the Secretary-General to exert a real influence on the agenda of international politics. This is especially so if the Secretary-General and like-minded states, as well as non-state supporters, are able to marshal public opinion using the information supplied and so exert pressure on state representatives. UN information activities thereby contribute at least indirectly to world public opinion.

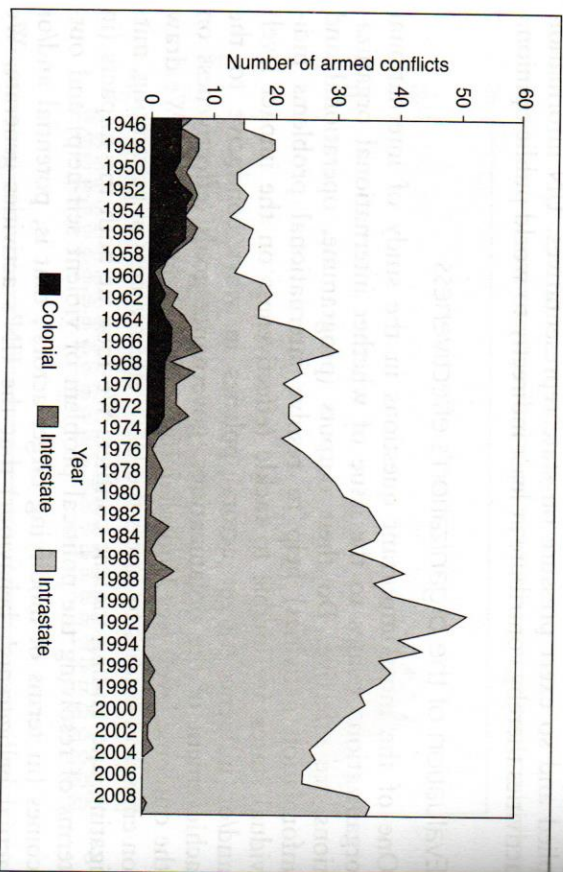
Evaluation of the organization's effectiveness

One of the most important questions in the study of international organizations relates to the issue of whether international organizations are effective. Do their outputs (programme, operational and information activities) help to resolve international problems individual states are unable to tackle (effectiveness on the impact level) and/or influence target actors' policies in ways conducive to the achievement of the organizations' governance goals (effectiveness on the outcome level) (see Underdal 2002, 2004; Young 2004)? We draw on empirical studies to assess the UN's effectiveness in preventing, mitigating and ending violent conflict. We look at both the impacts (in terms of resolving the political problem of violent self-help) and outcomes (in terms of modifying target actors', that is, potential and/or actual belligerents', behaviour) that the UN's activities generate. We will offer parallel assessments of international organizations' effectiveness in all the issue areas we cover in Chapters 8–11.

Does the UN make a relevant contribution to overcoming the threat or use of force in international relations and to stabilizing the peace? Simply by banning the use or threat of force between member states the UN makes an important contribution to international peace. The decreasing number of inter-state armed conflicts since 1945 does not prove this effect, as this may have causes unrelated to the UN ban on the use of force, but it may be seen as one, albeit weak, indication of this effect (see Figure 8.2).

Another, somewhat stronger hint at the effectiveness of the UN ban on the use of force and related General Assembly and Security Council resolutions seems to be that the number of instances in which states are successful in changing existing territorial boundaries through warfare has gone down dramatically. While territorial gain through warfare has been quite common in international politics, with the UN ban on the use of force this has become rather exceptional. As Zacher (2001) demonstrates, before 1945 about 80 per cent of all interstate territorial wars led to territorial redistribution, whereas this number dropped to about 30 per cent after 1945. As a result of the UN ban on the use of force and related General Assembly and Security Council resolutions the international community is no longer willing to accept territorial gains made through interstate warfare. The reactions of the interna-

Figure 8.2 Number of global armed conflicts, 1946–2009



Sources: Based on data from Ritterberger et al. (2010: 374); Harbom & Wallensteen (2010).

tional community of states to Iraq's aggression against and subsequent occupation of Kuwait in 1990 may illustrate this, as may the fact that the US-led coalition that drove Iraqi troops out of Kuwait never had the intention to turn its victory into territorial gains. In fact, since 1976 there was no major case of successful territorial aggrandizement through interstate war (Zacher 2001).

With regard to the UN's operational activities, one particular activity has attracted most scholarly attention: interstate and, in particular, intrastate peacekeeping. A first glance at the bivariate correlation between the presence of peacekeepers and the resumption of fighting after interstate wars suggests that interstate peacekeeping is not associated with stable peace. In fact, when peacekeepers are present, war appears much more likely to resume (Fortna 2004b: 490). Indeed, Diehl et al. (1996) find that UN intervention has no significant effect on the recurrence of interstate conflict. Werner (1999) also argues that third-party enforcement, including peacekeeping, increases rather than decreases the chances that war will resume (see also Werner & Yuen 2005). However, there is a selection effect which explains this apparent negative relationship: peacekeepers are not sent to a random selection of conflicts that are otherwise more or less equal. Instead, peacekeepers are more likely to be sent to more difficult cases, rather than to ones in which peace will likely last in any case (Fortna 2004b: 491, 499). Controlling for this selection effect, Fortna (2004b: 517) finds that 'peace lasts substantially longer when international personnel deploy than when states are left to maintain peace on their own'. Peacekeepers enhance the stability of peace by raising the cost of aggression, making a surprise attack more difficult and serving to reassure belligerents about each other's intentions through monitoring and the provision of credible signals of intentions. Moreover, peacekeepers serve to minimize the risk of accidents or skirmishes from escalating to full-scale fighting (Fortna 2004b: 516; see also Fortna 2008). Therefore, when peacekeepers are present, the risk of another international war drops by more than 85 per cent relative to cases in which belligerents are left to their own devices after a war. Interestingly, Fortna finds that, statistically, the size of the peacekeeping mission does not make a difference (Fortna 2004b: 500).

The bulk of empirical studies on the effectiveness of peacekeeping focus on intrastate wars, however. First of all, there is a strong inverse correlation between the number of UN peacekeeping operations and the prevalence of intrastate armed conflict. The number of peacekeeping operations has increased substantially since the end of the Cold War; in the same period of time the number of intrastate armed conflicts has considerably declined (see Figures 8.1 and 8.2). Correlation is certainly not the same as causation; nonetheless, quantitative studies have meanwhile produced the robust result that peacekeeping makes civil war

much less likely to resume once a ceasefire is in place (Doyle & Sambanis 2000, 2006; Fortna 2004a, 2008; Hartzell et al. 2001; Walter 2002). As is the case with interstate wars, peacekeepers tend to be sent to more difficult cases of intrastate conflict. If this is taken into account, peacekeeping has a large and statistically significant effect on the duration of peace after civil wars (Fortna 2004a; Fortna & Howard 2008: 290). Of course, general effectiveness of UN peacekeeping does not prevent dramatic failures such as the withdrawal of UN peacekeepers in the face of an imminent genocide in Rwanda (1994) (Barnett & Finnemore 2004: 121–55). Nonetheless, despite a number of peacekeeping failures in the early and mid-1990s, peacekeeping is overall an effective conflict-management tool (Fortna 2004a: 288) which decreases belligerents' incentives for fighting, alleviates mutual fear and mistrust, prevents accidental escalation to war, and shapes political procedures to stabilize peace (Fortna 2008a; Fortna & Howard 2008).

It is less clear which types of missions are most effective. Some studies distinguish between the achievements of peacekeepers in making peace in the first place and on keeping it once it is established, finding that peacekeepers are not so good at the former (Greig & Diehl 2005). Doyle and Sambanis (2000) argue that the success of peacebuilding depends, among other factors, on the type of mission. Multidimensional peacekeeping missions significantly improve the chances of success (defined as absence of violent conflict two years after the end of a war). There is weaker evidence in their study that robust peace-enforcement missions improve the prospects for peace. Whereas Doyle and Sambanis (2000) are more sceptical about the effects of traditional peacekeeping on the chances for (modestly) stable peace, Fortna (2008) more recently found that relatively small and militarily weak consent-based peacekeeping operations are often just as effective as larger, more robust enforcement missions. Fortna (2008) finds no strong difference between the effects of Chapter VI and Chapter VII missions. Thus, the literature remains inconclusive about the conditions under which force may be effective in the context of peace operations (Fortna & Howard 2008: 292).

Similarly, the jury is still out on the question of whether third-party actors such as the UN may be able to build states in countries emerging from civil war through complex peacebuilding missions. Some authors argue that longer, more concerted efforts of transitional administrations, which are part of peacebuilding missions, may be conducive to long-term peacebuilding (Paris 2004), whereas others argue that such attempts mirror the negative aspects of colonial occupations of the past (Fortna & Howard 2008: 293; see Edelstein 2008; Marten 2004; Von Hippel 2000). There is little empirical evidence that large-scale UN state-building efforts have been successful so far.

What seems clear is that the increased use of peacekeeping and the broadening of its mandate led to a gap between the demand for, and the supply of, resources by member states. This has been widely recognized, for example in the Brahimi Report of 2000 (UN-document A/55/305) or the final report of the High-Level Panel on Threats, Challenges and Change (A/59/565, 2004), and formed the basis for the creation of the UN Peacebuilding Commission in 2005 (SC Resolution 1645, GA Resolution 60/180) which seeks to coordinate broader political-strategic aspects of post-conflict peacebuilding. Despite these recent reforms, efforts to increase the effectiveness of peacekeeping and the readiness of member states to contribute to peacekeeping activities are still far from achieving their goals.

Dynamics of arms procurement: the UN and the IAEA

As noted above, the security dilemma may result in the stimulation of arms procurement despite the fact that the states involved would prefer an arms-control agreement rather than an arms race. Moreover, matters are exacerbated by the problem of limited transparency about armaments and the difficulty of restoring one's physical existence once it is lost. What, and how, can international organizations contribute to overcoming these obstacles to security cooperation and therefore to the advent and stabilization of arms control? To clarify these questions we shall concentrate on the non-proliferation of nuclear weapons.

Policy programme of the UN

The UN Charter is rather vague on how to limit the armaments dynamic. Precise instructions about the size of arsenals, the legality of specific types of arms or even the implementation of possible arms limitations are not referred to in the Charter. In Article 26 the Charter states that 'the Security Council shall be responsible for formulating ... plans to be submitted to the Members of the UN for the establishment of a system for the regulation of armaments'. As the Security Council was, *de facto*, blocked during the Cold War, the General Assembly, in accordance with Article 11 of the Charter, assumed this task in its place by discussing the principles for disarmament and the regulation of armaments and by making recommendations.

The peaceful use of nuclear energy as well as nuclear disarmament have been matters of debate in the UN since its inception. The first specific initiative to create norms and rules to prevent the proliferation of nuclear weapons was taken to the General Assembly in 1958 by Ireland, but met with no support. Following a further Irish initiative in 1961, the General Assembly unanimously endorsed the goal of the

non-proliferation of nuclear weapons in Resolution 1665 (XVII). In Resolution 2028 (XX, 1965) it demanded that the Eighteen-Nation Committee on Disarmament, which had been founded in 1961 and which met in Geneva, should concentrate on negotiating a nuclear weapons non-proliferation treaty. The Committee, consisting of five states each from the Western and Eastern blocs as well as eight representatives of the non-aligned states, entered into a concrete intergovernmental negotiating process that is typical for reaching policy programme decisions (see Chapter 6). As the model of intergovernmental negotiating processes leads us to assume, the negotiations were dominated by the most powerful states, especially the USA and USSR, which attempted to make the renunciation of nuclear weapons more acceptable to the weaker states through concessions in the area of the civilian use of nuclear energy and in the form of promises of nuclear disarmament. In the end, in 1968 members of the Committee were able to agree on a text which was accepted by the General Assembly in that same year (Resolution 2373 (XXIII)) by a large majority. It was recommended that the member states should sign and ratify it speedily (Müller et al. 1994).

The basically regulative programme of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) largely mirrors the factual power inequality of states in its distribution of rights and duties (Müller 1989: 282–7; Müller et al. 1994). While it contains a broad limitation of options for non-nuclear-weapon states, those states with nuclear weapons (for these purposes the USA, USSR, UK, France and China) were far less restricted. The non-nuclear-weapon states were required

not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices. (NPT, Article II)

Thus the treaty meant a loss of the nuclear-weapon option for those states which did not already possess these weapons, whereas the nuclear-weapon states were only required 'not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly' (Article I). At the same time, the nuclear-weapon states that signed and ratified the treaty undertook 'to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and

complete disarmament under strict and effective international control' (Article VI). This linkage of the ban on horizontal proliferation (the spread of nuclear weapons to states that have not previously possessed them) with the limit on vertical proliferation of nuclear weapons (further nuclear build-up of the superpowers), however, remained very tenuous (Krause 2007). In reality, despite repeated reminders by the non-nuclear-weapon states, and especially the developing countries of the South, the ban on vertical proliferation was only realized in part (for example in the Strategic Arms Limitation Talks (SALT) and Strategic Arms Reduction Treaty (START), as well as in the Intermediate Nuclear Forces Treaty (INF)) (Marin Bosch 1999: 381–3). In this sense the commitment by the nuclear-weapon states to concrete and verifiable steps towards nuclear disarmament, including a Comprehensive Test-Ban Treaty (CTBT) negotiated in 1996, was meant to complement the unlimited extension of the NPT in 1995 (Müller 2002: 169–71). However, the test-ban treaty has still not entered into force since two recognized nuclear powers, the USA and China, keep refusing to ratify it. The same holds for the unofficial nuclear powers India, Israel, North Korea and Pakistan.

Besides the promise to disarm, nuclear-weapon states were able to tie non-nuclear-weapon states to the NPT with the promise to drop the policy of refusing to transfer nuclear technology as a weapons-non-proliferation strategy. They guaranteed the nuclear have-nots participation in the international civilian nuclear trade on the basis of equal opportunity (Article IV). However, the treaty requires safeguards for the civilian nuclear trade 'with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices' (Article III, paragraph 1). For their part, the nuclear-weapon states committed themselves only to trade in nuclear matters with those non-nuclear-weapon states which have accepted the supervision measures (Article III, paragraph 2).

Operations of the IAEA

To avoid the norms and rules of the NPT remaining a dead letter, the International Atomic Energy Agency (IAEA, created in 1957) was given the task of assuming the operational activities necessary for implementation. The First Committee of the UN General Assembly also deals with issues of arms control and disarmament, trying (largely unsuccessfully) to specify the UN's policy programme on arms control. However, the IAEA has become by far the most important operational body in this issue area. Therefore, we focus on the operational activities of the IAEA.

To implement the UN's policy programme, first of all its content needed to be specified. In order to specify which nuclear source materials

and installations could be exported by states, a list of nuclear goods, the export of which presupposed supervision measures by the IAEA in the importing country, was negotiated in the NPT Exporters Committee of the IAEA. This committee was named the Zangerger Committee (after its first chairman, the Swiss Claude Zangerger). The Zangerger Committee was composed of the main exporters of nuclear technology and was supposed to lead to a harmonization of their export practices to prevent goods suitable for the production of nuclear weapons from being passed on without safeguards. However, it was not until 1974 that the nuclear supplier states reached the first, still rather general and limited agreement about their nuclear export policy (the 'trigger' list, published as IAEA document INF/CIRC/209). In the same year India detonated a nuclear device. In 1975 strict export guidelines and the need for greater care in exporting nuclear technology were agreed upon by nuclear supplier states. However, coordination took place outside the framework of the IAEA in an export cartel of supplier countries of nuclear technologies, the London Suppliers Club (Spector 2002: 127–8). Their strategy of refusing technology transfer to potential nuclear states among the developing countries of the South had its basic weaknesses. On the one hand, it led to open discrimination between the countries importing nuclear technologies. On the other hand, adherence to these agreements was left to the discretion of the supplying countries, since they had not decided on any supervision of export practices.

Due to this lack of control the nuclear supplier states could keep exporting nuclear technologies without running the risk of discovery. This practice became evident in the early 1990s with the disclosure of the clandestine nuclear weapons programme of Iraq (Spector 2002: 128–9). Iraq had obtained from abroad a large part of the installation materials required by purchasing them from states that dispose of nuclear technology. The discovery of Iraq's nuclear-weapons programme led members of the London Suppliers Club to renegotiate the obsolete export guidelines. They gave special consideration to those regulations concerning the export of dual-use technology, that is, nuclear installations and materials suitable for both military and civilian application.

The specification and implementation of the export-control norms of the NPT, enjoying limited success and neglected for a long time, stand in contrast to the largely successful specification and implementation of the safeguard norms by the IAEA. Unlike the negotiations for export-control guidelines, the elaboration of the safeguards proceeded relatively quickly (Chellaney 1999: 380–2). Even before the coming into force of the NPT, the IAEA had safeguards at its disposal in the form of the model safeguards agreements INF/CIRC/26 and INF/CIRC/66, adopted by its Board of Governors in 1961 and 1966,

respectively. A new model safeguards agreement INF/CIRC/153 was worked out only one year after the signing of the NPT in 1968. Coming into force in 1970, the treaty retained its validity until the decision was taken to proceed to a fundamental reform of the safeguards regime in 1995 and 1997.

According to INF/CIRC/153 every non-nuclear-weapon state which has concluded a safeguards agreement with the IAEA is obliged to notify the IAEA of all facilities and materials deployed in the peaceful use of nuclear energy. Furthermore, it must keep a record of nuclear materials for the declared facilities, which enables verification of whether nuclear material for peaceful uses has been diverted to military purposes. The new and so far unique character of the safeguards is that the system of accounting for and control of all nuclear materials is being supervised by an international organization, the IAEA. To this end IAEA inspectors have the right to check the declared facilities on site. Furthermore the IAEA has the right to install instruments and surveillance equipment, such as cameras, at key measurement points (den Dekker 2001: 274–97).

Despite these far-reaching control mechanisms, the safeguards system of the IAEA did not provide complete protection against diversion of nuclear fuel suitable for weapons. In practice the IAEA was not in a position to verify whether a state had really declared all its facilities and the entire nuclear source material of its nuclear activities. The loopholes in the safeguards system of the IAEA became obvious in 1991 when a UN Special Commission encountered signs of a substantial nuclear weapons programme in Iraq. The country had made false declarations to the IAEA concerning both its facilities and the available nuclear source material (Chayes & Chayes 1995: 181).

In 1991 the Director-General of the IAEA formulated a reform programme with three goals. First, the organization was to gain unhindered access to all suspicious facilities. Second, its inspectors should be able to share their knowledge with the secret services. Third, the UN Security Council was to cooperate with the IAEA to strengthen the sanctions process. In 1997 the Board of Governors adopted a new model safeguards agreement INF/CIRC/540. Although the Director-General's wish for unhindered access was not granted, the new model safeguards agreement contains a substantial extension of member states' duty to report, as well as of the IAEA's inspection rights (Colijn 1998: 95–7; den Dekker 2001: 297–305; Loosch 2000).

In 2005 the IAEA Board of Governors agreed on modifications to what is known as the Small Quantities Protocol (SQP), designed for states that have little or no nuclear material. The previous SQP standard text allowed states to possess small amounts of nuclear material without having to report those holdings to the IAEA. The modifications reflected the view that the SQP constitutes a weakness of the safeguards

system and included requirements that states provide reports to the IAEA inspectorate on all their nuclear material and pass on early design information for any planned nuclear facilities. They also reinstated the IAEA's right to conduct inspections in SQP states.

The IAEA safeguards system can be seen as an important contribution to the non-proliferation of nuclear weapons. It creates and represents a transparency rare in the field of security. Supervision by the IAEA provides some guarantee to the non-nuclear-weapon states that other non-nuclear-weapon states will not gain an advantage in arms technology and procurement by diverting nuclear energy from peaceful uses. Thus the safeguards system encourages the expectation that there will be no danger of being overtaken by other states by renouncing one's own nuclear-weapon capacity (Beckman et al. 2000: 223). Only with such mutual expectations of security does the option of renouncing nuclear weapons appear possible.

Of course, the limits to these transparency- and trust-building activities are quite obvious when we look at the nuclear programmes of North Korea and Iran, as well as the alleged Iraqi nuclear programme before the 2003 Iraq War. Even though IAEA and UN weapons inspectors found no evidence of a renewed nuclear programme in Iraq, the USA and the UK, as well as some supporters, invaded Iraq nonetheless. The case of North Korea, which left the NPT in 2003, sent IAEA inspectors out of the country and conducted a nuclear arms test only three years later, points to the problematic feature of the NPT that it is not possible to prevent a state from leaving the treaty in order to elude IAEA controls (Ritberger et al. 2010: 458–60). The case of Iran, which is still a member of the NPT, is illustrative for the difficulties of sanctioning and rectifying observed non-compliance with the NPT.

The IAEA can pass resolutions condemning a lack of cooperation and breaches of the NPT, as it did in 2006 with the Iranian nuclear programme, but it cannot impose legally binding sanctions. For that matter, it is dependent on the Security Council – and its ability to garner support for sanctions among all permanent members. Thus, in the case of a breach of the NPT the imposition of sanctions is no easy task, even if the Board of Governors of the IAEA can pass this information to the UN Security Council. The Security Council has the right to impose collective enforcement measures against the respective state (Müller et al. 1994) if it sees the breach of contract as a threat to international peace and security. But even if the Security Council agrees to impose sanctions, as it did with the arms and nuclear technology embargo against Iran (Resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1929 (2010)), this obviously by no means guarantees to bring violators back into compliance with the treaty.

Blind spots in the NPT as well as the perceived shortcomings and

inefficiencies of the IAEA control regime led the USA in 2003 to launch the Proliferation Security Initiative (PSI), which aims to stop the trafficking of weapons of mass destruction, their delivery systems, and related materials to and from states and non-state actors at sea, in the air and on land. The 20 participant states and more than 90 supporting countries (as at the end of 2010) endorse a set of Interdiction Principles in which states commit to undertake effective measures for interdicting the transfer or transport of nuclear arms material, to rapidly exchange all relevant information and to revise their national legal frameworks for interdiction if necessary (Heupel 2007). While the USA stresses that the PSI should complement rather than rival the NPT regime, its creation and rather informal US-led structure reflect the dissatisfaction with existing non-proliferation efforts and the perceived need to create alternative avenues of cooperation.

Information activities of the IAEA

A central obstacle to cooperation in the field of security is the tendency of states to keep secret measures meant to guarantee their own security. When states are prepared to exchange sensitive information they generally do this on condition of confidentiality. Thus, international organizations active in addressing arms-procurement questions tend to serve as non-public exchange markets for confidential information. This holds in particular for the 46 members (as of 2010) of the London Suppliers Club, which has been criticized for its high levels of secrecy. In contrast to the London Suppliers Club, the IAEA functions as a public information platform. Its annual Activity Report and the quarterly *IAEA Bulletin* give information about the organization's programme and operations concerning nuclear non-proliferation. Numerous information brochures complement its publicity. In addition, the organization is at the centre of a worldwide network of researchers and experts in the areas of nuclear non-proliferation and of the peaceful uses of nuclear technology. With the help of research institutes all over the world and other international organizations, the IAEA maintains a multitude of numerical, bibliographical and other databases. Finally, through its own three laboratories and research institutes, the organization contributes to the independent generation of information in the area of nuclear safety and nuclear technologies. The results of research projects funded by the IAEA are published.

Evaluation of the organizations' effectiveness

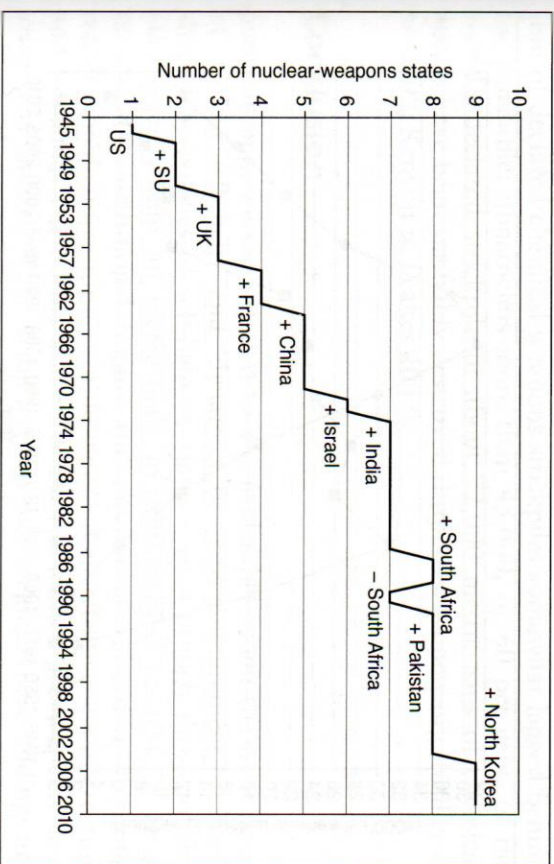
In an evaluation of the effectiveness of UN and IAEA activities, first of

all, the contribution of these organizations to the non-use of nuclear weapons must be acknowledged (Tannenwald 1999, 2005, 2007). A normative prohibition on nuclear weapons use has developed in the global system, which has stigmatized nuclear weapons as unacceptable weapons of mass destruction (see also Daase 2003). According to Tannenwald (1999: 434), the normative prohibition against nuclear weapons is essential to explaining why nuclear weapons have remained unused after the Second World War and to accounting for their special status as 'taboo' weapons. The decreasing legitimacy of nuclear weapons is institutionalized in an array of international arms control agreements and regimes, including the Nuclear Non-Proliferation Treaty and the Comprehensive Test Ban Treaty. These together circumscribe the realm of legitimate nuclear weapons use and restrict freedom of action with respect to nuclear weapons. The UN constituted a permanent institutional forum for the stigmatization of nuclear weapons playing a central role in the creation and dissemination of norms against the use of nuclear weapons (Tannenwald 2005: 18–19). As a consequence, since the Second World War nuclear weapons have not only remained unused, but nowadays their use is no longer conceived as a viable option. As Tannenwald (1999) shows, the USA, which had used nuclear weapons at the end of the Second World War in 1945 and which had still considered using them during the Korean War of 1950, hardly considered their use during the Vietnam War of the 1970s. In the 1990s, during the Iraq War, the non-use of nuclear weapons was already taken for granted.

Apart from this positive effect on the non-use of nuclear weapons, the UN and the IAEA make an important contribution to regulating arms procurement, especially with the view to preventing the proliferation of nuclear weapons between states (horizontal proliferation). Although India, Israel, Pakistan and North Korea have acquired a nuclear-weapons capability, it is widely acknowledged among scholars of nuclear (non-)proliferation that, without the UN's and the IAEA's policy programmes and their operational activities, we would likely face a far greater number of nuclear-weapons states (Beckman et al. 2000: 222–5; Brzoska 1991). Not only has the number of nuclear-weapons states remained relatively low, but the number of nuclear-weapons states has also grown more slowly after the coming into force of the NPT in 1970 (see Figure 8.3).

Thus, Müller (2010) argues that the nuclear non-proliferation regime, despite being frequently criticized for an alleged lack of effectiveness, is in fact a success story as far as horizontal proliferation is concerned. The number of states which had conducted nuclear weapons activities in various stages but which have terminated them at one point surpasses the number of nuclear-weapon states by far (see also Levite 2002/2003; Müller 2000; Müller & Schmidt 2010). No

Figure 8.3 Number of states possessing nuclear weapons

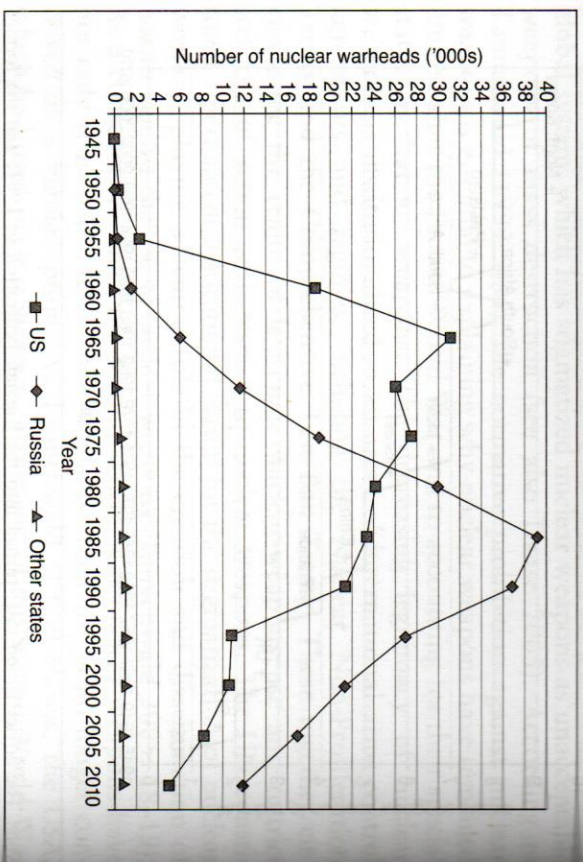


Note: The Soviet Union (SU) turned into the Russian Federation in 1991, and the former Soviet republics of Belarus, Kazakhstan and Ukraine abandoned nuclear weapons. Sources: Based on data from Beisheim et al. (1999: 180–2); Norris & Christensen (2010).

fewer than 26 states, which once seriously explored the idea of moving towards nuclear weapons, have renounced these activities or have been forced to do so (Müller 2010: 189), with the NPT marking an important waterline beyond which nuclear weapons aspirations lost their legitimacy. However, it cannot be overlooked that international organizations have not been effective in preventing a small number of determined states, which have broken the NPT rules or have left the treaty regime, from pursuing nuclear-weapons programmes. The discovery of Iraq's clandestine nuclear programme in 1991 raised doubts about the reliability of the IAEA safeguards and led to a tightening of the rules. Yet the existing monitoring and sanctioning mechanisms remain incomplete in the face of the refusal of states like North Korea or Iran to (fully) cooperate with the IAEA.

Notwithstanding the partial success non-proliferation policy may have had regarding horizontal proliferation, during the Cold War it contributed little to halt or at least slow down the nuclear arms race of the superpowers (vertical proliferation) (Beckman et al. 2000: 222). This also harmed efforts to prevent horizontal proliferation since the reluctance of the official nuclear-weapon states to fulfil their undertaking of nuclear disarmament has damaged the legitimacy, and thus

Figure 8.4 Vertical proliferation: nuclear weapons inventories, 1945–2010



Source: Based on data from Norris & Christensen (2010: 81–2).

the long-term effectiveness of the NPT (Müller 2010: 189). While the USA had constantly reduced the number of nuclear warheads in its possession since the mid-1970s, it was not until the end of the Cold War that really substantial progress was made in the area of vertical non-proliferation (see Figure 8.4).

However, any agreement about nuclear disarmament between the USSR (and later Russia) and the USA was negotiated and reached outside the UN. This was demonstrated again by the New START between Russia and the USA, signed in 2010 and in effect since 2011, which provides for the number of strategic nuclear-missile launchers being reduced by half until 2018.

The limitation of the proliferation of nuclear weapons still works relatively well in comparison to the quite poor results of attempts to control conventional and biological arms procurement (Krause 2007). By contrast, in the negotiations for a general treaty banning chemical weapons, the Chemical Weapons Convention (CWC), presented for signature in 1993, the UN was able to give an important forward impulse. The Convention came into force in April 1997, bringing to life at the same time the Organization for the Prohibition of Chemical Weapons (OPCW), which supervises the implementation of the treaty

regulations, including the destruction of existing chemical arsenals according to a fixed schedule. By the end of 2010, the actual destruction of declared chemical weapons stockpiles somewhat lagged behind the timetable; nonetheless more than 43,000, or 60 per cent, of the world's declared stockpile of about 72,000 metric tons of chemical agents have been verifiably destroyed (<http://www.opcw.org>; Müller et al. 2008; Kenyon & Feakes 2007).

Conclusion

Summarizing, we can say that to a considerable extent the issue areas of 'violent self help' and 'dynamics of arms procurement' are still shaped by policies of self-help by states – even though these policies take place within an increasingly institutionalized context. A large number of institutional organs and mechanisms aimed at fostering international cooperation exist; however, their effectiveness in creating and implementing norms and rules that guarantee global peace and security is limited. While being not too encouraging, these findings are in line with our expectation that obstacles to cooperation and effective global governance loom particularly large in the field of security. However, it is important to note that, in both issue areas we looked at, there are areas where effective regulation became possible, showing that international organizations can and do make an important contribution to global peace and security.

Discussion Questions

1. Has the UN Security Council succeeded in establishing itself as the prime guardian of international peace and security after the Cold War? Justify your position with appropriate empirical evidence.
2. How have UN peacekeeping operations evolved in the past few decades? What accounts for their transformation? To what extent do UN peacekeeping operations succeed in creating and/or stabilizing peace?
3. What have been international organizations' contributions to preventing and containing international nuclear arms races? Which theory of international organizations (see Chapter 2) accounts best for the empirical record of the UN and the IAEA in this endeavour?

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- Tallberg, Jonas, Thomas Sommerer, Theresa Squatrito, and Christer Jönsson. (2013) *The Opening Up of International Organizations: Transnational Access in Global Governance*. London: Cambridge University Press.
- Willetts, Peter. (2010) *Non-Governmental Organizations in World Politics: The Construction of Global Governance*. London: Routledge.
- Wong, Wendy. (2014) *Internal Affairs: How the Structure of NGOs Transforms Human Rights*. Ithaca: Cornell University Press.

Internet Resources

- Amnesty International: www.amnesty.org
- CARE: www.care.org
- Catholic Relief Services: www.crs.org
- Conference of Non-Governmental Organizations in Consultative Status with the United Nations (CoNGO): www.ngocongo.org
- Consultative Group on International Agricultural Research: www.cgiar.org
- Doctors Without Borders: www.doctorswithoutborders.org
- EarthAction: www.earthaction.org
- Friends of the Animals: <http://friendsofanimals.org>
- Greenpeace: www.greenpeace.org
- International Campaign to Ban Landmines: www.icbl.org
- International Chamber of Commerce: www.iccwbo.org
- International Committee of the Red Cross: www.icrc.org
- International Federation of Red Cross and Red Crescent Societies: www.ifrc.org
- International Rescue Committee: www.rescue.org
- International Save the Children Alliance: www.savethechildren.net
- Interpol: www.interpol.com
- IUCN—World Conservation Union: www.iucn.org
- One World Trust: www.oneworldtrust.org
- Oxfam: www.oxfaminternational.org
- Roll Back Malaria Initiative (WHO): www.rbm.who.int
- Save the Children Federation: www.savethechildren.org
- Transparency International: www.transparency.org
- Union of International Associations: www.uia.org
- World Association for Disaster and Emergency Medicine: www.wadem.org
- World Vision: www.worldvision.org
- World Wide Fund for Nature: wwf.panda.org

7 The Search for Peace and Security

Case Study: Somalia as a Watershed

In 1991 and 1992, civil order in Somalia totally collapsed as warring clans seized control of different parts of the country. Widespread famine and chaos accompanied the fighting, forcing hundreds of thousands of civilians to the brink of starvation. Food was a vital political resource for the Somali warlords and a currency to pay the mercenary gangs who formed their militias. In November 1992, with as many as a thousand Somalis dying every day and three-fourths of Somalia's children under the age of five already dead, UN Secretary-General Boutros Boutros-Ghali informed the Security Council that the situation "had deteriorated beyond the point at which it is susceptible to the peacekeeping treatment. . . . The Security Council now has no alternative but to decide to adopt more forceful measures" (UN 1992: 2).

More than twenty years later, although Somalia has finally made some gains in establishing a national government and functioning economy, an African Union peacekeeping force of over 21,000 personnel from six African countries is still deployed in the country; conflict and drought-induced famine remain a threat, taking more than 200,000 lives in 2011–2012; more than 1 million Somalis are displaced within the country and almost 1 million are refugees in neighboring Uganda and Kenya. In addition, the al-Qaeda-linked terrorist group al-Shabab is still active in the country, has carried out bombings and raids in neighboring Uganda and Kenya, and is considered a threat to the United States because of its success in recruiting Somali Americans. Somalia, therefore, offers an excellent case study of contemporary threats to international peace and security and the governance dilemmas posed by the changing nature of armed conflicts, state failure, complex humanitarian crises, internationally linked terrorist groups, and the links between nonstate actors and criminal activities.

The UN was initially slow to react in 1992 because the Security Council assumed that it needed the consent of the Somali warlords to provide humanitarian assistance, as in traditional peacekeeping operations. A contingent of 500 lightly armed Pakistani peacekeeping troops, deployed in August 1992 as the UN Operation in Somalia (UNOSOM I) with a mandate to protect relief workers, proved totally inadequate for the task at hand.

On December 3, 1992, under Resolution 794, the Security Council authorized a large US-led military and humanitarian intervention that included 26,000 US troops—the Unified Task Force on Somalia (UNITAF), known to the American public as Operation Restore Hope. Its goal was to secure ports and airfields, protect relief shipments and workers, and assist humanitarian relief efforts. At this point, there were forty INGOs operating in Somalia, including the major relief groups. The UN Secretary-General also wanted UNITAF to impose a cease-fire and disarm the factions, but the outgoing George H. W. Bush and incoming Bill Clinton administrations would agree to commit US forces only to limited humanitarian tasks. US officials thought the Somali operation would be “an easy victory,” but this misjudgment proved fatal. Their disagreement with UN officials over objectives complicated relations between the various UN contingents in Somalia.

Still, the US-led effort largely achieved its humanitarian objectives, supplying food to those in need and imposing a de facto cease-fire in areas of its deployment. Yet the larger tasks of peacemaking in Somalia remained unfulfilled. In 1993, as UNITAF was replaced by UNOSOM II—a smaller force lacking much of the heavy equipment and airpower the US had brought to Somalia—it was authorized to use force when disarming the warring factions, but that exposed the peacekeepers to increased risk as some of the militias—especially those led by General Mohamed Farah Aidid—resisted such efforts. After twenty-three Pakistani soldiers were killed in June 1993, UNOSOM II gave up any pretense of impartiality and targeted General Aidid for elimination. This converted the UN’s role from neutral peacekeeper to active belligerent, putting UNOSOM “in the worst of all possible worlds . . . [and] made it one of the players in the conflict” (Conroy 1994: 12).

In October 1993, eighteen US soldiers were killed by Aidid’s soldiers and the body of one was dragged through the streets of Mogadishu, leading to a public outcry in the United States that echoed unease in other countries over the UN’s role in Somalia. This event inspired the book and movie *Blackhawk Down*. Nowhere else was the reaction as far-reaching, however, and little note was taken of the hundreds of dead Somalis. President Clinton announced that the US contingent would be strengthened temporarily, then withdrawn by March 1994. Peacekeeping operations in Haiti and Bosnia were also affected as the administration rethought its

commitment to the UN, especially to operations that entailed risk of casualties. Six months later, in April 1994, the United States blocked any meaningful response by the Security Council to the unfolding genocide in Rwanda, unwilling even to contemplate another international intervention in a messy African civil conflict. In June 1994, President Clinton released Presidential Decision Directive 25, which sharply restricted the circumstances under which the United States would support UN peacekeeping operations.

UNOSOM generated considerable controversy (see Clarke and Herbst 1996). It began at the height of post-Cold War enthusiasm for UN peacekeeping, but because the United States wanted to keep the operation short and was afraid to risk the lives of its soldiers, the Somali warlords gained leverage by targeting US and other UN forces. After the United States withdrew its troops in March 1994, it was only a matter of time before all UN forces were withdrawn. UN operations in Somalia ceased in March 1995, having succeeded in ending the famine but not in helping the Somalis to reestablish a national government or to end their internal strife.

In the late 1990s, there were several regional efforts to help the Somali warlords and clans negotiate an end to fighting and several attempts to set up a transitional government. Within Somalia, northern clans declared independence as the Republic of Somaliland and leaders in the northeast formed the self-governing Puntland State (neither was internationally recognized). Islamic courts and charities became increasingly active, seeking to establish an Islamic state in Somalia and, in the wake of the 9/11 attacks on the United States, drew US attention to Somalia as a possible haven for international terrorists. In 2006, heavy fighting between the Union of Islamic Courts (UIC) and clan militias supporting the transitional government then in place broke out. A mediation effort by the Arab League failed to achieve any agreement. Concerned about the UIC’s alleged links to international terrorist groups, Ethiopia sent troops (with US backing, including air attacks) to force out the UIC and install a new transitional government, provoking violent resistance and rising militancy. The fighting also triggered major humanitarian and security crises, resulting in large-scale famine in 2008 and over a million displaced persons. And a branch of the UIC, al-Shabab, emerged to continue the fight against the transitional government and foreign forces, gaining control of much of southern Somalia by late 2008.

In 2007, the UN Security Council authorized an African Union peacekeeping operation (AMISOM) to protect the transitional government. The force was initially small (1,500) in anticipation that it would be replaced by a larger UN mission, but expanded significantly when that did not materialize. Its enlarged mandate included pushing al-Shabab out of southern Somalia, facilitating the peace process, helping local institutions take root,

and offering free social services. The Security Council also authorized logistical support, including a UN support office and EU training mission to strengthen the Somali security forces. In late 2008, after pirates based in the Puntland region of Somalia became a major threat to shipping in the Gulf of Aden—a manifestation of continuing weak government—the UN Security Council authorized a multinational anti-piracy effort, as discussed later in the chapter.

The strengthened AMISOM forces along with newly trained Somali forces were able to greatly expand control of much of the country by 2012; a new federal parliament was established and elections for a new president were held in 2012 as well. In early 2013, the UN political mission for Somalia relocated to Mogadishu after seventeen years in Nairobi—a measure of the improved security. Although the piracy problem had diminished by 2013, al-Shabab attacked non-Muslims in neighboring Kenya and Ethiopia in 2014. Thus, Somalia's problems continue to threaten international peace and security and multifaceted efforts to address those problems and to consolidate peace within Somalia continue.

Somalia remains a symbol of a failed UN post-Cold War peacekeeping effort and offers a set of lessons, rightly or wrongly, for peacekeeping in situations of state failure, civil war, and complex humanitarian disaster. It is a critical case for understanding the dilemmas posed by the changing nature of armed conflicts after the Cold War's end: by complex humanitarian crises, state failure, and internationally linked terrorist groups in an era when human security is often seen as more important than state security; and by the international community's efforts to use a variety of governance approaches to address threats to peace and security.

Wars as the Genesis for Security Governance

War historically has been the fundamental problem in international politics; it has also been a primary factor motivating the creation of IGOs, from the Concert of Europe in the nineteenth century to the League of Nations and the UN in the twentieth century. Underlying functionalist theory is the premise that getting states to work together in solving practical problems of international relations will build the conditions for enduring peace. International law was traditionally seen as providing the rules that would help create order in the relations among states, and international courts or arbitration procedures would provide the means to settle legal disputes peacefully. Hence, despite being the most destructive century in human history, the twentieth was also the century of developing various governance approaches for preventing war.

Yet the nature of wars and conflicts has changed in significant ways in the past seven decades, and concepts of security have also evolved. Stud-

ies of war have shown a sharp decrease in the incidence of interstate war (wars between two or more states) and none between major powers or advanced industrial countries since 1945. The primary ones since 1980 have been the Iran-Iraq War (1980–1988), the Ethiopia-Eritrea War (1999–2000), and the Russo-Georgia War (2008). In contrast, the number of intrastate (internal) armed conflicts rose dramatically from the mid-1950s to the mid-1990s, and declined thereafter (see Figure 7.1). This trend has resulted from struggles for self-determination, such as those of the Tamils in Sri Lanka and the Muslims in Indian-administered Kashmir; the collapse of weak states, as in Somalia; ethnic conflicts, as in the former Yugoslavia and Rwanda; and civil wars between governments and opposition groups, such as the north-south civil war in Sudan (1983–2005) and between Nigeria and Boko Haram (since 2009). Some civil wars, such as in the Democratic Republic of Congo (1996–2001) and Libya (since 2011), have been internationalized with intervention by other states in support of either the government or opposition groups. Although several major studies show a decline in the numbers of active conflicts of all types since the mid-1990s, armed conflicts remain a major problem (Backer and Huth 2014; Goldstein 2011; Human Security Report Project 2013).

A major question for researchers has been whether the downward trend in active conflicts indicates fewer new conflicts or greater effectiveness in

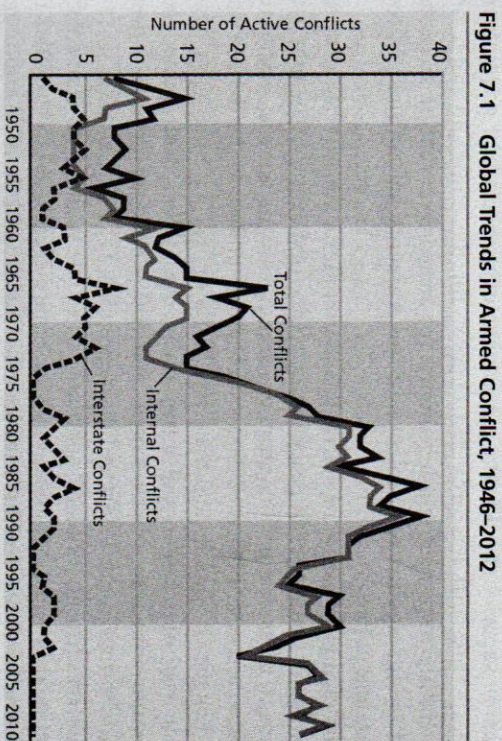


Figure 7.1 Global Trends in Armed Conflict, 1946–2012

Source: Backer 2014: 19. Reproduced by permission.

resolving old ones. In the 1990s and early 2000s, there was a surge in terminations, which led researchers to conclude that conflict resolution efforts had become more effective (Hewitt 2008: 24). Particularly troublesome now is the evidence of recurrences—that is, conflicts that are terminated or become inactive for a period of time, only to reignite—a problem that David Backer and Paul Huth (2014: 22) find greater than in the past, preventing a sustained downward trend. Still, research also shows a decline in the onset of new conflicts, which is encouraging, and a dramatic decline in deaths from war. A number of observers now note, however, the persistence of smaller-scale rebellions and insurgencies and the transformation of organized violence through links to transnational criminal networks, looting of resources as in Eastern Congo, and drug trafficking in many conflict areas. Thus, the World Bank's 2011 report noted the remaining forms of conflict and violence do not “fit neatly either into ‘war,’ or ‘peace,’ or into ‘criminal violence,’ or ‘political violence’” (World Bank 2011b: 2).

Many post-Cold War intrastate conflicts have been accompanied by humanitarian disasters resulting from the fighting, from ethnic cleansing or genocide, from the collapse of governmental authority, and from famine and disease. Traditionally, security in the Westphalian system meant *state* security—the security of borders, control over population, and freedom from interference in the government's sovereignty over its internal affairs. With the body of internationally recognized human rights norms steadily expanding after World War II, the balance between the rights of sovereign states and the rights of people began to shift. Increasingly, it was argued that *human* security should take precedence over security of governments or states. This shift has provided support for the emerging norm of a responsibility to protect and legitimacy for armed intervention to protect human beings against the violence of governments, paramilitary forces, militias, and police.

The changing nature of conflicts and complex humanitarian disasters are two major challenges to peace in the twenty-first century. The others are weapons of mass destruction (chemical, biological, and nuclear) and terrorism. None are new. Efforts to deal with the former date to the earliest days of the League of Nations and the UN; efforts to deal with the latter began with the rise of international terrorism in the 1970s. Both gained new momentum with Iraq, North Korea, and Iran's defiance of international nuclear controls in the 1990s and the September 11, 2001, attacks.

The security governance approaches include many core elements of international law and organizations (see Figure 7.2). The UN provides the global structures for dealing with security issues, and the five major geographic regions each have at least one IGO dealing with security issues (see Figure 7.3). As Inis Claude (1964: 198) noted in his classic text *Swords Into*

Plowshares: “Collective approaches to peace must rest upon assumptions concerning the nature and causes of war. . . . [V]arious approaches to peace through international organization have been advocated, formulated, and attempted, each of them resting upon a distinctive conception of the nature of war and therefore emphasizing a correspondingly distinctive solution for the problem of war.” In addition, many INGOs have long been active in trying to promote peaceful settlement of conflicts, disarmament, and humanitarian relief (see Figure 7.4).

Figure 7.2 Security Governance Approaches

- Global IGOs
- Norms on the use of force
- International conventions
- Regional security organizations
- Enforcement mechanisms
- Peaceful settlement mechanisms
- Peacekeeping
- Humanitarian intervention
- Peacebuilding

Figure 7.3 Global and Regional Security IGOs and Related Entities

United Nations

Security Council
General Assembly
Office of the Secretary-General
International Court of Justice
Comprehensive Test Ban Treaty Organization
High Commissioner for Refugees
International Atomic Energy Agency
Office for Coordination of Humanitarian Affairs
Organization for the Prohibition of Chemical Weapons
Department of Peacekeeping Operations
Peacebuilding Commission

Regional IGO Venues for Security

Africa: AU, ECOWAS, IGAD, SADC
Asia: ARF, ASEAN, SCO
Europe: EU, NATO, OSCE
Latin America: OAS
Middle East: Arab League, GCC

Figure 7.4 Security-Related INGOS

Peace Groups
Global Centre for the Responsibility to Protect
International Crisis Group
International Peace Institute
Stockholm International Peace Research Institute
Women's International League for Peace and Freedom
Disarmament Groups
Cluster Munition Coalition
Greenpeace
International Campaign to Ban Landmines
International Physicians for the Prevention of Nuclear War
Humanitarian Relief Groups
CARE
Catholic Relief Services
Doctors Without Borders
International Committee of the Red Cross
Lutheran World Federation
Oxfam
Save the Children Federation
World Vision

IGOs and Security

The idea of a global organization to promote security among states was born in the early years of the twentieth century and promoted by prominent statesmen and peace groups during World Wars I and II. The history of these efforts is covered in Chapter 3. Particularly after World War I, large numbers of statesmen and citizens repudiated the conventional balance-of-power approach to dealing with international conflict—a sentiment that was reinforced by the outbreak of World War II.

Both the League of Nations and the UN reflected convictions that a permanent international organization made up of all peace-loving states could prevent future wars. The League of Nations Covenant and the UN Charter focused extensively on basic principles for preventing war, on mechanisms for peaceful settlement of disputes, and on provisions for enforcement actions. Both recognized the special prerogatives of major powers with respect to peace and security and the necessity of a small decisionmaking body with authority to take action on behalf of all members. A key difference was the League's requirement for unanimity among Council members, in contrast to the UN Security Council's requirement for a majority of the nonpermanent members, coupled with no opposition from any permanent member (the veto power).

Both the UN and the League of Nations were also based on the concept of collective security, articulated by US president Woodrow Wilson, as an alternative to the traditional balance-of-power politics that had frequently led to wars. Regional security arrangements established during the Cold War were either traditional alliances—formal or informal commitments for mutual aid in case of attack—or collective defense organizations, such as NATO, that involved more institutional development and commitments on the part of members. The ASEAN Regional Forum, established in the mid-1990s, represents a very different approach in its focus on confidence building and conflict prevention through increased communication, as discussed in Chapter 5. The EU's rapid reaction force has been deployed in several conflict areas since 2003. Both the Economic Community of West African States and the Southern African Development Community have taken on security obligations when the UN and OAU or AU have been unable to act. The Shanghai Cooperation Organization was established in part to address the growing threat of terrorism in Central Asia since 2000.

The UN Charter is clear that the Security Council has sole authority to authorize the use of force and to obligate member states to undertake sanctions, except in situations where states may exercise their right of individual or collective self-defense (Article 51). Although this opens the door for regional organizations to use force for collective defense and for the UN to utilize regional security agencies for enforcement action, Article 53 clearly states that “no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council.” Regional organizations are to inform the Security Council of any activities, planned or undertaken, to maintain international peace and security (Article 54). The NATO bombing of the former Yugoslavia and Kosovo in 1999 was not authorized by the Security Council, which contributed to the intense controversy over the legitimacy of those actions. Its 2011 involvement in Libya, discussed later, was indirectly authorized by the Security Council, although it too became controversial.

Although the UN Charter's provisions implied a sharing of responsibility between the UN and regional organizations, there was no clear division of labor. This only became important after the Cold War's end, when the UN undertook more peace operations than at any previous time and regional organizations took a number of initiatives to address the upsurge in violent conflicts. In 1992, Secretary-General Boutros Boutros-Ghali's *Agenda for Peace* called for more regional action and cooperation with the UN to share the burden. Since then, there have been numerous cases of peacekeeping and enforcement activity by regional and subregional organizations, sometimes delegated under Security Council authorization, sometimes with retroactive approval, sometimes in collaboration or partnership, and sometimes transitioning to a UN operation. These are further discussed below.

The UN and regional IGOs utilize various governance approaches to peace and security problems. UN efforts have included different types of peaceful settlement approaches such as mediation and good offices; until after the Cold War, peacekeeping operations were largely used in lieu of enforcement; since 1990 the UN has undertaken many new peace operations with mandates ranging from enforcement to postconflict peacebuilding along with sanctions and other measures. The UN also has a long record in the field of disarmament and has been involved in efforts to address terrorism, primarily through establishing international law. ASEAN, the OAU/AU, and the OAS have frequently used preventive diplomacy and mediation. The Arab League, ECOWAS, the OAS, and the EU have all employed sanctions, while NATO, the AU, ECOWAS, SADC, and the EU have all undertaken peace operations. The ASEAN Regional Forum illustrates informal dialogue as an approach to security cooperation. The Shanghai Cooperation Organization has particularly focused on developing anti-terrorism capabilities.

NGOs and Security

Security-related NGOs vary considerably. Some are think tanks whose research aids other groups. For example, the Stockholm International Peace Research Institute (SIPRI) conducts research on conflict, arms transfers, and military budgets to inform understanding about conditions for a stable peace, while the International Peace Institute (IPI), in New York, specifically seeks to channel policy research and expert advice into the UN. The International Crisis Group (ICG), founded in 1995, has become a leading independent source of analysis and advice on conflict prevention and solution to governments and IGOs, including the UN and EU. Unlike SIPRI and the IPI, however, the ICG also seeks to mobilize effective international action. What distinguishes it from most advocacy organizations is its advocacy at the highest levels of government and IGOs, with key roles being played by prominent former government officials such as US senator George Mitchell, the ICG's first chair, who mediated the Northern Ireland settlement in the late 1990s; Gareth Evans, former foreign minister of Australia; and Louise Arbour, former UN High Commissioner for Human Rights. The ICG is based in Brussels, but has offices on five continents and its field staff cover situations of potential or actual conflict around the world. The group is particularly noted for its "crisis alerts," for advising peace negotiations, for its detailed analysis, and for its high-level advocacy with policymakers on preventing, managing, and resolving conflicts.

Some NGOs focus primarily on arms control and disarmament issues. Greenpeace, for example, has long been active in efforts to block nuclear testing and advocating the elimination of all nuclear weapons. The International Campaign to Ban Landmines and the Cluster Munition Coalition

illustrate NGO advocacy coalitions that secured international arms control treaties. These efforts are discussed later in the chapter.

Other security-related NGOs are involved in humanitarian relief operations. The relief organizations listed in Figure 7.4 represent but a small proportion of the total number of relief-oriented NGOs. Among them, the ICRC has a unique status because of its special responsibilities under the Geneva Conventions for holding states accountable for violations of humanitarian law and for protecting and assisting military and civilian victims of conflict. It also has observer status in the UN General Assembly because of this unique role.

As Thomas Weiss and Ramesh Thakur (2010: 85) have noted: "Partnerships between state, intergovernmental, and nongovernmental actors have become the norm rather than the exception in preventing, managing, and resolving conflict. . . . [G]lobal governance does not imply exclusive policy jurisdiction by any one actor but rather a partnership among a variety of actors." This has become increasingly true across a range of governance issues, including threats to security.

Norms Related to the Use of Force

From the dawn of history, leaders of tribes and nations have claimed the right and even duty to engage in large-scale organized violence as a last resort. Although during the Middle Ages some theologians sought to limit this resort to violence to specific situations and to restrain the levels and targets of violence, warfare was still considered acceptable and even noble. This all began to change in the early twentieth century.

Outlawing war. The Covenant of the League of Nations required member states to respect and preserve the territorial integrity and political independence of states and to try different methods of dispute settlement, but it contained no explicit prohibition on the use of force to settle disputes. In 1928, most states signed the Pact of Paris, also known as the Kellogg-Briand Pact, "to condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy." This was the basis for Article 2 (sections 3 and 4) of the UN Charter, which obliged all members to settle disputes by peaceful means and "to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state."

The reality is more complicated. The use of force for territorial annexation is now widely accepted as illegitimate: witness the broad condemnation of Iraq's invasion of Kuwait in 1990 and the large number of states that contributed to the US-led multilateral effort to reverse that occupation as well as the international condemnation of Russia's annexation of Crimea in 2014. The use of force in self-defense against armed attack is accepted and

was the basis for the Security Council's authorization of US military action in Afghanistan after the September 2001 attacks. International norms prescribe, however, that the response must be proportional to the provocation—the basis for widespread condemnation of Israel's large-scale military responses in 2006, 2009, and 2014 to rockets fired by Hezbollah and Hamas from Lebanon and Gaza respectively. A large majority of states accept the legitimacy of using force to promote self-determination, to replace illegitimate regimes, and to correct past injustices. The UN Security Council refused in 2003 to authorize use of force against Iraq, leading the United States to form an ad hoc coalition for a preventive war to remove Saddam Hussein from power and to destroy the weapons of mass destruction that the US claimed Iraq still possessed. As discussed later in the chapter, the lack of agreement on a definition of terrorism complicates international efforts to create a norm outlawing terrorism.

Promoting human security and humanitarianism. There are a number of other important norms relating to the use of force that have emerged out of a century and a half of concern for the effects of war on people, particularly civilians, wounded soldiers, prisoners of war, and refugees. These include the humanitarian norms contained in the four 1949 Geneva Conventions, which have been ratified by 196 states, and their three additional protocols; international refugee law, particularly the 1951 UN Convention Relating to the Status of Refugees and its 1967 protocol; the taboos on the use of chemical and nuclear weapons; and certain other arms control treaties.

The Geneva Conventions form the core of international humanitarian law—designed to protect civilians, prisoners of war, and wounded soldiers as well as to ban particular methods of war (e.g., bombing hospitals). They also form the legal basis for war crimes. International refugee law, as discussed in Chapters 3 and 10, provides legal protection for those displaced across international frontiers. International human rights law, including the Universal Declaration of Human Rights, the International Covenant on Political and Civil Rights, and the conventions on torture, genocide, refugees, and children, together with the fundamental principle of nondiscrimination between peoples enshrined in Article 1 of the UN Charter, is the basis for crimes against humanity (see Figure 7.5). Both war crimes and crimes against humanity are also now spelled out in Articles 7 and 8 of the International Criminal Court's Rome Statute, along with genocide. Most of the norms regarding armed conflict apply only to interstate wars and to states, however, not to nonstate actors; only the second protocol to the Geneva Conventions applies to noninternational conflicts.

What constitutes war crimes, crimes against humanity, or acts of genocide has gradually expanded to include sexual violence and rape and targeting civilians more generally as tactics of war. In milestone actions in 2000

Figure 7.5 Crimes Against Humanity (Rome Statute, Article 7)

"Crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.

- Murder
- Extortion
- Enslavement
- Deportation or forcible transfer of population
- Imprisonment or other severe deprivation of physical liberty
- Torture
- Rape, sexual slavery, and forced prostitution, pregnancy, or sterilization
- Persecution of any group or collectivity based upon political, racial, national, ethnic, cultural, religious, or gender grounds
- Enforced disappearance of persons

and 2008, the Security Council mandated gender training in peacekeeping operations, protection of women and girls, and gender mainstreaming in the UN reporting and implementation systems relating to peace and security (Resolution 1325), and condemned sexual violence when used to deliberately target civilians in wartime (Resolution 1820). To promote the new norm, most peacekeeping operations now routinely include language on protection of civilians (POC) and on women and gender, designating gender advisers and gender-sensitive training programs (Hudson 2009).

The expansion of human rights and humanitarian norms has placed new demands on the UN, other IGOs, and international actors to curb abuses in the face of publicity by the media and global networks of NGOs of situations involving mass starvation, ethnic cleansing, genocide, gender-based violence, use of chemical weapons, and other atrocities. This has led to debate over humanitarian intervention, invoking differing views of state sovereignty and concerns about just cause and authority derived from the "just war" tradition. The Genocide Convention (1948) provides for the possibility of UN action under the Charter to prevent or suppress crimes against humanity. The International Criminal Court provides the means to prosecute those accused of crimes, as discussed in Chapter 10.

Military intervention to enforce compliance, however, is a different story. Although the Universal Declaration of Human Rights warns that people whose rights are violated may "be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression," does large-scale human suffering justify the use of armed force to rescue others even in situations where governments may be the primary perpetrators?

Since the late 1990s, NGOs, civil society activists, prominent individuals, and an independent international commission have pushed for acceptance of national and international accountability, for using human rights

norms to judge state conduct, and for new interpretations of sovereignty. With the failure of the UN and international community to halt the 1994 genocide in Rwanda and the controversy over NATO's 1999 intervention in Kosovo to halt large-scale ethnic cleansing by Serbian forces, UN Secretary-General Kofi Annan articulated his own views on how state sovereignty was being redefined in his 1999 address to the General Assembly. These developments, he said, "demand of us a willingness to think anew—about how the United Nations responds to the political, human rights and humanitarian crises affecting so much of the world" (Annan 1999). In 2000, Annan called for an effort to forge consensus on when intervention should occur, under whose authority, and how.

In response, the Canadian government established the independent International Commission on Intervention and State Sovereignty (ICISS), led by former Australian foreign minister Gareth Evans and Mohamed Sahnoun of Algeria, the ICISS proposed six criteria for military intervention for human protection: right authority, just cause, right intention, last resort, proportional means, and reasonable prospects. The "threshold" criteria include "large scale loss of life, actual or apprehended, last intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or large scale 'ethnic cleansing,' actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape" (ICISS 2001: 32). The commission's report articulated the responsibility to protect (R2P) as an obligation of states and the international community and endorsed the Security Council as the only body with the authority to deal with intervention issues. International law requires multiple cases to demonstrate the existence of a new customary practice. When new norms are emerging, there is often a period of conflict between advocates of the new and supporters of the old (Finnemore and Sikkink 1998; Sandholtz and Stiles 2009). If a large enough group of states is prepared to adopt the new, it will replace the old. Those violating the old norm can set in motion "norm cascades" that result in new norms replacing the old. But new norms usually do not replace the old without considerable debate. The debate over whether there is a norm of humanitarian intervention, therefore, is likely to persist for some time.

Although the 2005 UN World Summit endorsed R2P, Security Council members never translated that into authorization for sufficient force to halt the genocide in Darfur (see Chapter 10) or ethnic cleansing bordering on genocide in South Sudan, for example. They did authorize action in Libya in 2011, but not in Syria, as discussed later. Some analysts are skeptical that the UN Security Council will authorize any humanitarian interventions in the future.

The debate over R2P has raised the issue of who can legitimately authorize humanitarian intervention, especially involving armed force, and

has reinforced the view that only the UN Security Council has this authority. Given their colonial experiences, many Asian and African countries are skeptical about altruistic claims by Western countries. Along with Russia and China, they have insisted on Security Council authorization as a prerequisite to protect them against new forms of imperialism on the one hand and to preserve the principle of nonintervention on the other. As controversial as the norm of R2P may be, norms matter, as Ramesh Thakur (2006: 162) reminds us: "norms, not deterrence, have mathematized the use of nuclear weapons as unacceptable, immoral and possibly illegal under any circumstance—even for states that have assimilated them into military arsenals and integrated them into military commands and doctrines." The taboo on the use of nuclear weapons arose from nuclear weapons being defined as "disproportionately lethal" (Price and Tannenwald 1996: 138). It is matched by a similar norm and a ban on chemical weapons that evolved out of the Hague Declaration of 1899, which symbolically linked these weapons with "standards of civilized conduct" (Price and Tannenwald 1996: 131). More recently, norms have also been established to ban the manufacture, stockpiling, and use of other weapons that cause unnecessary human suffering, specifically biological weapons, antipersonnel landmines, and cluster munitions.

The norms on the use of force, humanitarian intervention, human security, and certain weapons are strongly influenced by different international relations theories.

Linking International Relations Theories and Security Governance

International relations theorists differ sharply in their views of appropriate strategies for responding to the use of armed force and conflicts. Realists come in "hard" and "soft" varieties when dealing with threats of force, breaches of the peace, and conflict resolution. The "hard" variety hold firm to traditional realist views about states' likely use of force. They don't see many differences between the dynamics that give rise to interstate and intrastate conflicts. Security dilemmas affect parties to both. In realists' eyes, balance of power and force itself are key means of resolving conflicts. Hence, other states might deny arms to the stronger side of a conflict or provide them to the weaker side in an effort to create a balance of power. For realists, it is the great powers that dominate and govern the international system, and they reserve the right to decide if and when intervention should occur and by whom.

The "soft" variety of realists come closer to liberals in some respects, as they envisage a broader range of options and actors. Diplomacy and mediation are among the options that "soft" realists consider valuable for dealing with conflicts and use of force, in order to change parties' cost-

benefit analyses in favor of peaceful settlement versus war. They also recognize the role of international organizations and states other than great powers as interveners.

Liberals have traditionally supported international law and organization as approaches to peace, and most kinds of security governance are based on liberal theory. Liberalism sees NGOs and IGOs, as well as individuals, states, and ad hoc groups, among the actors that may play roles as third parties in peaceful efforts to settle disputes, avert war, stop fighting once it has started, secure a negotiated settlement, and build conditions for lasting peace. Liberal democratic peace theory, discussed in Chapter 2, is a foundation for contemporary postconflict peacebuilding activities. Roland Paris (2004), for example, examines the theory's validity for peacebuilding in countries emerging from civil conflicts since 1990. Virginia Page Fortna (2004b) uses liberal cooperation theory to explain how the content of agreements shapes the durability of peace in the aftermath of war.

Since the mid-1990s, constructivism has contributed substantially to understanding the evolution and role of norms as well as to reconceptualizing security. Constructivists have examined how the norms on the use of force have changed and what groups should be protected (Finnemore 2003). They have showed how norms against specific weapons, most notably the taboos on the use of chemical and nuclear weapons, have evolved over time. Along similar lines, feminist theorists have called for rethinking traditional notions of security to include individuals and other sources of insecurity (Enloe 2004; Tickner 2001).

Contemporary radical thinkers also challenge the conceptualization of security by arguing that states and power elites often manipulate the concept in order to establish greater control over society and persuade citizens to make sacrifices. During the Cold War, the US and Soviet Union attempted to paint their ideological struggle as a fight for the soul of humankind, while the contemporary war on terror revives old notions of an existential fight between civilized nations and mysterious barbarians (Buzan and Weaver 2009). On the other hand, NGOs and IGOs are attempting to redefine security in terms of human security, with important implications for the role of nonstate actors in advancing welfare and considerations of personal safety.

The rich literatures on interstate and civil wars as well as on conflict resolution, in sum, draw on multiple schools of thought, so there is no definitive theory setting forth clear conditions under which wars will occur or peace will be secured. Michael Doyle and Nicholas Sambanis (2006), for example, draw upon the extensive literature on civil wars and the political, economic, psychological, rational choice, and constructivist theories that explain their onset, duration, termination, and magnitude, as well as data on all civil wars since 1945, to examine the implications of the theories for UN

intervention. The contextual factors shaping human choices—the choice for war and the choice to settle a dispute peacefully—defy tidy theorizing. In short, we know a lot about both, but not enough to lay out a formula for governance.

Mechanisms for the Peaceful Settlement of Disputes

The broadest category of security governance approaches is also the oldest. As early as the Greek city-states, there was agreement about the desirability of settling disputes peacefully. The 1899 and 1908 Hague Conferences produced the Conventions for the Pacific Settlement of International Disputes, laying the foundations for mechanisms still in use today. These assume that war is a deliberate choice for settling a dispute and that it is possible to create mechanisms to influence actors' choices. For example, one assumption is that war can result from ignorance and that providing information through an independent commission of inquiry can change the choice. Another assumption is that states often get themselves into "dead-end streets" from which a third-party mediator can help them escape. The Hague Conventions established the international community's stake in preventing war. They created mechanisms for third-party roles, variously labeled good offices, inquiry, mediation, conciliation, adjudication, and arbitration, which were incorporated into the League of Nations Covenant and Chapter VI of the UN Charter. The latter specifies a sequence of ways the Security Council can promote peaceful settlement of disputes, from inquiry to mediation.

The involvement of the UN, regional IGOs, NGOs, individuals, states or coalitions of states, or ad hoc groups in efforts to find a peaceful settlement of a conflict is a third-party intervention. UN Secretaries-General have often offered their "good offices" for peacemaking initiatives, with or without a Security Council mandate. Such efforts can range from simply getting the parties together, to actual mediation by either the Secretary-General or a designated special representative. Similar roles have been undertaken on occasion by officials of the EU, OAS, and OAU/AU. Some high-profile, long-running situations such as the Arab-Israeli-Palestinian conflict generate multiple third-party efforts over time. Sometimes those efforts occur sequentially; sometimes they are simultaneous; but they are often messy and rife with questions of who does what, when, and where.

The use of peaceful settlement mechanisms, however, does not necessarily mean no use of armed force. Force can be critical to securing a peaceful outcome in some situations, helping to change the perceptions of the parties regarding the costs and benefits of continued fighting. Cutting off the supply of money and arms, or engineering a change of leadership