

THE UNITED NATIONS and CONFLICT PREVENTION



And an analysis of Iraq, Israel and Darfur

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Introduction

The United Nations was founded to replace the League of Nations, in the hope that it would intervene in conflicts between nations and thereby avoid war. (*United Nations*, 2007, Wikipedia). Especially after World War II, a new organization was established in order to prevent any tragedies in the future like there were in the past. The United Nations is an international organization, established on 26 June 1945 during the Conference of San Francisco. Fifty countries signed the United Nations Charter and nowadays 192 countries joined this organization. The UN aims to facilitate co-operation in international law, international security, economic development, social progress and human rights issues. (*United Nations*, 2007, Wikipedia). The UN Security Council, one of the main organs, consists of five permanent members, which are China, France, the United States of America, the United Kingdom and the Russian Federation. These countries have the right of veto, which can be used to veto any UN resolution.

The Security Council is the most powerful organ of the UN and it aims to provide the maintenance of international peace and security. The five permanent members of the Security Council have the right to veto and are authorized to block any resolution of the Council. Actually, it is difficult to monitor whether a member state vetoes a resolution because it is ineffective and unnecessary, or because this member state has a specific relationship with the country involved. Besides, many resolutions vetoed because of own interests.

Since the founding of the UN, it intervened in more than 40 conflicts, in different countries. The UN helped and is still helping people in the world by providing humanitarian aid. (UNOCHA, 2007, *Humanitarian issues*, para. 4). However, what has been done by the UN in order to prevent the conflicts? Or better, is the UN able to prevent conflicts? Although the UN was established in order to maintain peace and international security, we still see many conflicts, which are destroying people's lives, but also the infrastructure and the whole country.

In order to answer my research question, which is the following: How does the United Nations prevent conflicts and which role has been taken by the UN in order to prevent the conflicts in Iraq, Israel/ Palestine and Darfur? I have chosen to examine the invasion of Iraq, because it happened recently. Besides, many people all over the world were against this war, even the Secretary-General of the United Nations said that this war was illegal. (BBC News, "*Iraq war illegal*" section, 2004, para.1). With this dissertation, I would like to research why the UN did not prevent the war from the beginning. Was Iraq an imminent threat and

acted the US due to its right of self-defence? Darfur on the other hand, is an area in Sudan, which has been in conflict for years. Recently, a new conflict broke out. I have chosen to analyse this conflict because it is strange to see that an intra-state conflict, such as Darfur, has led to a situation in which women are raped and thousands of men are killed, because both the victims and offenders share the same nationality. The UN described Darfur as one of the world's worst humanitarian crisis, but what has been done to prevent the conflicts and escalation? A very special case is the ongoing conflict between the Palestinians and the Israelis. Despite many Security Council resolutions, both parties still disagree and are still fighting. I would like to know which role has been taken by the UN in this conflict and why the UN did not find a solution for the problems in the Middle East. Is the UN not powerful enough?

I examined these conflicts by using different sources. I utilized different books, like *The United Nations and Global security*, written by Richard M. Price and Mark W. Zacher. With exception of the Internet sites, with mainly general information, I also referred to different Internet newspapers, like the Guardian and the Telegraph. Moreover, I referred to the sites of well-known television broadcasts such as BBC, CNN and Al Jazeera. Finally, I interviewed Govert Schinkel of the *Vrije Encyclopedie van het conflict Israel-Palestine* and I visited a conference in Leiden about the current situation in Palestine

The first part of this paper contains general information about the UN and conflict prevention. The second part contains the different cases: chapter two is about the invasion of Iraq and the role of the UN, the third chapter is about the ongoing conflict between the Israelis and the Palestinians, and the final chapter is about the conflict in Darfur, a region in Sudan.

1.

The UN and Conflict Prevention

International peace and security is the highest aim of the United Nations. The purposes of the UN are described in article 1 of the Charter of the United Nations. The main purpose is “to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace” (UN, 1945 (B), article 1). Two important principles of this international organization, which are described in article 2 of the Charter, are sovereign equality of the member states and the duty to settle international disputes by peaceful means in a way that international peace and security and justice are secure.

The principal characteristic of the UN is its function as a *forum*. In this forum most interests can be formulated and discussed in order to come closer to the development of global solutions to problems and is regarded by every state as a service which is necessary (Price & Zacher, 2004, p.20). When the UN Charter was introduced, the world believed that the UN was able to regulate and to reduce conflicts between nations. The UN has intervened in many conflicts, but the fact that ‘security’ is nowadays a broader aspect (because of the many different threats to peoples) than it was at the beginning of the UN.

1.1 Conflict management

In order to prevent conflicts and escalation, the United Nations works with a so called Conflict Management system. With this system, the UN aims to prevent the outbreak of conflicts. (*The Conflict Management toolkit*, (n.d.), para.3). Besides, Conflict Management makes it possible to bring permanent peace to a conflict area by addressing root causes and effects of conflict. Conflict Management consists of five different phases, with each its own strategies and characteristics. The five phases are:

- Conflict Prevention
- Peacemaking
- Peacekeeping
- Peacebuilding
- Statebuilding

(SAIS, (n. d.), Conflict Prevention table)

Each of these “strategies” occurs at different stages of a conflict and each strategy addresses a specific problem that occurs during a conflict. Conflict Prevention for instance occurs in the first stage of the conflict process and it seeks to resolve disputes before violence breaks out. Examples of problems that occur during the Conflict Prevention process are politicisation, militarization and escalation. Statebuilding on the other hand, provides reconstruction of a specific area. Collapsed infrastructure and institutions will be restored. The main function of Statebuilding is to bring a “normal life” back to the citizens of a post-conflict area. The different phases and its actors and tasks are show in figure 1.2 (p 9).

1.2 Conflict Prevention

Conflict Prevention has become one of the highest aims of the United Nations. Nowadays, preventive action expands well beyond traditional Preventive Diplomacy to involve a broad group of UN entities that work across different disciplines, such as poverty-eradication and development, human rights and the rule of law, elections and the building of democratic institutions, but also the control of small arms. Conflict Prevention aims to avoid violent escalation of a dispute. According to the Johns Hopkins University School for Advanced International Studies (SAIS) (n. d.), Conflict Prevention monitor/ intervene to stabilize a potentially violent conflict before it breaks out (Para. 1). The UN initiates activities that address the root causes as well as the break out of a dispute. Another important feature of Conflict Prevention is the establishment of mechanisms that detect early warning signs and record specific indicators that may help to predict impending violence. Also in case of delivering humanitarian aid and in the process of development, it is possible that conflicts break out. In that case, the United Nations uses planned coordination to prevent the creation of such conflicts. Finally, Conflict Prevention can be seen as a process in which the idea of preventing conflicts at local, regional, and international levels is institutionalised. (United Nations, (n. d.), *Conflict Prevention*, para. 1-4 & *Conflict Prevention overview*, (n.d), para. 1-3).

The concept and practice of Conflict Prevention has always focussed on Preventive Diplomacy. Preventive Diplomacy is preventing disputes from arising between parties and preventing existing disputes from escalating. In order to prevent break out of a conflict, the concept of Conflict Prevention and its practice has changed from its old approach, Preventive Diplomacy into Structural Prevention. With this new approach, long- term initiatives will target the root causes of conflicts. (*Conflict Prevention overview*, (n.d), para. 1-4). The process of Conflict Prevention is composed of the following three elements:

- The definition of the context with reference to the nature of a conflict, its causes, and its cyclical phases;

- The use of mechanisms to monitor indicators and signs to forewarn impending violence; and
- The selection of the specific initiatives to be taken.

(*Conflict Prevention overview*, (n.d), para. 1-4)

Although the concept of Conflict Prevention came out in theoretical literature in 1990, there was no specific practical application of it. Until 1992 when the former UN Secretary General Bistos- Bistos Ghali presented his idea of Conflict Prevention as an official policy, also know as An agenda for peace. His focus was on “fact-finding and analysis- to identify at the earliest possible stage the circumstances that could produce serious conflict-and the need for Preventive Diplomacy to resolve the most immediate problems with attention to underlying causes of conflict” and on strict preventive interventions. (*Conflict Prevention evolution*, (n.d), para. 1).

In the Report of the Secretary General on Prevention of Armed Conflict, published in 2001, it is said that "an effective preventive strategy" requires "a comprehensive approach that encompasses both short-term and long-term political, diplomatic, humanitarian, human rights, developmental, institutional, and other measures taken by the international community, in cooperation with national and regional actors". (*Conflict Prevention evolution*, (n.d), para. 2).

In order to prevent violent conflicts, there are different types of preventive intervention that are based on the scope and the duration of the actions. Besides, the stage of the conflict at which the action occurs is also very important. When violence occurs, damage-control initiatives must be taken. In case of impending, pre-emptive measures will be taken in order to reduce the tension between the parties involved. Sometimes it appears that no violence taking place yet, but there are tensions within a particular society. In that case, peace-building measures would be implemented. Figure 1.1 gives a brief and clear overview of the different types of Preventive Diplomacy. Looking at pre-conflict peace building, it can be said that many efforts taken by the United Nations in order to prevent escalation and to keep the tensions at a minimum level.

Ghali-Ghali emphasized on the role and responsibilities of the member states concerning Conflict Prevention. The causes of conflict can be distinguished into long-term causes and short-term causes. Long-term issues are related to structural issues of governance including for example issues in democracy. Short-term causes on the other hand, focus on real issues of conflicts, like conflicts of interest and psychological frictions. (*Conflict Prevention Evolution*, (n.d), para. 2).

Diplomacy, economic policy, humanitarian efforts, military action and democratisation are the main fields for conflict prevention (due to the techniques for Conflict Prevention).

Alongside the UN, there are other actors involved in Conflict Prevention such as, governments, NGOs and the media. (JCCP, 2006 (A), para. 4).

Figure 1.1:

	Crisis Prevention	Preemptive Engagement	Preconflict Peacebuilding
Primary Objectives	Block violent acts, reduce tensions	Address specific disputes, channel grievances into negotiations, engage parties	Create channels for dispute resolution, build political institutions, define norms, change attitudes, reduce sources of conflict
Techniques	Economic sanctions, coercive diplomacy, deterrence	Special envoys, mediation, arbitration	Problem-solving workshops, arms control regimes, CBMs, conflict resolution training, human rights standards, collective security
Intensity of conflict	Near crisis, low-level violent acts, taking up of arms, threats, violence probable	Low-level conflict over particular issues, tensions, polarization, violence possible	Unstable peace, diffuse political instability, uncertainty, distrust, anomy, violence possible

Source: Michael Lund in SAIS, Conflict Prevention

1.3 The Security Council

The role of the Security Council in conflict prevention is enormous. According to article 34 of the UN Charter: “the Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security“. (UN Charter, 1945, “Chapter VI”, article 34). Conflict prevention can only be pursued through the UN instruments on conflict prevention. According to chapter VI article 33 of the UN Charter (1945), all parties who are involved in a dispute, in which international peace and security are in danger, “shall, first of all, seek a solution by

negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice" (UN, 1945 (A), article 33).

Looking at the proximate or immediate causes of conflicts, it can be said that the Security Council plays an important role. The tools of the Security Council include encouraging parties to a dispute through presidential statements or resolutions; the authorization of sanctions regimes and the establishment of accompanying monitoring mechanisms; preventive deployment missions; and the authorization of the use of force to forestall greater violence. (Hampson & Malone, 2002, pp. 185-200).

In order to address the proximate causes of violence, the UN has preventive measures which include targeted development assistance that focus on, for example, mitigating horizontal inequality and preventive demobilization and demilitarisation. The main actors of the UN are the United Nations Development Programme (UNDP), the World Bank and the International Monetary Fund. The World Bank also took a role in preventing conflicts and developed an operational policy on development assistance and conflict. (Hampson & Malone, 2002, pp. 185-195).

The UN's Conflict Prevention system is, according to the International Crises Group, based on a few rules. Firstly, the UN tries to prevent conflicts from the beginning and military actions should only be used in serious cases. The second rule is understanding the causes; looking at the factors in each particular risk situation and understand its dynamics. Thirdly, the conflict should be fully understood and possible measures should be prepared. Preparing to put the necessary government and intergovernmental resources, especially in the early stage of prevention, is the fourth rule of the UN. Finally the fifth rule, which is addressed to governments in order to force those resources by using capacity that is available from NGOs and civil society. (Evans, 2005, para. 2).

Figure 1.2:

Phase	Problem	Actors	Task	Target
Conflict Prevention	Rising tensions, Polarization, Militarization	External/Internal: International Organizations (IOs), NGOs, Governments	Prevent escalation	Potential opponents, Political instigators, Leadership/Elite
Peacemaking	Perceived incompatibility of interest	External/Impartial: Mediators, IOs, Foreign governments	Facilitate negotiation, Mediate differences, Attain agreement	Leadership/Elite
Peacekeeping	Destructive violence	External: Int'l & regional organizations, Military organizations, Foreign governments	Monitor ceasefires, Separate & demonize parties, Enforce peace	Fighters, Conflicting parties, Militants
Peacebuilding	Negative attitudes, Socio-economic problems, Trauma	External/Internal: IOs, NGOs, Governments	Reconcile population, Rebuild trust & confidence, Develop economic opportunities	Local & national government, NGOs, Civil Society, Grassroots

Source: SAIS, (n. d.), Conflict Prevention

1.4 The success of conflict prevention

During the Cold War, conflicts faced by the international community were either inter-state or intra-state, while nowadays the conflicts shift along between inter- and intra states. (JCCP, 2006 (C), para. 1). The regional conflicts can be seen as intra-state or inter-state conflicts, because these conflicts mostly broke out in the sphere of chaos. Besides, regional conflicts are mostly fought by civilian militia instead of armies. There are not actually international rules of engagement for intra-state conflict. This has led to many victims of violence and the violation of human rights. Resolving intra-state conflicts is very complex and requires time and expense. This is the reason why conflict prevention, preventing conflicts from escalation, became an important international issue and receives more attention than it did before. (JCCP, 2006 (A), para. 1-3).

In order to have successful conflict prevention, the will to prevent the outbreak of conflicts by all parties is required. Besides, the preventive measures of the international community had to be respected. The international community on the other hand, must be neutral and the measures have to be acceptable to the parties involved.

The lack of political will of many countries on the Security Council is one of the reasons why a conflict could not (always) be prevented from breaking out, even if it is observed in its early stage. An early-warning system to observe a situation in its early stage is an important point concerning conflict prevention, but also the political will of the UN member states is a main point in order to prevent conflicts. (JCCP, 2006 (A), para. 1-3).

The media is one of the main actors in conflict prevention. The UN aims to have a good relationship with the media in order to effectively conduct its activities concerning conflict prevention. The Secretary-General makes sure that the views of the parties involved are heard before the situation escalates. Negotiation is an important aspect in order to prevent escalation of the situation. Although most parties prefer closed negotiations, the international community wants more transparency and accountability in negotiations. (JCCP, 2006 (A), para. 2).

The United Nations has played and still plays a very important role in order to create peace all over the world. At the beginning of the United Nations, this organisation intervened only in conflicts when two or more countries were involved, also known as the principle of non-interference. After the Cold War, governments were more aware of what happened in a country because of the greater access to information. The possibility for the UN to intervene has become more practical, especially when conflicts occur within a single country. The UN tried to resolve many conflicts and has established many peacekeeping operations in countries such as, Rwanda, Bosnia, Kosovo, East Timor and Sierra Leone. The United Nations was not able to prevent these conflicts from the beginning, mainly because of the strong pressure of this particular country due to the principle of State Sovereignty. "Under the international law principle of sovereignty, a government has authority to say who may enter

its territory, remain within its territory, and how persons within its territory may conduct themselves.” (Parks, 2003, para. 2). In 1948, the UN started its first mission, which was the UNTSO (United Nations Truce Supervision Organization) in Palestine. This peacekeeping mission was mandated to monitor whether the truce was obeyed. The UNTSO was an important step in the ongoing conflict between the Palestinians and Israel. (UNAC, (n.d), para. 15-18).

The United Nations demonstrates how to analyse a conflict by using its Conflict management system. This system analyses a conflict from the first stage (Conflict Prevention) till the final stage (State building). Within these stages, the UN uses different tools and instruments in order to prevent escalation and to create peace. Resolution is of the UN tools which took a leading role in many conflicts. Almost every country, which is in conflict, obtained a resolution from the Security Council or the General Assembly in order to reduce tension and to prevent escalation. When a conflict is at low-level and when tensions rose, Pre-emptive engagement of the UN is necessary. In this case, the United Nations will try to bring the parties together to negotiate. Moreover, the UN will send special envoys to the particular area.

The UN took an important role in the conflicts in Iraq, Palestine- Israel and in Darfur. With this dissertation, I would like to demonstrate what the UN has done during the first stage of its Conflict Management system, namely Conflict Prevention, at these conflicts.

2. The Case of Iraq

On March 20, 2003, the United States and the United Kingdom invaded Iraq in order to disarm Iraq of weapons of mass destruction (WMD) and to oust the government of Saddam Hussein. The Security Council refused to endorse the invasion and occupation of Iraq. As a result, the United States together with the United Kingdom ignored the Security Council and invaded Iraq. Under the US codename "Operation Iraqi Freedom", the United States wanted to free the Iraqi people from the dictatorship of Saddam Hussein. According to the US, the regime suppressed the Iraqi people, supported terrorism and possessed weapons of mass destruction. International criticism forced the US and the UK to seek international partners for their operation, including assistance from the UN.

The (former) Secretary General of the United Nations Kofi Annan was not in favour of war against Iraq (BBC News, 2004 (A), para.1). In 1998, Kofi Annan went to Iraq to observe the situation and to talk to Saddam Hussein about the weapons of mass destruction, which the US claimed that they were present in Iraq. The UN sent weapon inspectors to Iraq in order to research whether Iraq had these weapons of mass destruction or not.

However, the Secretary of State of the United States Colin Powell presented evidence that shows that Iraq was producing chemical and biological weapons. Due to Powell's presentation, the United States, United Kingdom, and Spain proposed an UN Resolution authorized the use of force in Iraq. In order to prevent a veto from France and/ or Russia, the US withdrew the resolution. Because of the failure of the resolution, the US abandoned, together with the United Kingdom, the decisions of the Security Council and decided to attack Iraq without the authorization of the United Nations.

2.1 Conflict Prevention

As already described in chapter 1, the United Nations distinguish different stages in order to analyse a conflict. Conflict Prevention is the first stage and an important stage, because in this phase the United Nations can intervene to stabilize a potentially violent conflict before it breaks out.

The Iraq war broke out in 2003 without the authorization of the UN and according to

an interview with Kofi Annan (2004) by BBC News, this war was illegal and against the principles of the UN charter. (BBC News, 2004 (A), para. 1). Also (former) President Chirac and (former) Chancellor Schroder claim that an invasion would be justified only with authorization of the UN Security Council. (Schaefer, 2002, para. 3).

However, this war did break out but the main point of this all is the question whether the UN was able to prevent this war and whether its authorization was necessary. The United Nations could not prevent this war from breaking out because of several reasons. The main reasons are:

- **International law confirms the right of self-defence**

Under the International Law, sovereign nations have the right to self-defence, which means that these nations have the right to defend themselves from attack. Also in the charter of the UN the right of self- defence for nations is mentioned. According to article 51: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations." (UN, 1945 (C), para. 4-7). Saddam Hussein suppressed his citizens and according to the United States, he aimed to develop biological, chemical, and nuclear weapons of mass destruction. Saddam Hussein may use them against his enemies, especially the US and Israel. George Bush has identified Saddam Hussein as a threat and according to the right of self-defence, the US has the right to defend themselves from an attack.

The Secretary of State of the US has determined that Iraq is one of the state sponsors of international terrorism. According to Bush, Saddam Hussein supported terrorism by sponsoring Palestinian (terrorist) organisations and Palestinian suicide bombers, by giving money to their families. ("Saddam Hussein's support", (n.d.), para. 1,3,5). Moreover, Saddam Hussein has announced publicly that he will support a war against the west, especially against the United States. Iraq could use its WMD, which the US claims that they are present in Iraq, against its enemies and thus against the US. The right of self defence authorize the United States to announce pre-emptive attacks against potential aggressors. Bush has determined that Iraq is an imminent threat and wanted to cut its aggressor off before they are able to attack the US. (Schaefer, 2002, para. 6).

During the speech of June 2002, President Bush warned that the United States is facing a threat which is characterized with weapons of mass destruction and the emergence of global terrorism. According to Bush, deterrence and containment were not sufficient anymore. "Deterrence meant nothing against shadowy terrorist networks with no nation or citizens to defend and containment could not work when unbalanced dictators with weapons of mass destruction can deliver those weapons on missiles or secretly provide them to terrorist allies." (President George Bush as cited in Dworkin, (2002), para, 5). President Bush

concluded that “if we wait for threats to fully materialize, we will have waited too long.” The US claims that it acted in accordance with its right of self-defence, which justifies pre-emptive attacks against a potential aggressor, which is, in this case, Iraq. (Schaefer, 2002, para. 6).

- **America does not need UN permission to use its armed forces.**

The Constitution of the United States gives the president, as Commander in Chief of the armed forces, and Congress, the right to use military force in its own defence. The Congress has authority to raise and support armies and to declare war. There is no treaty that can remove this authority or give an international organisation a veto concerning actions of the US otherwise lawful and fully in accordance with the US Constitution. (Schaefer, 2002, para. 4-7).

The United States has the fully right to defence itself against attacks and to use its armed forces when it is necessary. The Bush administration claimed that the use of armed forces in the case of Iraq was necessary due to the following statements of the White House:

- During the illegal occupation of Kuwait by Iraq in 1990, the US took a main role by liberate Kuwait and enforce the resolutions of the Security Council, which are related to Iraq. After the liberation of Kuwait, Iraq agreed to eliminate its nuclear, biological and chemical weapons programs and to end its support for terrorism.
- The international weapons inspectors together with the US agencies have discovered that there are indeed chemical and biological weapons. Besides, Iraq is able to develop nuclear weapons and has an advanced development program. However, these inspectors are withdrawn by Iraq in October 1998, which is in violation of the cease-fire agreement.
- The Iraqi regime of Saddam Hussein has announced publicly that it is able to use weapons of mass destruction against other nations. Besides, it continued its hostility toward the US and demonstrated that Iraq will attack the US. Moreover, members of al Qaida are present in Iraq.
- Iraq supports international terrorist organisations that threaten the safety of American citizens.
- The Iraq Liberation Act (Public Law 105-338) supports the removal of the Iraqi regime and promotes the emergence of a democratic government. This should be the policy of the United States in order to change a dictatorship into a democratic regime.
- A year after the attacks of 9/11, President Bush “committed the United States to “work with the United Nations Security Council to meet our common challenge” posed by Iraq and to “work for the necessary resolutions,” while also making clear that “the Security

Council resolutions will be enforced, and the just demands of peace and security will be met, or action will be unavoidable"; ("Joint resolution to authorize" section, 2002, para. 16).

- The US determined that Iraq still supports international terrorism and is still developing WMD, which is in violation of the cease- fire of 1991 and other UN resolutions. The United States determined that the use of force will be necessary due to national security interests.
- Both the Congress and the President have taken steps to continue the war on terrorism. Strong action will be taken against international terrorists and terrorist organisations. Besides, the President determined that nations also will be attacked, which committed or aided the attacks of 9/11.
- Under the joint resolution on Authorization for the Use of Military Force (Public Law 107-40), the US is authorized to take strong action to prevent terrorist attacks against its country and its citizens. The US is, according to the joint resolution, allowed to use military forces in order to restore international peace and security to the Persian Gulf region.
(“Joint resolution to authorize” section, 2002).

The joint resolution to Authorize the Use of United States Armed Forces Against Iraq demonstrates not only that the US has authorization to attack Iraq, but also why an invasion is necessary.

According to Section 3 of the joint resolution:

“The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to

(1) defend the national security of the United States against the continuing threat posed by Iraq; and

(2) enforce all relevant United Nations Security Council Resolutions regarding Iraq“.

(“Joint resolution to authorize” section, 2002, para. 26)

According to President Bush, Iraq was an imminent threat and a terrorist attack from Saddam Hussein was possible. Besides, according to international law, every nation state has its right to defend it selves in case of imminent threat. The US identified Iraq as an imminent threat and made use of its right of self-defence in order to invade Iraq. Nevertheless, many people all over the world were against this war and also Kofi Annan said that this war was illegal. A war can only be justified if a threat is clear, direct and imminent. Looking at the case of Iraq, it was not clear whether Iraq was indeed a clear, direct and imminent threat. “Measured by just war standards, the war proposed against Iraq fails completely of a sufficient cause. Pre-

emptive strikes must meet a high standard of justification.” (Hunsinger, (n.d.), para. 9).

The United Nations was not able to prevent the war against Iraq from the beginning. The United States has the full right to defend themselves because they claimed that Iraq was an imminent threat. However, the United Nations played a crucial role in preventing escalations. In order to do this, the UN used its tools, such as resolutions. Resolution 1441 is an important resolution, adopted by the Security Council.

2.1.1 Resolution 1441

The United States insisted that Iraq had weapons of mass destruction. The UN wanted to give the inspectors as much time as possible in order to make up a clear and appropriate report. Kofi Annan always wanted to prevent a war against Iraq, and only the Security Council could decide whether it would be a war.

Saddam Hussein had always claimed that he had destroyed the weapons of mass destruction in Iraq. The problem is that there was no evidence found that shows that these weapons were indeed destroyed. On 9 November 2001, the Security Council adopted Resolution 1441 (unanimously). Saddam Hussein had his last opportunity to accept the request of the UN to allow weapon inspectors to his country. If Iraq did not conform to this resolution, the UN announced that there would be serious consequences against the Iraqi government.

Iraq had to confirm the complete compliance with the definitions of the resolution. Besides, the weapon inspectors had to report their findings before 23 December 2002, and explain whether Iraq has WMD. These inspectors had access to everything, even the presidential residences of Saddam Hussein. If Iraq will not comply with this resolution, strong action will be taken by the United Nations.

However, the US announced their invasion to the international community and the Security Council. Secretary of State Colin Powell addressed the UN's General Assembly in order to gain UN authorization for an invasion. According to reports from the UN weapon inspector Hans Blix and Director General of the International Atomic Energy Agency (IAEA), Mohammed Elbaradei, there were no weapons of mass destruction in Iraq. The Iraq Survey Group was mandated by the UN to search for WMD in Iraq. (*Iraq Survey Group, 2007, Wikipedia*). The Iraq Survey Group made up a report of the findings and one of the main points of this report is "the ISG (Iraq Survey Group) has not found evidence that Saddam possessed WMD stocks in 2003, but [there is] the possibility that some weapons existed in Iraq, although not of a militarily significant capability." (BBC News, 2004 (D), para 2).

2.1.2 Measures/ sanctions taken by the UN

The Security Council adopted resolution 661 in 1990 as a sanction against Iraq after the Iraqi invasion of Kuwait. After the war between Iraq and Kuwait ended, the UN did not lift its sanctions against Iraq. According to the Global Forum Policy, the reason for not lifting the sanctions against Iraq was, because the United Nations wanted to press for Iraqi disarmament. These sanctions had a harsh impact on innocent Iraqi civilians. Besides, the Iraqi economy have been destroyed and the infrastructure disrepair from lack of materials. A few years later, the UN released the Oil-For-Food Programme, which allowed Iraq to sell oil and to obtain food. However, the humanitarian crisis continued. Although the UN would lift these sanctions, the US and the UK will block any lifting as long as Saddam Hussein remained in power (*Sanctions against Iraq*, (n.d.), para. 1).

In 1999, the Security Council adopted resolution 1284, which created the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC). “UNMOVIC replaced the former UN Special Commission (UNSCOM) and continued with the mandate to verify Iraq's compliance with its obligation to be rid of its weapons of mass destruction (chemical, biological weapons and missiles with a range of more than 150 km), and to operate a system of ongoing monitoring and verification to ascertain that Iraq did not reacquire the same weapons prohibited to it by the Security Council.” (United Nations, *UNMOVIC basic facts*, (n.d.), para. 1). However, before the United States invaded Iraq, the UNMOVIC removed its inspectors, and were not allowed to return to Iraq. (“US seeks shutdown of UN WMD work” section, 2007, para. 6). Before the invasion in 2003, more than fifteen resolutions on Iraq were passed by the UN Security Council in order to press Iraq to comply with the UN resolutions. The US, UK and Spain proposed another resolution on Iraq in 2003. Besides, the US also asked for a complete end of the production of WMD. However, this resolution was withdrawn because most countries were not in favor of it.

In order to prevent further escalations in Iraq, the UN Security adopted resolution 1483, two months after the invasion. Main points of this resolution are “reaffirming the sovereignty and territorial integrity of Iraq and reaffirming also the importance of the disarmament of Iraqi weapons of mass destruction and of eventual confirmation of the disarmament of Iraq” (*Resolution 1483*, 2004, para. 1). After this resolution was adopted, Kofi Annan appointed a Special Representative. The Representative had a broad mandate to run the country, he established, for example, political institutions out of the chaos of ethnic and political disputes. A few Iraqis, however, did not accept this Representative and as a result, there was a massive bombing of UN headquarters in Baghdad in 2003; fifteen UN staff members and the Special Representative were killed. If the UN stayed in Iraq, UN employees would be in danger. To prevent any kind of attacks against UN staff members, Kofi Annan decided to leave Iraq and keep distance. (BBC News, 2003 (C), para. 1).

Nevertheless, a year after the attack in Baghdad, the UN sent a mission to Iraq to help the US with the construction of a new government. This UN mission took place by heavy pressure of the United States. After the establishment of an interim government, the US again 'asked' for UN assistance. This time the UN had to take a larger role in planning national elections. The Security Council accepted this 'request', but due to security dangers such as the bombing in Baghdad, it decided to keep its role to a minimum. The Security Council will give more assistance only if the US occupation ended.

2.2 Conclusion: what has been done in order to prevent this war?

After the attacks on 11 September in the United States, Bush announced that there would be strong actions against terrorism. After this warning of the United States about possible consequences, the United Nations started to create measures to prevent an invasion. According to President Bush, Saddam Hussein supported terrorism and possessed weapons of mass destruction, which could be a threat to the world, and especially a threat to the United States. The United Nations was not able to prevent the invasion from the beginning because of several reasons. The United States has, under international law, the right to defend themselves from attack. Besides, the US Constitution gives the fully right to use military forces in order to defend themselves. There is no treaty, including the UN Charter, which can take away this right.

In order to prevent escalations and a war against Iraq, the United Nations announced that weapon inspectors from the UN would do a research in Iraq in order to find these WMD. In addition, the Security Council adopted resolution 1441 to press Saddam Hussein to give these inspectors the possibility to do their research. If Iraq did not comply with this resolution, strong actions would be taken by the United Nations. According to the report of the weapon inspectors, there were no WMD in Iraq. "A report from U.N. weapons inspectors to be released today says they now believe there were no weapons of mass destruction of any significance in Iraq after 1994, according to two U.N. diplomats who have seen the document" (Nichols, 2004, para. 1). Subsequently, the US and the UK opened their attack on Iraq, without any support from the United Nations.

The United Nations preventive tools made it possible to prevent escalations. The UN adopted and imposed many resolutions, like resolution 1441. The UN announced strong measures against Iraq if they would not comply with resolutions. On the other hand, there were no sanctions against the US and the UK when they announced the invasion of Iraq. Actually, it was the US who had all the power and a dominant position in this conflict. The UN acted under pressure of the US in order to help them with the establishment of an interim government. Besides, due to some attacks against the UN in Baghdad, the Security Council

decided to leave Iraq and keep its distance. Outsiders, like the World Tribunal on Iraq blame the UN for failing to stop this war and crimes against humanity. "The UN system ought to react and declare its outrage in real terms: sanctions, embargo, suspension of membership for the aggressor states and other appropriate measures" (Scherrer, 2002, para. 35).

The UN aims to prevent existing conflicts in Iraq from spreading and have established the United Nations Assistance Mission for Iraq (UNAMI) in order to create innovative operational options for continued the involvement of the UN in Iraq. In addition, the mandate of the UNAMI plays a leading role in assisting the Iraqi people and the Government of Iraq, concerning consensus-building and the development of civil and social services. Because of an extreme backdrop of violence and insecurity in Iraq and to prevent old conflicts from recommencing, the UN worked to play a leading role in creating and supporting the political transition. Resolution 1546, which concerns the creation of an interim Government and democratic elections, is carried under leading of a 'new' Special Representative of the Secretary- General for Iraq.

After the invasion of Iraq, the situation in this area became worse and a reasonable military solution to the sectarian violence appears to be far away. Strategies, like "a singular focus on standing up the Iraqi army" (Goldberg, 2006, para. 1) were made by the violence. The Iraq Study Group created a report with recommendations, related to the current situation in Iraq. According to the Iraq Study Group, the United States should (as soon as possible) introduce a New Diplomatic Offensive to build an international consensus in order to create stability in Iraq. This recommendation appears to be the last hope for Iraqis and Americans. Moreover, the ISG implemented a proposal, which had to lead to international engagement. The ISG proposed an Iraq International Support Group, composed by all Iraqi neighbours, permanent members of the Security Council and a representative of the Security General (Goldberg, 2006, para. 2).

On 29 June 2007, the Security Council adopted a resolution, sponsored by the United Kingdom and the United States, to end the mandate of the United Nations weapons inspectors in Iraq. The resolution passed with 14 voted and as a result, the Security Council ended the mandate of the UNMOVIC and the mandated work of the IAEA on Iraq. The Russian Federation abstained, because there is no definitive statement about whether Iraq had weapons of mass destruction. According to the resolution of the Security Council, the presence of both the UNMOVIC and the IAEA in Iraq is no longer necessary. (UN News centre, 2007 (B), para. 1-4). The UNMOVIC explained that the resolution "closes a cycle of many years of verification, where the UN showed that it can implement successfully the activities demanded by the international community despite difficulties and frequently a lack of cooperation from the inspected party," (UN News centre, 2007 (B), para. 5).

To evaluate the role of the UN and the preventive tools, it can be said that the UN

failed because the UN was not able to clarify whether Iraq was indeed an imminent threat. The UN had to research this in order to make clear that Iraq is not a threat and that there is, thus, no reason for the United States to invade Iraq. On the other hand, the UN did impose resolutions in order to prevent escalations. Despite the preventive tools, the situation in Iraq became and is still worse.

3.

The Case of Palestine and Israel

The conflict between Israeli Jews and Palestinian Arabs has endured for decades. This conflict became an international issue after the First World War. After the decline of the Turkish Ottoman Empire, Palestine was situated between several former Ottoman Arab territories. These territories were placed under the administration of Great Britain, under the mandate of the League of Nations. Palestine was one of the mandated territories, which became independent. "Instead of being limited to the rendering of administrative assistance and advice", Great Britain had as main goal the implementation of the Balfour Declaration. The Balfour Declaration supported a national home for the Jewish people in Palestine. (UN Department of Political affairs (B), (n.d), para. 1-3).

More and more Jews went to Palestine in order to settle in their new homeland. From that moment, this area was characterized by disputes and violence from both sides. Because Great Britain was not able to bring independence in this area (although many efforts), it decided to turn over this problem to the United Nations in 1947. (UN Department of Political Affaires (B), (n.d.), para. 4).

The UN divided this land into 2 separate independent states, one for the Palestinian Arabs and one for the Jews. The Jewish state obtained the name of Israel. Although the partitioning plan of the UN, Israel occupied more than it actually allowed occupy, this includes also a great part of Jerusalem. As a result, the Palestinians began their uprising against the Israeli occupation in order to regain their territories. This first *Intifada* (also known as the war of the stones) started in 1987 and ended in 1993 by the Oslo Accords. The Palestinians and the Israelis expected that these accords would bring peace to this area, but again this attempt to produce a peace agreement failed. A second *Intifada* took place by the Palestinians in 2000, again struggling against the Israeli settlements, and ended in 2003. (UN Department of Political Affaires (B), (n.d.), para. 11).

At Oslo (1993), the first meaningful agreement between the two parties was discussed by the Palestinian leader Yasser Arafat and Prime Minister Rabin from Israel. The so-called Oslo Accords emphasized the mutual recognition. In addition, in a period of five

years Israel had to remove its troops from the occupied territories. However, the Oslo Accords were not able to produce a peace agreement in this area. The Oslo Accords called for mutual recognition and a removal of Israeli troops from major Palestinian population within five years. In 2003, a new step towards peace has been produced by outsiders, the United States, Russia, the European Union and the United Nations. The new “Roadmap” was the result of the meeting of these parties, in order to prevent further escalations between the Palestinians and the Israelis. The main purpose of the Roadmap is an independent Palestinian state. (UN, 2003, para. 2).

Recently, terrorist attacks from the Palestinians against Israelis rose and revenge from the Israelis towards Palestinians. Israelis still are afraid of traveling by bus because of fear of terrorist attacks. Palestinians, on the other hand, risk violent attacks from the Israelis even when they go out to provide themselves basic needs. Both parties cannot live a peaceful life anymore because of fear. Recent developments, like the death of Yasser Arafat and the government under leadership of Mahmoud Abbas, lead to political changes. For the first time in four years, Palestinian and Israeli officials met to discuss peace possibilities. However, violence from Palestinian extremists and Israelis does continue and both sides continue to disagree.

Nowadays, the situation in Palestine is still far away from peace. There is not only violence between the Israelis and the Palestinians, but within Palestine a civil war broke out between adherents of Hamas and adherents of Fatah. Tension between both parties rose and a government with both Hamas and Fatah was impossible. As a result, Fatah announced to break up all its relations with Hamas. Because Hamas do not take a leading role in the Palestinian Government anymore, “Israel has begun to release millions of dollars in tax funds that is has withheld from the Palestinian Authority during a 17 month boycott” (BBC News, 2007 (B), para. 1). Israel had also withdrawn its troops from the Old City in the heart of Nablus.

3.1 Intervention of the UN

After 1947, the UN took a leading role in this conflict in order to prevent escalations and to prevent spreading of the several disputes in the area. The partitioning plan of the UN separated Palestine into two independent states, Palestine and Israel, and Jerusalem internationalised (resolution 181). This plan gave each of the parties a piece of land. Nevertheless, Israel occupied 77 per cent of Palestinian territory and the larger part of Jerusalem.

After the Six Day War in 1967, Israel had conquered more Palestinian land than it already had. Israel occupied the West Bank and the Gaza Strip. However, the Israeli

government refused to consider a Palestinian state and the Palestinians on the other hand denied the legitimacy of Israel. "The Palestinians proposed a separate state, claiming as their homeland the territories outside the 1948 ceasefire lines, territories occupied by Israel in the 1967 war" (*Israel, Palestine and the Occupied Territories*, (n.d.), para.2). The international community supported these statements of the Palestinians. Consequently, the Security Council adopted resolution 242. The key objective of this resolution was a withdrawal of Israel from the Palestinian territories, which are occupied during the conflict in 1967. However, Israel did not comply with this resolution and again both parties continue to struggle. The United Nations intervened again and in 1974, the Security Council adopted resolution 338 in order to find a solution for this problem. In this resolution the Security Council called upon all parties to "cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions they now occupy, to start immediately after the cease-fire the implementation of Security Council resolution 242 (1967) in all of its parts, and decides that, immediately and concurrently with the cease-fire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East" (*U.N. Security Council Resolution 338*, 1973, para. 5-6). Yasser Arafat's political party PLO (Palestine Liberation Organisation) obtained the status of observer in the General Assembly of the UN and held under auspices of the United Nations.

Since resolutions 242 and 338, there have been no significant steps from the UN Security Council in order to end the conflict. The enormous influence and heavy pressure of the United States seems to be the reason for the lack of UN influence. Many attempts from Council members to introduce new resolutions against Israel are hindered by a US veto. The General Assembly on the other hand, has taken a more active role in this conflict, but since its resolutions are non-binding, they have only symbolic weight.

The fact that the General Assembly has taken an active role in this conflict came clear when Yasser Arafat needed a visa to address the General Assembly in New York. The US refused to give Arafat the visa and when the Assembly decided to meet in Geneva instead of New York, Israel blamed the Assembly for being "Pro-Palestine". In addition, the Wall of Separation caused many frustrations within the Assembly, especially because of the inaction of the Council. As a result, the Assembly asked the International Court of Justice to research the legal status of this wall.

3.2 UN Agencies

Israel declared its independent in 1948 and as a result, a war broke out between Israel and its four neighbours (Egypt, Jordan, Lebanon and Syria). In order to monitor ceasefire,

ordered by the Security Council (under Chapter VII of the UN Charter), the United Nations established the United Nations Truce Supervision Organisation (UNTSO). The UNTSO, mandated by the UN, provides unarmed military observers who had daily contact with the local people and their leader. In addition, the UNTSO is established to supervise the observance of the truce in Palestine. In 1948, the Security Council adopted resolution 50, which calls for an end of the hostilities against Israel. The Security Council decided that the truce should be under auspices of the UN Mediator, with assistance of military observers (UNTSO). "Following the wars of 1956, 1967 and 1973, the functions of the observers changed in the light of changing circumstances, but they remained in the area, acting as go-betweens for the hostile parties and as the means by which isolated incidents could be contained and prevented from escalating into major conflicts" (UNTSO, 2006, para. 1-3).

The Office of the United Nations Special Coordinator for Middle East Peace Process (UNSCO) is an important point for UN support to prevent escalations and to peace initiatives. The UNSCO is based in Gaza and has duty stations in Jerusalem and Ramallah. Besides, it has a mandate, which covers Israel, the occupied Palestinian territory and other Arab countries. On 25 January 2006, Hamas won the Palestinian legislative elections, but Hamas was not recognized by the Israeli government. Despite many efforts from the UNSCO to strive for dialogue between the Palestinians and the Israelis, both parties continued to disagree and instability was still the main feature of this area. Meanwhile, Israel refused to return customs and tax to the Palestinian Authority. "In spite of calls by the Quartet – the United Nations, the United States, the European Union and Russia – for Israel to desist, settlement construction has continued as has work on the barrier. UNSCO has repeatedly warned that this would prejudice the outcome of Final Status negotiations". (UNSCO, 2005, para. 1). UN agencies, like the UNHCR, took and still take an leading role in monitoring these developments and their impact on the lives of Palestinians. The UNSCO has also a leading role in coordinating humanitarian aid to the Palestinians. (UNSCO, 2005, para. 1-2)

3.3 Measures/ sanctions taken by the UN

The UN has done many efforts to find a solution for the conflicts between Israel and Palestine. As already described in 4.2, the UN had special agencies, which are active in Palestine to prevent escalations and to provide humanitarian aid to the Palestinian refugees. An important action of the UN was the establishment of the UNTSO. Thanks to the UNTSO, unarmed military observers were able to observe the truce in Palestine and attempted to end hostilities against Israel.

Since the Palestinians voted for Hamas during the last elections in Palestine, the situation in that area worsened. Hamas refuse to recognize Israel and aims to create an

Islamic state in the West Bank, Gaza Strip and the area that is now Israel. In addition, Hamas is responsible for many attacks against Israelis, and therefore Hamas is not recognized by the international community. Consequently, an international boycott against Palestine is introduced by Israel and key western countries. According to Govert Schinkel (2007), "this boycott is hardly effective, besides there are in the history not many examples of successful boycotts against countries". (G. Schinkel, personal email, 22 may, 2007)

From the beginning of this entire conflict, the UN introduced many resolutions against Israel but it still refused to withdraw from Palestinian territories. Many resolutions were introduced by the General Assembly, but they are non-binding. Resolutions of the Security Council are vetoed by the US, ally of Israel. The International Court of Justice and the General assembly asked for a removal of the Wall of separation. According to the Israeli government, the Wall of separation was necessary in order to protect its citizens. Although millions of people all around the world demonstrated against this war and despite the ICJ condemned this operation, there were no sanctions or measures against Israel, neither from the UN nor from the European Union. However, SG Kofi Annan had to call for sanctions in order to implement the judgement of the ICJ concerning the Wall of separation.

3.4 Conflict Prevention

The situation between the Palestinian Arabs and the Israeli Jews seems to be far away from peace. It seems to be an unsolvable problem. As international organisation for maintaining international peace and security, the United Nations took a significant role in the conflict from the moment it broke out. The main steps on pre-emptive engagement, taken by the UN to prevent escalations and to prevent the spreading of the several disputes in this area, are the following:

- The partitioning of Palestine/Israel
- Security Council adopted resolution 242
- The establishment of the special envoy (1948): UNTSO
- The establishment of the special envoy (1999): UNSCO
- The attempt to stop the building of the Wall of Separation
- Negotiations

The partitioning of Palestine/ Israel

Since 1947, the UN became an important mediator in the conflict between Israel and the Palestinians. The first step the UN took in order to find a solution for this conflict, is the partition plan of 1947. Under General Assembly Resolution 181, the partition plan divided this area into a Jewish state and an Arab state. It provides for both parties an equal piece of

land and Jerusalem became an international supervised city. However, Israel did not comply with this decision of the General Assembly and occupied 77 per cent of Palestinian territory and the larger part of Jerusalem. According to the UN Charter, Israel is not obliged to carry out decisions of the General Assembly since its decisions are not binding.

Security Council adopted resolution 242

In 1967, 20 years after the implementation of the partition plan, the Six Day War broke out. The Palestinians wanted their land back, which is occupied by the Israelis. In order to 'force' Israel to withdraw from the Palestinian territories, the Security Council adopted resolution 242. Even this resolution is binding, Israel did not comply with the resolution and, thus, did not want to withdraw from the Palestinian territories. Under article 25 of the UN Charter, all member states agreed to carry out decisions of the Security Council. According to Israel, this resolution has to apply to both Israel and the Palestinians.

The establishment of the special envoy (1948): UNTSO

The UNTSO, United Nations Truce Supervision Organisation, is the first peacekeeping operation in this area. This organisation is mandated by the UN and provides unarmed military observers. These observers took an important role by the implementation of SC resolution 50. Hostility against Israel rose and resolution 50 calls for an end of the hostilities. The UN observers had daily contact with the local people and their leaders. The main aim of the UNTSO is to prevent isolated incidents from escalation. (UNTSO, 2006 (B), para. 1).

The establishment of the special envoy (1999): UNSCO

UNSCO, United Nations Special Coordinator for Middle East Peace Process, tried many attempts to strive for dialogue between the Palestinians and the Israelis. After the Palestinian elections of 2006, UNSCO took a leading role as mediator between the Israeli government and the new government under leading of Hamas. However, despite the involvement of UNSCO, both parties continued to disagree.

The attempt to stop the building of the Wall of Separation

Israel wanted to protect its state from Palestinian suicide attacks on Israeli targets and built a wall of separation. This wall cuts deep into the west bank and large parts of Palestinian territory. Syria (member of the Security Council) asked for a resolution in order to stop the building of this wall. The International Court of Justice and the General Assembly also asked for a removal of the wall. However, a resolution concerning the wall of separation of the SC was vetoed by the United States and decisions of the GA are non-binding. As a result, Israel

continued the building of the wall.

Negotiations

From the beginning of the conflict between Israelis and Palestinians, many negotiations took place in order to create peace. Not only the UN tried to solve the problems between both parties, also countries like the United States and Egypt played an important role to bring the parties together. There were some successful negotiations, like the 'Roadmap', however most negotiations seems to be successful in the beginning, but after a short break the tensions rise again and the mediators have to start all over again.

3.5 Conclusion: What has been done to prevent this conflict?

After decades of war between the Israelis and the Palestinians, they still battle and disagree. Israel wants control over Jerusalem and control within the Palestinian territories. The Palestinians see no peace without the creation of a Palestinian state.

The United Nations introduced many resolutions in order to solve the several conflicts between the Israeli Jews and the Palestinian Arabs. Many resolutions have been adopted to prevent escalations in the several conflicts in this area. The UN partition plan attempted to find a solution for this conflict. The area was divided into two independent states, an Israeli state for the Jews and a Palestinian state for the Palestinians or Arabs. Yet, Israel occupied more than the plan determined. Resolution 242 of the Security Council is adopted to press Israel to return the occupied territories to the Palestinians. A few years later, the UN adopted resolution 338 basically with the same objective namely, Israeli withdrawal for the occupied territories. Since resolutions 242 and 338, there were no significant steps from the UN Security Council in order to end the conflict. The Palestinians, on the other hand, began their uprising against the Israeli occupation. In addition, many suicide bombings against Israeli civilian targets took place.

Because of heavy pressure of the United States, the Security Council was not able create sanctions against Israel in order to withdraw the Palestinian territories and most resolutions against Israel are vetoed by the US. The General Assembly, on the other hand, had an active role in this conflict but had not the "power" to make a difference in this conflict, because its resolutions are non-binding. Although the SC has to maintain international peace and security, it was not able to solve the conflict between the Palestinians and the Israelis.

To conclude, it can be said that the UN tried to solve this conflict, which endured for years, but the pressure of the United States hinders the SC in order to force the Israeli government to give the Palestinian territories back to the Palestinians. On the other hand, the US has its right to veto any resolution. Thanks to the United Nations, many negotiations

between the Palestinians and the Israelis took place and many agreements are signed (conciliation). According to Schinkel (2007) “the UN has no real power and cannot make pre-emptive strikes. Demanding to stop the fighting makes a solution impossible.” (G. Schinkel, personal email, 22 May, 2007).

4.

The Case of Darfur

Darfur is a region in western Sudan, with a population of 3,1 million people. Since Sudan became independent in 1956, this area has known nothing but war, with all sorrow and damage that it brings. In 1962, a civil war broke out between the Arab Muslims in the north and the black Africans (most are Christians) in the south. The government of Sudan is ruled by the National Islamic Front (NIF) and has its power base in the north of Sudan. In the centre and the south of Sudan, southern groups, like the Sudanese People’s Liberation Movement/ Army (SPLM/A), were active and represent the black Africans. The Sudanese government, on the one hand, and the Sudan People’s Liberation Movement/ Army (SPLM/A), on the other hand, struggled over power, religion, resources and self-determination. Moreover, the southern groups wanted to gain significant autonomy or independence from the Sudanese government in Khartoum. In order to achieve this, the SPLM/A attacked Islamic targets.

The conflict between the Government and the rebel group, SPLM/A, calmed down in recent years, but tension rose in the western region of Darfur. In Darfur, there are more than 30 different ethnic groups, the main groups are Arabs and Africans. The western and southern region of Darfur is inhabited by Muslims and the centre by the African farmers. The recent conflict of 2003 broke out especially due to the economic and political marginalisation. Tension rose due to the scarce farmland and water resources. Northern and southern Darfur came into conflict over water resources with the farming tribes of the centre. During this period, the leading groups in Darfur were the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM). Both groups represent the African population and are supported by the SPLM/A (the movement from the south of Sudan). The SLM/A and the JEM are both afraid that Darfur “would lose out politically and economically in the division of power and resources (particularly oil revenue) between Khartoum and the South, in the event of a settlement in the broader civil war”. (Youngs, 2004, p. 8).

The conflict of 2003 actually started, when the well-armed SLM/A and the JEM took advantage of the commotion within the regime of Al Bashir, President of Sudan. At the same

moment, both groups attacked military bases of the Government. Therefore, the Sudanese armed forces, together with Janjaweed attacked groups of villages. The Janjaweed are the armed militias in Darfur, consists of nomadic Arabs and supported by the Sudanese Government. “The growth of this new conflict indicates that Sudan's civil war was never entirely a north-south or Muslim-Christian struggle, but that it is a country-wide conflict that even incorporates other Muslim populations” (Mans, 2004, para. 1). The Janjaweed took a leading role in this conflict and was supported by the Government of Sudan.



(Source: Wikipedia, upload.wikimedia.org/.../250px-Darfur_map.png)

According to Jan Pronk (2007), former Special Representative of the UN Secretary-General in Sudan, everything went wrong in Sudan from the beginning and everybody is responsible, the rebel groups, the Government, but also the international community. (Pronk, 2007). Jan Pronk was leading the UN peacekeeping operation UNMIS. Pronk also mentioned during his lecture at the African Study Centre on 9 February 2007, that the conflict in Sudan is a very complex conflict, not only politically, but through many factors, like economic, social, tribal, cultural and historical (Pronk, 2007).

However, the Janjaweed is mainly responsible for the violence in Sudan, which has

created more than millions of refugees. They have murdered men, raped women, and attacked Fur, Masalit and Zaghawa villages. The Darfur conflict is an ongoing conflict, which has lasted for many years. The United Nations has described Darfur as one of the world's worst humanitarian crises. In 2003, a local insurgency began and since then, many civilians

suffered brutal attacks by government troops, nomadic militia and rebels.

The situation in Sudan is again far away from a peace process and more and more civilians still suffer from these brutal attacks. According to Khaled Hussein (2007), the situation in Darfur is more than worse. After his mission in Darfur, Hosseini argued: "In the camps, people told me stories of the Janjaweed [Arab militia] attacking their villages and killing children, killing women, killing the elderly. Their homes are burnt and everything they own is taken from them." (UN news centre, 2007 (C), para. 7).

Except the mass killings and rapes, another growing problem is destroying the lives of the people in Darfur, namely the water supply. A container of water in this area costs more than 10 times the price of a container in other regions of Sudan. Because of the water shortage and the high prices, people drink unhygienic water, which, thus, causes terrible diseases.

4.1 Political intervention of the UN

Since Sudan became independent in 1956, this country became an area of violence and war. The war between the Sudanese Government and the rebel group of SLM/A is characterized by destruction and revenge. In 2004, the Security Council adopted resolution 1547 and as a result, the UN established the UN Advance Mission in Sudan (UNAMIS). The UNAMIS was mandated by the UN in order to prepare a peace support mission after the parties involved, the Government of Sudan and the SPLM/A, signed a Comprehensive Peace Agreement (CPA). The CPA is a regional peace initiative under the auspices of the Inter-Governmental Authority of Development (IGAD) and is supported by the United Nations. The Government of Sudan and the SPLM/A signed several agreements, under the mediation of the IGAD. One of these agreements was the Protocol of Machakos, in which the parties agreed, among other things, to set forth the principles of governance as well as the right to self-determination for the people in South Sudan. (UNMIS, 2005, para. 2). "Three agreements needed to be finalized in order to achieve a comprehensive peace accord: one on permanent cease-fire arrangements, one on the implementation of all Protocols signed and the one yet to be concluded on permanent cease-fire arrangements and, one on the International/Regional Guarantees" (UNMIS, "Comprehensive peace agreement", para. 9).

With mediation of a third party, namely Chad, a ceasefire agreement established between the two parties in 2004. The Sudanese Government was against any form of involvement of observers from the UN, the African Union, the European Union and the United States. Despite the conciliation of Chad, this agreement failed. The main point on which this agreement failed was, mainly the redeployment of forces in eastern Sudan and the financing of the SPLM/A. (UNMIS, "Comprehensive Peace Agreement" , para. 3)

In July 2004, the Security Council adopted resolution 1556, to establish a peacekeeping operation in order to monitor the peace agreement. The African Union (AU) was the main party who restored the peace talks between the rebel groups and the government in Khartoum. Besides, because of the African Union, there has been a peacekeeping mission in Darfur. However, the AU peacekeeping force was not able to resolve the problems by its own and ask many times for international aid, especially from the UN. The former Secretary General Kofi Annan admitted that the problems in Darfur do actually need the aid from the UN and, thus, decided to change the mission of the African Union the AMIS into UNMIS. The UNMIS was mandated by the UN, and because this mission became an 'United Nations mission', it could take a leading role to prevent escalations and to give humanitarian aid. Neither the Security Council, nor the Sudanese government supported this action of Kofi Annan. Despite many efforts of the United Nations, they did not have the chance to resolve the problems in Darfur, because of attacks on UN personnel. According to Kofi Annan, the UN-policy has not reached very much and that there are no specific actions in order to resolve the conflict. Those who have the power are not willing to prevent any further escalations in this area and, thus, an intervention of the international community is more than necessary. As long as the international community is not willing to do that, the peace process will be far away.

As a result of negotiations between the Government and the SLM/A, mediated by the African Union, the Darfur Peace Agreement is signed in May 2006. "This agreement puts an end to three years of fighting which resulted in the killing of tens of thousands of people and forcing two million to flee their homes. The peace agreement, which covers security, wealth-sharing and power-sharing, is the result of two years of painstaking negotiations mediated by the African Union (AU)." (UNMIS, 2005, para. 1-3).

According to Jan Pronk (2007), there are a few reasons why this agreement (DPA) will not achieve any form of peace. The first reason is that not all the parties involved wanted to participate to have a peace agreement. The other reason is that the present agreement had to improve, because everybody said no to the DPA. The people were forced to sign up the DPA. According to Pronk, the text has to be improved in order to be signed up by all the parties (Pronk, 2007).

For fear of losing its sovereignty, the government of Sudan did not want any form of

intervention from the United Nations. However, the situation in Darfur became worse, and although the AU did many efforts in order to bring peace into this area, the intervention of the UN was necessary. The Sudanese government finally accepted UN involvement but is still afraid that the UN might have complete control of Darfur. By imposing many resolutions, the Security Council asked the government of Sudan to take steps to disarm the militias and to stop the attacks against civilians. Nevertheless, the SC did not monitor whether these sanctions are indeed implemented by the Sudanese government. The main reason why the SC did or actually could not ensure the implementation of the resolutions was because of own interests of countries like Russia and China. Both Russia and China have economic interests in Sudan and have supported the Sudanese government many times. (Human Rights Watch, (n.d.), para. 29-30)

4. 2 Conflict prevention

From the beginning of this conflict, the United Nations was not able to intervene in order to prevent violence and escalations. The main reason was the strong pressure of the Sudanese Government. Khartoum has the power in this conflict and blocked all attempts of the UN to a peaceful solution. Thus, the UN could not reduce the tensions or block violent acts, therefore the first stage of crises prevention was not possible (figure 1.1 p.7). In the first instance, neither crises prevention nor pre-emptive engagement was possible because of the Sudanese Government. However, the UN did many efforts to prevent escalations, despite the pressure of the Sudanese Government. In case of pre-emptive engagement, the UN took the following main steps:

- Establishment of UNAMIS in 2004
- The Security Council adopted resolution 1556, to support the implementation of the CPA (2004).
- The establishment of a special envoy: UNMIS by resolution 1590 in 2005
- Negotiations through the African Union

Establishment of UNAMIS

The Security Council adopted resolution 1547 in June 2004 in order to bring a special political mission into Darfur and of course to bring peace to the country or at least reduce tensions. This political mission was the United Nations Advance Mission in Sudan. UNAMIS was mandated to strengthen contacts with the parties who are involved in this conflict. Only in this case, the CPA (Comprehensive Peace Agreement) could be implemented.

The Security Council adopted resolution 1556, to support the implementation of the

CPA (2004).

Although the peace agreement of 2004 was implemented, the violent acts did not stop the situation in Darfur became worse. The Security Council adopted resolution 1556 in order to support the implementation of the CPA. Besides, this resolution demands a disarmament of the militias and to arrest the leaders.

(US Department of State, 2004, para. 1)

The establishment of a special envoy: UNMIS by resolution 1590 in 2005

The African Union was the only union who was allowed by the Sudanese Government to have an active role in Darfur. However, Darfur needed more aid and support not only from the AU but also from the UN. The AU established the AMIS, a mission in order to reduce tensions. Secretary-General Kofi Annan wanted more UN-support and changed AMIS into UNMIS by resolution 1590, in order to have more control in Darfur.

Negotiations through the African Union

The UN was not able (in the first instance) to have a active role in Darfur to prevent the conflicts and escalations, due to the pressure from the Government in Khartoum. The AU on the other hand, was the main party who restored the peace talks between the parties involved and who had a peacekeeping mission in Darfur. With support of the UN, the AU peacekeeping force has done much more in order to prevent escalations and attempts to have peace in this area. The AU had (while the UN did not) contacts with the rebel groups as well as the Government in Khartoum.

However, the United Nations failed to apply effective diplomatic and economic pressure on the Sudanese Government. (*Getting the UN into Darfur*, 2006, para. 1). The conflict in Darfur is ongoing and far away from peace. Kofi Annan called the situation in Darfur a nightmare of civilian deaths and millions refugees. (UN News centre, 2006 (A), para. 1). A new step towards crises prevention has been taken by the UN and these are the results:

- Sanctions like asset freeze and travel prohibition to key leaders. These leaders are identified by UN investigators.
- Economic sanctions against the commercial entities of Sudan's Government. These are the main source of revenues to finance the militias in Darfur.
- Sanctions concerning the petroleum sector in Sudan. This is the main source of revenue for the Sudanese Government to wage the war.
- A plan to enforce a no-fly zone over Darfur.

(*Getting the UN into Darfur*, 2006, para. 10)

In order to implement these sanctions, the support of the United States, the African Union and the European Union is necessary.

4.3 Conclusion: What has been done in order to prevent/ resolve this conflict?

Since Sudan became independent in 1956, this country has an area of violence and war. The war between the Sudanese Government on the one hand and the rebel group of SLM/A, on the other hand, is characterized by destruction and revenge, with all the sorrow that these actions bring. The United Nations wanted to have more involvement in Darfur, not only in the field of humanitarian aid, but also to prevent escalations and attempts to create peace. The UN changed the former AMIS, under the African Union, into UNMIS.

The UN under leading of Jan Pronk, have reached an agreement with the rebel groups and they decided that they would not attack the government anymore. The Sudanese government, however, is not intending to stop its attacks on the rebel groups. The majority of those who have the power want to continue an effort leading to a military victory. Khartoum wants writing agreements, but in case of accommodation purposes, they continue the war against the rebel groups.

Together with the African Union, the United Nations has done many efforts in order to resolve the problems in this area and to reduce the violence. Many men and women, but also children killed by the forced arms of the government and thousands of women haven been raped by the militias. Moreover, resolutions have been vetoed by China and Russia because of their own interests (oil).

According to Jan Pronk (2007), a peace agreement is only possible if all the parties are involved and want to be party of agreement. Of course, there are many situations where not all parties wanted to be a party of agreement, but in the situation of Darfur, at least two of the three parties had to agree in order to make this peace agreement successful. Besides, the UN is not able to do its job because of heavy pressure of the Sudanese government. The Sudanese Government is the only one who had the entire power in Sudan. The UN sent an UN envoy to the region in order to press the Sudanese government to stop the violence. However, the mission of the UN and the AU could be successful if the Sudanese government allowed them to do their work. The situation in Darfur is terrible and the need for international pressure on Sudan is more than necessary.

Conclusion

Although it was founded in order to maintain peace and global security, the United Nations failed many times in order to prevent conflicts from the beginning. According to the conflicts I have examined, I can say that there are many aspects, which discourage the UN to prevent conflicts. Firstly, the right of veto is an aspect that is not encouraging international peace and security. I think the debate on right of veto is controversial, because it is hard to monitor whether a member state veto a resolution because it is ineffective or because a specific resolution can be unfavourable for its ally. What we see nowadays is that countries 'help' each other to veto a particular resolution. The conflict between the Israelis and the Palestinian, for instance, has endured for many years and peace seems to be too far away. However, although many efforts of the UN and despite many resolutions, the UN was not able to solve the conflicts between these two parties. The Security Council issued many resolutions, which were vetoed by the US. Again, you can ask yourself whether the US think that these resolutions are irrelevant or do they veto because Israel is their ally?

Concerning the conflict in Darfur, there is also talk of own interest. In order to solve to problems in Darfur and to impose sanctions against the Government of Sudan, the Security Council issued many resolutions. However, these are vetoed by China and Russia, most probably because of oil interests. Since the founding of the UN in 1945, the five most powerful countries obtained the right of veto and, thus, are authorized to block any resolution issued by the Security Council, which are binding.

Secondly, the influence of the United States discourages the UN to prevent conflicts. During the invasion of Iraq the UN acted under pressure of the US and not otherwise. The invasion of Iraq was illegal, but the UN has not imposed sanctions against the United States. Nevertheless, in order to force Iraq to co-operate during the examination of WMD, the UN was able to adopt resolutions.

Finally, I think that the United Nations is actually able to prevent conflicts and escalations, if the international community supported them. In the conflict I examined, the UN asked many times for international support, without any success. Moreover, the UN has to be more transparent and efficient in order to be respected by the international community.

According to the US, invasion of Iraq is legal and it acted under international law, because Iraq was an imminent threat. However, the UN did not research whether Iraq was indeed an imminent threat. I think that even if the UN found out that Iraq was not an imminent

threat, it was not able to prevent the war or to impose sanctions against the US, because the US is more powerful. The case of Darfur is a case in which two UN principles take an important role, namely the principle of self-determination and the principle of state sovereignty. The Sudanese government did not want involvement of the UN, because it was afraid of losing its state sovereignty (like it happened in Iraq). On the other hand, the UN wanted to protect the citizens of Darfur and to help them to make their own (political) and to determine their own economic, cultural and social development. The principle of self-determination came back in the conflict between the Israelis and the Palestinians. Under international law, the Palestinians have the right of self-determination. The UN stressed the need for this right, but was not always possible. Israel on the other hand, said that it acted according the principle of self-defence. Israel wanted to protect its citizens from Palestinian suicide bombers.

The role of the United Nations in the case conflicts was mainly to mediate. According to what is mentioned above, the UN was not able to do more than what they have done. To conclude, the United Nations does not have the power to prevent conflicts from the beginning. However, the United Nations is able to prevent conflicts from escalating. The United Nations needs to reform, with more support of the international community and less influence of the United States. It seems that many countries, and in particular the US, do not take the UN serious. Many resolutions, which are adopted by the Security Council and thus according to article 25 of the UN Charter, binding for all member states, are not implemented by the specific country. In many cases without any sanction from the UN. However, the United Nations did many efforts to force member states in order to strengthen and to respect human rights. Besides, the UN missions in different countries have solved many problems and escalations.

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Interview: the UN and the Palestine- Israel conflict

Govert Schinkel from the Vrije Encyclopedie van conflict Israel- Palestine, 22 May 2007

1) Could you tell in a few words why the Palestinians and the Israelis struggle? (even it needs more than a few words)

Answer:

- From the year 1880 some 10.000s of European jews immigrated to Palestine to what they saw as their (biblical) historical homeland (Aliya). Jewish organizations bought agricultural areas for these refugees. Arab farmers were forced to leave their fields. Jews used production methods which gave a richer harvest than before. Both resulted in hate direction jews and Arab sellers
- Former UN gave UK order (appr. 1920) to create a safe haven for jews from Europe (caused by anti-Semitism). Arabs did not accept and started violence. Many more jews immigrated under the British occupation, especially due to Nazism in Europe
- New UN proposed two areas (1947, accepted by jews, not by Arabs)
- A bloody civil war started (Dec 1, 1947 till May, 1948; during which both parties killed many people of the other party; see UN information and calls)
- Jews in Palestine created state of Israel in part of Palestine in 1948; acknowledged by USA, SU, UN itself (!) etc, but not by Arabs (although UN partners)
- First war was started by Arabs (1948). Intention: destruction of Israel and conquer all the Jewish areas back. Also areas which were bought by Jewish organizations and areas which were in the hands of Jews for centuries. Further wars followed. The PLO was founded to liberate Palestine, as were Hamas and Hezbollah.

This is in a nutshell the basis of the conflict. Many nuances have not been mentioned, because of the remark in the question 'in a few words'.

2) One of the main goals of the UN is peacekeeping. Do you think that there will be

more violence if the UN did not exist?

Answer: impossible to reply. The UN has no real power and cannot make pre-emptive strikes. Demanding to stop the fighting makes a solution impossible. The UN has from the start made a mistake to protect and adopt unilaterally the Palestinian refugees and change its own general rules for refugees.

3) There are many resolutions adopted by the UN which are ignored by Israel, such as resolution 242. According to you, is Israel allowed to ignore the UN?

Answer: Israel should indeed not be allowed to ignore the UN rules. It is, however, quite simple to prove with many examples that also the Arabs did and do ignore the same (and other) UN rules. It is not fair to demand from Israel unilateral measures.

4) The Wall of separation has been condemned by the International Court of Justice; however Israel was not intend to stop this wall. Why didn't the UN take strong actions against Israel?

Answer: the U.N. has no army to win wars. The only thing it can do is trying to keep parties separated from each other. The U.S. and Europe would never allow (= supply troops) the UN to start a war against Israel. Israel's military power is very strong and includes nuclear power. UN countries will under the present circumstances not be prepared to start a fight against Israel.

5) The Palestinians, however, blames the United States for not influencing the Israeli government to use more restraint. The United States mediate in this conflict but have not really a neutral position. Why do you think the US support Israel (according to the Palestinians)?

Answer: without the strong support of US the world will see a new holocaust. The texts of Arab and Islamic leaders are clear enough. Also the Arab countries do not really choose a neutral position. In this respect it should be considered that Arab countries (Jordan, Syria, Lebanon) have killed more Palestinians than Israel.

6) One of the reasons to reform the UN is that this organisation is not at all respected by all member states. According to you, will the Palestinians and/ or the Israelis be in favour of a reform of the UN? Do these two parties respect the UN?

Answer:

- The UN do not fully respect Israel, as they discriminate the country in several ways. If the UN do not respect Israel, it cannot be expected that Israel will respect the UN.
- A reform of the UN is very difficult because of the one country one vote principle. The countries of the UN are divided in several ways: economically, religiously etc. The mutual dependence of countries and blocks of countries is a very complicating matter.
- The Palestinians have from 1948 taken lots of profit from the UN. The UNRWA has specially been founded for Palestinian refugees and many billions of dollars and other money have been paid to them.

So, a UN reform (e.g. one vote per 10.000 citizens of each member country - or consequential resolutions about all countries which build walls) would probably not be in the favor of Palestinians.

7) Both, the Israelis and the Palestinians fight for different classification of peace; Israel wants control all over Jerusalem and control within the Palestinian territories. The Palestinians see no peace without the creation of a Palestinian state. Do you think that the UN should find a solution in order to have peace in this area?

Answer: the UN will not be able to find a solution, as the desires and demands of Israel and the Palestinians cannot be matched. To solve the conflict, two ingredients should be removed first: 1) Islamic propoganda in Palestine against Christian propoganda and support for Israel and 2) the question of the right for Jews in Israel to have an own safe country against the Palestinian/Arab/Islamic wish to destroy it.

8) According to the Israelis Hamas support terrorism. As a result there is an international boycott against Palestine. According to you, was this a correctly sanction in order to have peace?

Answer:

- The boycott is not followed by all UN members, so it is hardly effective
- The PA has received many millions in the last few months (more than ever before, according to speeches of Palestinian leaders), but they say they still need more
- There are in history not many examples of successful boycotts against countries. International conflicts nearly always have been solved after military violence.

- Violence has been in the area many times, and always it has been the UN to stop it. So nothing has been solved or will be solved. Many examples can be given. One is the Lebanon/Hezbollah resolution. The UN has no power to stop violence from Lebanon as well as violence to that country.
- The UN also fails in other areas of (by the way: much more catastrophic) violence: Sudan (Darfur), Somalia, Congo, China, Columbia, Kashmir, Afghanistan, etc. Causes: lack of agreement between countries and lack of military force.