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**The UNSC and the Elusive Search for Global Peace and Security: a
Case study of Libya, Iraq and Somalia**

By

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A thesis submitted in fulfillment of the requirements for the degree of Master of Social Science in International Relations, International and Public Affairs Cluster, College of Humanities, School of Social Sciences, University of KwaZulu-Natal, Durban, South Africa.

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Date December 2016

DECLARATION - PLAGIARISM

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.....

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Dedication

This work is dedicated:

To the Almighty God for giving me the opportunity to embark on and complete this thesis;

To Mr. Sigwebela ‘Nondaba Omkhulu,’ my late father who passed away on the 14th of September 2016 and Mrs. Sigwebela, for being there for me during challenging times to tell this story;

To all those who died defending and protecting people from crimes of aggression; and

To those who continue to play an active role in resolving international conflicts.

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Acronyms and Abbreviations

AFRC	Armed Forces Revolutionary Council
AMISOM	African Union Mission in Somalia
ARFOR	Army Force
ASF	African Standby Force
AU	African Union
AUPSC	African Union Peace and Security Council
BBC	British Broadcasting Corporation
CEWS	Continued Early Warning System
CIA	Central Intelligence Agency
DFS	Department of Field Support
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
DSC	Democratization Steering Committee
ECOWAS	Economic Community of West African States
EU	European Union
EUFOR	European Union Force
EUTM	European Training Mission
EWRS	Early Warning Response System
FAO	Food and Agriculture Organization
GA	General Assembly
GATT	General Agreement on Tariffs and Trade
GCC	Gulf Cooperation Council
HOC	Humanitarian Operations Centre
HSM	Harakat Al Shabab al Mufuhiden
ICC	International Criminal Court
ICISS	International Commission on Intervention and State
ICJ	International Court of Justice
IGAD	Inter-Governmental Authority on Development
IGASOM	Inter-Governmental Authority Peace and Support Mission in

IMEF	I Marine Expeditionary Force
IMF	International Monetary Fund
JTF	Joint Task Force
LAS	League of Arab States
MNF	Multinational Force
NATO	North Atlantic Treaty Organization
NEPAD	New Partnership for Africa's Development
NTC	National Transitional Council
OAU	Organization of African Unity
OPDS	Offshore Petroleum Discharge Systems
OPEC	Organization of Petroleum Exporting Countries
Organization	
P 5	Permanent Five [Five Permanent Members of the UNSC]
PLO	Palestine Liberation Organization
PSC	Peace and Security Council
R2P	Responsibility to Protect
RUF	Revolutionary United Front
SAPs	Structural Adjustment Programmes
SC	Security Council
SOF	Special Operations Forces
TFG	Transitional Federal Government
TNC	Transitional National Council
TNG	Transitional National Government
UAE	United Arab Emirates
UK	United Kingdom
UN	United Nations
UNAMI	United Nations Assistance Mission for Iraq
UNDP	United Nations Development Programme
UNESCO	United Nations Educational Scientific and Cultural Organization
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees

UNICEF	United Nations Children’s Fund
UNITA	United National Union for the Total Independence of Angola
UNITAF	Unified Task Team Force
UNMISS	United Mission in the Republic of South Sudan
UNOSOM	United Nations Operation in Somalia
UNPKO	United Nations Peacekeeping Operation
UNSC	United Nations Security Council
UNSCOM	United Nations Special Commission
UNSCR	United Nations Security Council Resolutions
UNSMIL	United Nations Supported Mission in Libya
US	United States
USA	United States of America
USAID	United States Agency for International Development
USCENTCOM	United States Central Command
USSR	Union of Soviet Socialist Republics
WB	World Bank
WHO	World Health Organization
WMD	Weapons of Mass Destruction
WWI	World War One

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Abstract

Anarchy and conflict globally have triggered the need for establishing an international governance mechanism to settle conflicts. The international organization that was established at the end of WWI was the League of Nations, which failed to perform its duties. In 1945, the United Nations was established to replace the League. Paradoxically, 70 years later, the world remains palpably dangerous and unstable. Several conflicts are active in most parts of the world, witnessing collapsed and war ridden states. The UNSC has, in many instances, failed to perform its tasks and fulfill its primary objective. Using the content analysis as the methodology and the realist approach as the theoretical framework, this study sought to examine the pitfalls, challenges and opportunities of the UNSC in international peace and security building. The study utilized case studies of Libya, Somalia and Iraq to undertake a critical appraisal of the nexus between the international power games, interventions and the UNSC's role as a global governance mechanism to ensure international peace and security. This study further unravels the underlying motive for the use of R2P and the idea of potential threats in the cases of Libya and Somalia, and the taunting dangers of Weapons of Mass Destruction (WMDs) in Iraq, which was coordinated with the highest level of global politics to justify foreign intervention and eventually to secure regime change, followed by failed attempts in state building and stability in each of these cases. This study reveals the failure of the UNSC to maintain global peace and security. It reveals that most of the resolutions were fronted to engage in the unnecessary foreign intervention by the North Atlantic Organization (NATO) or other military and political allies/collusion, whose outcome has been lawlessness, more war and failed states. As this study points out, on one hand, the UNSC has become an instrument to those who use it to serve their interests; and, on the other hand, multiple and conflicting interests in the international power game and geopolitics have complicated resolutions, outcomes and missions. This study emphasizes the pitfalls of our global governance mechanism and security architecture experimented through the UNSC and its resolutions in its 70 years of existence. These reveal the major failures of the international organization tasked to maintain international peace and security. Lastly, the study reveals the failure of multilateralism or collective security and thus calls for new mechanisms to be put in place to achieve this goal. The study recommends a strong consideration of the UNSC reform, to increase the representation of non-European states.

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CHAPTER ONE

Introduction

1.1 Background and outline of the Research Problem

The founding of the United Nations (UN) was a step that was taken to rectify the mistakes of the League of Nations, an organisation established in the aftermath of the First World War.¹ The League of Nations was considered an important global mechanism for peace and security. Few decades after the establishment of the League of Nations, we had the Second World War in 1945, which highlighted the weakness of this organisation in maintaining and mediating global peace and security. The United Nations was designed mainly through negotiation of “the victors” of the Second World War, with undoubted prominent influence of the USA in this organisation. The United Nations Security Council (UNSC), one of the organs of the UN, was tasked with the main primary purpose of maintaining international peace and security (Grancheva 2013). It is meant to mediate sovereign states acting independently in their own interests. However, it is not difficult now to notice that we live in an increasingly dangerous, if not completely anarchic, and increasingly unstable world. The world today is seriously affected by intrastate and interstate conflicts, asymmetrical war fares, and circulation of arms, crimes against humanity, environmental crises and other global problems. This continues to justify the need for a global mechanism to address the current problems in the global arena. However, it is the occurrence of two World Wars within the period of twenty-five years that prompted the need for the establishment of the United Nations as a multilateral mechanism to promote international peace and security. This was with the intent to facilitate, manage and mediate the conflicting and competing interests. The Cold War period has accentuated these competing and conflicting interests, pushing the UN Security Council into a show off and show down of the two camps – the Capitalist West and the Socialist-Communist East. This show down for large part grafted the rest into this game of global powers, and often using them as proxies.

Despite the impact of this jostling for global domination and power games the UN and its subsidiaries has served as a very important global governance mechanism. The UN, through its

¹ | explore this in the next chapter in some detail.

various organs, has sought to play a role in development, peace and security, human rights and multiple others (Harvey and Langlotz 2010). Throughout its existence as a global governance mechanism, reconciling its impulse and mandate to intervene as a global institution with the sovereignty of the member state has been contentious. Partly this is because of the suspicions surrounding interventions. They are political tools for global domination and political and economic projects of those who drive this institution. Guehenno (2008: 66) states that there is, however, an overwhelming consensus that United Nations interventions and peacekeeping operations must defend human rights and another humanitarian crisis. Nonetheless, most of the UN's operations have been tainted by interference, mismanagement and perpetuating the problem, and in other cases, they have been in contradiction with the stated consensus, further deepening these suspicions – for instance, in Libya, and a NATO led military intervention. We also saw that Iraq was dismantled and punished through the imposition of sanctions and eventually military attack by the US and its allies, while the UN stood by, proving that it is not cable of protecting weaker nations against aggression of global powers. In both cases, we witness total collapse of the state and devastation of lives; the civilians had suffered due to these interventions; and the economy and society of these countries completely ruined. Despite the consequence of these military interventions, some authors in the UK and the US have argued about the morality of these actions by global powers (see for example, Fisher and Biggar 2011).

The UN Security Council is the one agency responsible for dealing with these issues and one that is directly involved in maintenance and protection of global peace and security (Grancheva 2013). It is also the one agency that has the authority and power to override internal sovereignty. The Security Council, as part of the UN structure, is constituted of fifteen members, five of them are the permanent members (the apparent victors of the Second World War and nuclear powers of the time), and ten are the non-permanent members representing different regions of the world (Grancheva 2013). The five permanent members of the UNSC – the United States, France, Britain, Russia and China - have the privilege to hold the veto power, a condition that was instated to ensure a balance of power (Grancheva 2013).² Chapter VI of the UN Charter calls on parties or

² In the upcoming chapter, I discuss how this has indeed become part of the problem in a number of instances, instead of an effective tool of maintaining global order.

countries involved in a dispute to try to resolve it peacefully, using a wide variety of diplomatic instruments (UN Charter 1945).

The UNSC sought to play a critical role in managing and addressing a significant number of conflicts and crises over the last few years; for example, the Sudanese conflict in Darfur, the civil war and statelessness in Somalia, post invasion of Iraq and the crisis in Libya and Syria, and the list continues (Dabbashi 2011:12). According to Dabbashi (2011:12), “the UNSC was “decisive” concerning “responsibility to protect” in Libya to save the lives of “would be” victims, through the resolutions 1970 (2011) and 1973 (2011)”. He adds that “the resolution just adopted was another sign of the Council’s ability to maintain peace and defend human rights despite disagreements” (Dabbashi 2011:12). However, many dispute the above claim and argue that the UNSC in Libya was rather misused and abused by the world’s powerful states to remove Gaddafi from power, at the cost of civilians, society and the state (Pandey 2014). In addition, powerful states had used human rights and civilian protection as the motive behind the decisions they took to influence the UNSC. The above competing claims give us the insight that the UNSC as the global governance mechanism is highly characterized by the distortions caused by the conflicting interests of powerful states.

It is against this background that this study proposed to critically appraise the United Nations’ role and approach in maintaining global peace and security. In doing this, the study sought to undertake an appraisal of the UNSC’s different resolutions, interventions and projects in Libya, Iraq and Somalia, in the name of global peace and security. Recent development of the participation of regional organizations in the implementation and facilitation of UNSC resolutions and projects advances thought-provoking enquiries regarding the part that regional organizations play in cooperative security and their association particularly with the UNSC (Abass 2011).

There is an insight which suggests that the UNSC suffers from illegitimacy which has rendered it unable to act on its own without the influence of powerful members (Abass 2011). Using Libya, Somalia and Iraq, the study intended to focus at the working, style and shortfalls of the United Nations SC and what gains or drawbacks it anticipates for the Global Public.

Equally, dominant and anti-dominant scholars have suggested that the global conflicts struck the necessity to instituting a global organization to help remedy conflict situations concerning states to maintain the primary objective of the UNSC of maintaining global peace and security (Abass 2011). Paradoxically, after 66 years since the establishment of the United Nations, African States, which has previously suffered from colonialism, still endure extreme violence and conflicts that are often aggravated by the UNSC Resolutions (Abass 2011). Using Libya, Iraq and Somalia as case studies, this study aims to interrogate the underlying motive to the use of “Responsibility to Protect” in these cases which was composed at the highest level of global politics to defend foreign intervention and eventually, to obtain government change in Libya and Iraq, and state building and stability in Somalia. Lastly, the study attempts to reflect on the impact if a complete reform of the UNSC was to happen to its legitimacy and role in maintaining global peace and security.

1.2 Research Objectives

The study sought to:

1. Undertake a critical appraisal of the nexus between United Nations Security Council’s role as a global governance mechanism to ensure global peace and security and security concerns of all member states and regional organisations.
2. Examine the strategies applied by the UNSC towards conflict resolution and crisis management globally with an emphasis on cases of Libya, Somalia and Iraq.
3. Analyse the responsibility to protect (R2P) clause application globally with a fundamental emphasis on Libya, Somalia and Iraq crises and challenges of state insecurity.
4. Determine the influence and contribution of elected non-permanent members to the UNSC.
5. Analyse the impact of veto power may have on the success or failure of the UNSC to act on issues threatening global peace and security.

1.3 Research Questions

This study intended to address the following questions:

1. Whose advantage does the UNSC intervention serves?
2. What are the approaches that have been utilised by the UNSC in solving global conflicts? What form did it take in Libyan, Somalian and Iraqi crises?
3. How has the responsibility to protect (R2P) clause been applied globally and more specifically in the Libyan, Somalian and Iraqi crises and challenges of state insecurity?
4. To what degree do non-permanent members of the UNSC influence or contribute towards the decision making of the Council?
5. To what degree does the veto power facilitate or hinder the UNSC to act on its capacity on issues threatening global peace and security?

1.4 Research methodology and methods

The research methodology refers to the philosophy behind the method and the way data is collected, analysed and interpreted. This research chose the qualitative approach. The qualitative approach forms part of the significant methodologies utilised to conduct social science research (May and Pope 1995). According to May and Pope (1995) the qualitative research approach seeks to elucidate rather than measuring the world; this is one of the main reasons why this study adopted this approach. This approach is often explanatory, holistic and interpretative (May and Pope 1995), which is the main focus of this study. It should also be noted that this study adopted the qualitative approach because the subject under investigation incorporates complex social, economic and political issues that are best captured through detailed exploration of practices, debates, ideas and decisions.

In doing this, the method of collection and analysis of the data were grounded largely on document analysis. This means that this study relied on publicly available UN documents, resolutions, decisions and interviews of senior UN officials and official from other relevant states, newspaper articles and independent analysis, documentaries, academic books, journals, seminars, papers etc. I also collected secondary data, mostly from published and unpublished academic materials.

According to Shank (2002) cited in Amao (2012), “the content analysis approach allows easy access to relevant data and also helps the researcher to clarify - what to use, how to use and where to use”. He adds that, derivation or source of information may be put into question frequently related with validity, reliability and accuracy of the information obtained might be the main obstacles to the method. To deal with the above-mentioned concerns, I weighed and critically assessed various data sources and data collected.

For this study, Libya, Somalia and Iraq were selected as the case studies. The decision was based on enamours accountability anticipated by the UNSC in these countries throughout the crisis period. The UNSC continues to play a central role globally as per its duties. Libya, Somalia and Iraq offer the researcher an opportunity to undertake a review of the UNSC interventionist role globally and with specificities of each case considered. Various scholars and political commentators have put the UNSC’s roles into question; one such reference to cases of an ailing UNSC is pointed to the Afghanistan invasion by the US and its allies. This revealed the uncertainty of the UNSC. In the case study, the study sought to explore and examine the UNSC’s involvement in the conditions and developments of each chosen case. The study investigated closely the period of diplomatic confrontation and intervention in recent times in each of these cases. Libya and Somalia as case studies afforded this study an opportunity to critically analyse the engagement of the UNSC and its relationship with regional organisations such as NATO, AU, and IGAD. Here, these cases were used to explore the modalities and realities of military interventions used against a sovereign state in the name of R2P, security threat, etc. I have also sought to explore exclusion and inclusion of global actors, states, and humanitarian organisation to intervene in the crises of Libya, Somalia and Iraq.

In the Somalian case, the period of intervention that I focused on was from 1991 to 1995 and from 2005 to 2015. The case study was chosen for it shows the complexity of peacekeeping, UN, regional actors and states involvement in a failed state. Hence, Somalia’s mission was a two-way mission process: it was both humanitarian intervention and nation-building. In addition, the study investigated the nature and form of the regional organisations’ role in and relation to the UNSC’s interventionist projects. In Libya, the study explored the periods between 2011 – 2015, by ways

of assessing the UNSC decisions, and other regional bodies' involvement in the Libyan crisis. Here, the jostling, competing and conflicting intention in dealing with Libya, which became a source of tension between the AU as a concerned party and the EU-US alliance through their NATO, was palpable. Finally, in the case of Iraq, the intervention period that the study considered for this research mainly focused on the 2001-2003 and 2003-2013 periods. The Iraqi case represents a scenario for critical analysis on how mechanisms of multilateral interventions and UNSC's role in the face of such parallel developments of multilateralism operate. According to Halliday (2005), the United Nations Charter was violated when the U.S and its "allies" unilaterally invaded Iraq and failure of the UNSC to restore peace and security even after the invasion). It is vital for this study to draw the literature concerning sovereignty since all the three case studies utilized by this study show how state sovereignty is fading away as a system that sustained the state as an independent body in the past. Invasion and military intervention have recently been exercised by powerful states and they have violated the doctrine of state sovereignty in the name of humanitarian intervention.

Taking into cognizance what has been discussed above, an attempt has been made to examine UNSC conflict resolution mechanisms globally with emphasis on its role in the resolution of Libya, Somalia and Iraq crises. This was carried out using the content analysis approach. The utility of this method certainly provided an improved comprehension of the stimulating and fundamental dynamics framing UNSC interventions, its actions and inactions, or even bypassing it (either as regional blocks or the member states).

This approach provides the opportunity to examine the correlation between such interventions and the role played by the 5 permanent members, and the consequences of their divergent and conflicting national interests in the process of maintaining global peace and security.

In this study, I have sought to scrutinise and corroborate cases, data and material from different sources in making sure that dependable data analysis is offered. Lastly, the UN website was utilised as an important source of raw material to draw resolutions, interviews, open debates and discussions, and published researches on relevant themes, issues and information about the chosen cases. The United Nations' official website contains all the resolutions, meetings documents and

other documents; the website does contain some of the video footages of the UN meetings, but not UNSC meetings. Other major media outlets are also considered good sources of relevant material for this research.

In conclusion, this study adopted practical application of the qualitative research methodology. Through the instrumentality of the content analysis approach, the study probed “The UNSC and the Elusive Search for Global Peace and Security: a case study of Libya, Iraq and Somalia”. The data sources were gathered through secondary sources which were subjected to empirical analysis in the form of cogent document analysis.

1.5 Scope, Delimitations and Limitations of Study

Using the case studies of Libya, Somalia and Iraq, this study interrogates the role of the UNSC as the global governance mechanism to ensure peace and security, the role played by the permanent members of the UNSC, the consequences of their divergent and conflicting national interests in this process, and the involvement of regional organizations. In addition, this study closely examines and contextualizes the interventionist role played by the UNSC in the three states, in its quest to ensuring global peace and stability.

Another crucial limitation of this study is its inability to attain pertinent resources due to the fact that the greatest number of cases and UNSC Resolutions relevant to the study involve the national security of states and close door discussions/decisions and are therefore not publicly available. The national security of states prohibits exposure of information concerning security issues to the public. The information must be undisclosed to prevent putting into jeopardy security of a certain state. This certainly limited my analysis and engagement only to the publicly available records and pronouncements. Additional potential restriction is adopting the utility of secondary data; information regularly collected using this method might have been obtained before to be used for research projects and intentions. Consequently, precision of data and reliability may be compromised, and hence the strength and suitability of the data may be called to question. In order to address this concern, this study used the secondary data as supplement to the use of primary

data sources, such as the Council's documents and decisions, newspaper articles and media briefings and interviews etc. The study also used the secondary data as a tool to verify and corroborate stories/decisions.

1.6 Structure of Dissertation

In this section I briefly outline how the rest of the dissertation is structured.

Chapter two deals with Theoretical and Conceptual framework: considering the realist approaches to peace and Security. This chapter explore concepts such as the needs based conflicts and the interest based conflict. Hence, it explores theories such structural realism, classical realism and the material interest approach to explain the behaviour of states globally.

Chapter three focuses on the role of UN in maintaining global peace and security. It is comprised of main themes such as, conflict and its causes, intervention, diplomacy, foreign policy, veto power, conflict management, conflict resolution, peace building, sanctions, sovereignty and multilateralism. **Chapter four** is about the UNSC. It discusses themes such as intervention theory, peacekeeping, peace building, peace enforcing, sanctions as peace building tool looking at the effectiveness and ineffectiveness if sanctions, and sovereignty.

Building on the themes around UNSC and its organization and practices, **Chapter five** critically discusses the doctrine of the Responsibility to protect (R2P), humanitarian intervention, military intervention as operationalized and implemented by UNSC and the role of regional bodies in these. **Chapter six** explores the role of UNSC in the Libyan crisis, by ways of examining global mechanism for conflict resolutions and interventions. In this chapter, I explore Gaddafi's political prescription of "Pan Arabism, Pan-Islamism, Anti Westernization, material interests, military action, contact groups, impact of military intervention. Similarly, **Chapter seven** explores Somalia's case, where state failure, conflict between the warlords and intervention by various international actors to the Somalia conflict compounded the problem. In this chapter, I also explore how material interests are rooted in intervention, through assessment of regional and global actors and organizations or bodies involved in dealing with Somalia's multi-layered conflict.

Chapter eight explores the establishment of sanctions regime in Iraq. I also explore the nature and extent of intervention in Iraq, the concept of hegemony is discussed regarding how the United State of America has fought to become a powerful state, existence or inexistence of ‘Weapons of Mass Destruction (WMDs) in Iraq, disarmament, unilateralism by the United States, and legality of the use of force. Chapter nine of this dissertation comprises of the summary of findings on the critical appraisal of the nexus between the United Nations Security Council’s role as a global governance mechanism to maintain peace and security.

The next chapter focuses on the discussion of the conceptual framework and theoretical approaches adopted by this study.

CHAPTER TWO

Theoretical and Conceptual framework: Considering the realist approaches to peace and Security

2.1 Introduction

Several international politics studies in the past recent years have focused on the relationship between states. Notwithstanding the cool of the Cold War, the selling of weapons nowadays is growing as the threat to security of states started to rise. We also note that both industrialized and emerging states possess WMDs. All states globally are threatened by the existence of the WMDs. It is within this insecurity and threat that international cooperation has been theorised. According to Bull (1966:20), “there are two major approaches towards the study of peace and security with the international cooperation perspective: realism and liberalism. While realism’s theoretical bet hinges on the state and individual actors in the international field that is characterised by “the enduring propensity for conflict between states”, liberalism emphasises on the common norms and values – such as democracy – and other potential routes “to mitigate these conflictive tendencies” (Walt, 1998:30).

Realism as the classical school of thought that dominated much of the cold war period premises its argument on the assumption that international relations is the realm of “struggle for power among self-interested states”, which entails a pessimistic outlook for potential to avoid conflict (Walt, 1998:31). Realism focuses on state power; which states can utilise in order to defend themselves (Slaughter, ND). Foreign intervention and occupation are the fundamental threat that any State faces (Slaughter, ND).³ Nevertheless, it is vital to note that the United States is propagating universal law and multilateral mechanisms, while simultaneously pursuing unilateralism. Consequently, this has contributed to selective application of international law, effectively turning it into a tool for dominant powers of our time.

³ The United State has used military force without United Nations (UN) approval in several occasions. On the other hand, the US did attain UN approval for coalition intervention to remove Iraqi forces from Kuwait, however America’s frustrations with the impediments of multilateralism lead it to act without UN approval in the 1998 bombing of Iraq and the 1999 ousting of Serbian forces from Kosovo. These interventions set a negative precedent for the future unilateral use of force. Indeed, the US demonstrated its most disregards for international institutions such as the United Nations.

According to Walt (1998:32) Liberalism, on the other hand, bases its theoretical formulation on three strands: one, economic interdependence would force states to enter into cooperation instead of conflict. Two, the “spread of democracy as the key to world peace, based on the claim that democratic states were inherently more peaceful than authoritarian states” (Walt 1998:32). Three, international institutions are crucial to facilitating and maintaining global cooperation through encouraging states to set aside the selfish national interest for global common goods. Liberalism certainly gained wide acceptance in the early years of post-cold war period, which was characterised by expanding democratization across the world. This was also partly sustained by globalisation as momentum and the growing role of MNCs that are chipping into the state power. Soon, it became clear that this was a premature endorsement of this theory, as recent conflicts and tension have shown that states have not stopped from acting in a selfish manner to promote their own interests.

As recent intra-state and inter-state conflicts involving major global powers evolved, attempts to read and debate these developments in the international relations field have forced us to reconsider the realist approaches. I am also of the view that realism speaks too much of the tension and conflicts and the mechanisms used to resolve them through international interventions. In this chapter, I explore the realist approach, with specific attention to global peace and security. I appraise the neo-realist approach to conflict resolution.

2.2 The realist approaches to peace and Security

Classical realists, who are also recognized as traditional realists, have argued that global politics is an unhealthy exercise, highly affected by vast number of conflicts and wars (Walt 1998). Realism is a diverse theory and it has evolved over time. According to Baylis and Smith (2005:169-179), the realist theory has the following as its variants: classical realism, structural realism and essential realism. The chief idea in classical realism is embedded in its assumption that power is an essential element that creates competition in global arena (Baylis and Smith 2005). According to Baylis and Smith (2005), Structural Realism on the other hand holds the view that the entire impression of the global system essentially concerns the scramble for power, in the international

system. In addition, it attributes issues associated with peace, security, competition for resources and external conflicts to the lack of central authority and sharing of power in the international system. However, essential realism pulls the features of both classical and structural realisms, and it subscribes to what Brian, Dunne and Schmidt (2005:172) define as the “three Ss - statism, survival and self-help”. These three concepts represent the defining characteristics of the way states interact at the international level (Dunne and Schmidt 2005). The notion of survival in realism incorporates what is known as “supreme national interest, which all political leaders must obey”. This theory, when situated within the context of realism, allows us to interrogate the role of dynamics, such as geographical location, leadership, economy and military capability in modelling foreign policy decisions of a state (Dunne and Schmidt 2005). This, in some ways, also underlines why there was a need to establish the UN following the inability of the League of Nations to play its role of maintaining diplomatic relations amongst the nations.

Consequently, realism examines the role of certain variants such as the economy, behaviour of leaders, military capability and geographical location, which determine foreign policy decisions of a nation, and behaviour of a nation in international relations. For instance, the behaviour of the US, UK and France in the 2011 Libyan crisis was rooted in the perceived economic benefits that these countries (particularly the latter two)⁴ would get, since Libya holds Africa’s largest oil reserves (most of it owned by the Libyan state), and its perceived moves against their strategic interests (Modeme 2011). In fact, the 2003 invasion of Iraq revealed the relevance of the realist approach in international relations. The US and its allies’ actions were deeply rooted in maintaining the position of being the global hegemon. Unilateral invasion of Iraq was part of the broader US Middle East strategy and policy to control strategic oil assets. To quote the major architect of one of the US foreign policy architects – Henry Kissinger – “control oil and you control nations”. This is merely to capture what the thinking over the last few decades have been in Washington’s foreign policy, dealings and interventions.

4. Clinton’s email has pointed to the access to and control over the oil business topped the intervention agenda. The recent revelation from the so-called Hillary Clinton emails – which were part of her correspondence while she was State Secretary, has brought to the open what many thought of the intentions of UK and France in intervening in Libya against Muhammad Gadhafi. Oil and other financial interests were speculated to be the major drivers of such swift and reckless intervention.

By staying within my topic of interest, the study can offer two examples to explain the above. One is Iraq, and the second one is Somalia. In Iraq, America sought to influence that country for decades, and to keep it within its sphere of influence. Saddam Hussein too was their henchman, and a tool to intimidate and destabilise Iran (a country that drifted out of American sphere of influence, with all its known oil reserve). Unacceptable to the US, Saddam started to chart his own path and moved out of the American orbit of control. The final straw came when President Hussein decided to invade Kuwait, an important American controlled oil rich country. Aside from this, Saddam Hussein gave the US something, which they tried to use as a justification to invade Iraq. He taunted WMDs as his strategy to instil fear into other countries including the United States. Either way, the US, which probably knew that this was a bluff⁵, using his rhetoric as a source of real threat, tried to sell this to the international community to garner support to eliminate the “threat”. When the US could not get the blessing from the UNSC, it unilaterally used military force to invade Iraq in 2003 [Some would say that George W Bush was determined to finish the job started by his father during the Gulf War 1]. What this clearly shows is the interrelationship among economic interests, behaviour of leaders, military capability and geographical location crucial in shaping the course of this global drama of war and intervention. The US’s desire to establish a singular world order (which is to be guided only by it) is as much crucial as Iraq’s internal conditions and its behaviour and attitudes towards the external actors.

The behaviour of the US in Somalia also revealed that the intervention was deeply rooted in the economic gains and its perceived singular world order (at the end of cold war⁶). With the fall of Siad Barre, the US intervened in Somalia by sending a peacekeeping force, the first of its operation since the end of the Cold War (Global Research 2007). Amidst this intervention, four US largest oil companies started exploring oil in the country, and were given concessions (Global Research 2007). These American oil companies had already drawn up plans on how to carve Somalia’s resources. In addition to this, the geographical location of Somalia is a strategic position for shipment of containers, which connects Africa, Europe and Asia (Global Research 2007). Even though the US soldiers as a peacekeeping force eventually left Somalia, the country [the US] has

⁵ It is worth recalling that we learnt that there was no WMD to be found after Iraq was invaded, and we also learnt that Colin Powell’s presentation at the UNSC was mere circus and concocted story to obtain a green light to invade from UNSC.

⁶ Many are asking now where cold war ended or cooled off for a while. After following the developments in Syria, Ukraine, South Sudan, South China Sea, etc., some political commentators are suggesting cold war round two.

never left Somalia and has continued to intervene in its internal affairs under the guise of instilling peace and democracy. This has continued to be the case for the last two decades and half.

The realist approach sufficiently assesses the United Nations SC peacekeeping operations and security concerns. The motive for instituting the UN Security Council as one of the essential organs of the UN was to minimize conflicts in the international system (Slaughter ND). In line with this mandate, it is worth considering closely realism as a theory in international relations. Realism as the theory has certainly dominated the international system and international relations field. As noted above, it is assumed that states are selfish by nature and they always seek to maximise their own interests. For instance, during the Cold War, the US and USSR invested large sums of money on building their nuclear capabilities using money that could have been spent on social development. Realists argue that “it is not so irrational for states to behave in such a seemingly illogical and selfish way; instead, they argue that it is safe to assume that most states act very rationally, that is, they are sensible and calculative” (McGowan and Nel 2002: 28).

McGowan and Nel (2002: 28) point out that anarchy cannot be eliminated, and it exists even if there is order in the international system. Anarchy means that there is no international government that stipulates rules to be adhered to by states. The UN has no authority absolute from what it gets from its member states; it cannot be regarded as the central authority (McGowan and Nel 2002). Many of the UN organs and other global organisations including the International Criminal Court (ICC) lack authority to enforce their decisions on states. Even though the UNSC has binding elements to it, it is still difficult to see clear enforcement mechanism to get states to accept its resolutions. Obviously, those who feel that they have the power to withstand this and have allies among the five permanent members to protect them have defied resolutions taken by these multilateral institutions. Slaughter (ND: 1) opines that “States may create international law and international institutions, and may enforce the rules they codify. However, it is not the rules that determine why a state acts in a way, but instead the underlying material interests and power relations. International law is thus as symptom of state behaviour, not a cause”. For example, the UN exists to guide and regulate international relations. However, the US, Britain and other world powers have disobeyed rules set in the UN Charter in quite several occasions. The NATO attack on Libya in 2011 and the 2003 Iraq invasion by the US and its allies are cases in point. These incidents happened just because these powers wanted to advance their material interests. Realists

suggest that rival powers tend to jostle for hegemony to maintain their own position of dominance. For instance, the protracted nature of the Syrian civil war and the involvement of global (particularly Russia and the USA) and regional players can only be explained through this prism.⁷ The Iraqi war also demonstrated the interactive nature of the power game as conceptualised by realism. Since Iraq threatened to dominate the Middle East Region, the US could not let that happen since it was going to negatively affect its interests - both political and economic dominance to expand its unipolar and capitalist economic order. Thus, it had to pull all the stops to make sure that it has full control of Iraq's oil reserves and the Iraqi state (Slaughter ND: 2).

Having taken cognizance of the nexus between variability of national interests of states and the motive behind the existence of the UNSC, this study interrogates its conflict resolution mechanism in search for peace and security based on the realist approaches perspective. The choice of these approaches is based on the emphasis placed on global powers' moral and political obligation to intervene and protect states, communities and civilians in countries of conflict through the UNSC as a global mechanism, while, at the same time, geopolitical and other interests guide their practices.

To better appropriate the realist approach in assessing the UNSC as a mechanism to managing global power games as well as establishing collective peace and security, it is crucial to explore the concept of conflict and the causes of conflicts with the realist prism. In the following section I try to explore these two important conceptual issues.

2.3 Defining Conflict within the Realist Approach

At this stage, it is vital to define the concept of conflict within the gamut of realist approaches before engaging on the discourse on conflict. Not surprisingly, there are multiple definitions of this concept offered by various authors, with each touching on an aspect of the shades. For this study, I explore, and borrow from, definitions presented by Coser (1956), Fink (1968), and Galtung

⁷ Here, we have, on one hand, Russia that entered the Syrian conflict, rather unexpectedly, siding with Iran and the Bashar Al Assad regime as one coalition, and, on the other, the USA and its Western allies along with Turkey, Qatar and Saudi Arabia, supporting the so-called opposition to the Syrian regime. Inadvertently, they all have become part of the conflict, which can only be characterized by unfettered desire for regional dominance and influence and much less about the interest of Syrian state and society.

(1992). Coser (1956) states that conflict may be regarded as a clash over a contested status, power and resources. The clash may consist of the intention to take out the other contenders. Fink (1968) regards conflict as “disagreement between two actors; it could be individuals, groups, organisations or nations in their relations over positions, goals, interests, beliefs and limited resources”. In a similar tone to Fink, Duetsch (1973:10) argues that conflict occurs whenever discordant activities happen. Divergence of interests usually leads to a conflict situation. Galtung (1992:54) also argues that conflict occurs when there is a discordant between two or more parties. There are four main types of conflicts that have been identified by several scholars, including, Maslow (1943), Fink (1968), Burton (1948) and Miller (2005). The authors have identified some of the main types of conflict which are enumerated below. However, one should point out that the list may not be exhaustive and may have left out other types of conflicts that are pervasive in the society.

The first type of conflict that is captured in this discourse is Needs Based Conflict, which draws substantially from Abraham Maslow’s hierarchy of needs theory (Maslow 1943). Maslow’s theory argues that humans have essential needs to be fulfilled (Maslow, 1943). The needs vary to such an extent that they could be psychological, spiritual, and physical needs, which sometimes cannot be easily defined due to their complexity. The most evident need is the need for identity, security and control, inability to access those needs may exacerbate serious conflict (Maslow 1943). People strive to make sure that their identity is not lost; security is an integral aspect of this and life in general. In this sense, then individuals or nations strive to ensure that they maintain their security as much as possible. Thus, nations strive for control or dominance, while others object and resist. Such objection and resistance play a critical role in international relations. What cannot be explained by this is the desire to be the alfa dog in the pack which we have seen nations striving for dominance, either in their immediate region or globally. This has certainly emerged as a source of multitude of conflicts across the world.

The second one is a Value Based Conflict, which is based on issues ascending from variances of views and values. There are various values which include ideologies that are religious and political values. For instance, in some countries there are conflicts which result from clashes between Christians and Muslims and clashes between Capitalist and Socialist ideologies. Failure of governments to deal with conflicts mostly “occurs in the aftermath of collapsed

empires, such as the European colonial empires in Africa or the Soviet empires in the Caucasus and Central Asia” (Nye JR, 2003:151). Differences and differential distribution of resources lead to unnecessary conflict. For instance, Rwandan people share the same language and skin colour; however, they apparently had status differences between the Tutsi (people who were presumed to be migrants by the Hutus and came with cattle based culture) and the large number of Agricultural Hutu people. Yugoslavia is also another such example. Several conflicts had affected it. For example, some people were forced to become Muslims (Nye JR 2003:151). It is vital to acknowledge that countless social conflict globally is value-based conflicts (Coser 1956). The perception of Deep-Rooted social conflict is regarded as conflicts, which exist amongst those who are in power, individuals, and other groups with interest in the society. At times, it may be contestation over scarce resources (Burton 1984).

There is also interest-based conflict which is most prominent in our societies. In any society, people compete for various things to survive or make a living; for example, people compete for money, natural resources, employment and status in the society at large. Unequal supply or insufficient access to the above-mentioned lead to interest based conflict (Galtung 1992). Structural Conflict speaks of disparity in socio-economic and political structures.

1.4 Causes of Conflicts from a Neo-Realist Perspective

Most international conflicts and confrontations in general can be credited to neo-realism. The concept of neo-realism is derived from Kenneth Waltz’s, “Theory of International Politics.” The theory was published in the 1970s, hence adopting a systematic approach towards the study of global politics (Putnam 1976). On the other hand, “classical realist, neo-realists argue that some parts of the whole should be the unit of analysis, since the whole acts autonomously to constrain the parts. In terms of international politics, the whole is an international system which is anarchical in nature, and the parts are the interacting units within it” (Putnam 1976: 194). According to Rose (1998) “states respond to the uncertainties of international anarchy by seeking to control and shape their external environment”, much like America and Russia attempted to do in Syria, trying to steer the exiting internal development to serve their perceived

national and global interest. This outcome is in line with neo-realist beliefs that “strong states do what they can to maintain their power and the weaker ones suffer” (Rose 1998: 148).

According to structural realism, states react to the “fear, jealousy, and suspicion [fostered by] the anarchical system in which it exists.” Thus, the attack of one state over another is based on the “self-help logic” of “national interest” in which the state tries to promote its interests against and protects them from other potential competition – ideological or practical (Baylis & Smith 2001: 243).

A typical subscription to realism would be the continuous need for security and protection from outside penetration by an independent state (Putnam 1976). As proposed by realist thinkers, territorial integrity and security play important roles in reasons for perpetuating war, particularly since it is in constant fear of being undermined or jeopardised by other potentially dangerous states (Putnam 1976). The Israeli and Palestinian conflict can be utilised as an example. Since 1948, there has been the land settlement problem between these two countries. Palestine has fought for years trying to reclaim what it calls its “territory”. The invasion of Iraq in 2003 also resulted in an all-out war followed by long-term invasion (Lieberfeld 2005: 1). This, however, becomes murky when external actors seek to intervene on the grounds of ensuring security of the person as in the Libyan case - an intervention by some NATO members in 2011 in the name of protecting civilians and, in the process, violated the country’s sovereignty. The Libyan government invoked violated sovereignty, and fought back when military intervention was imposed on a sovereign state, which was against the UN Charter (O’Brien and Sinclair 2011).

In a realist worldview, the state system was revived owing to a breakdown of global authority or to a new era of old tensions amongst major powers. For example, the US’s unilateral policies, in recent years, are largely structured around realist notions, with other major states having viewed them as dangerous. Heywood (2007:130) has referred to the fact that in an anarchical international system a state is forced to give priority to its own national interest, drawing focus to a state’s own survival and territorial defence. It is vital to highlight that America, as the dominant superpower, subscribes to the aspects of realism with major emphasis and concern placed on its economic material interests. It is a commonly recurring theme here that

America's/Americans' interventions are concocted as matter of national and security interests and mostly geared to establishing its own version of a unipolar world – where it participates as a global police institution while at same time promoting its material interests. Here, we see the promotion of both a political (liberal democracy) and economic (capitalist system) as American foreign policy (which includes the decision to go to wars and militarily intervene) as informed by realist principles, to preserve, protect and promote long term strategic interests.

The Material Interest Approach theory explains the hidden economic and political interests of the US and its allies when it invaded Iraq in 2003. It also reveals the Agenda of NATO members who chose to invade Libya to influence regime change despite the option of a negotiated settlement, which when well explored could have produced a peaceful resolution between the warring parties. The strength of this theory is that it adequately captures the role of the Libyan government as the insider protecting her resources against NATO, with the outsider aiming to exploit resources of Libya. The weakness of the theory lies in its prominence of resources as the only factor that forced the NATO to militarily intervene in Libya. Furthermore, it fails to explain the killing of Gaddafi to promote regime change and eliminate his political formula of Pan-Arabic and Pan-Islamic identity and an anti-Westernisation outlook.

This study aligns itself with structural realism since it subscribes to statism, survival and self-help. These are essential concepts which determine how states interact in the international system. Statism means that a state regards itself as the only actor in the global system and considers other states to be less significant. The notion of Self-help maintains the idea of co-existence in global politics; however, state needs to be able maintain balance of power in order to survive. Moreover, minimal cooperation is possible when the states gain more power than others do. For instance, states such as the United States always aim to maximise their power globally. On the other hand, the concept of survival speaks of protection of national interests. Thus, whether the state becomes offensive or defensive, the end-result remains the same, i.e. to advance national interests at the expense of other countries. This is the essence of realism.

2.5 Conclusion

In conclusion, this chapter discussed the Realist theoretical approach. It was revealed that the theory has evolved over time. Realists such as Morgenthau believe that states behave like humans; they have a desire to control each other. Sometimes this leads to conflict. Classical Realists speak about the multi polar balance of power system and consider the bipolar system as dangerous (Walt, 1998). In contrast, in the “neo realist” theory, Waltz chose to exclude human behavior; he focused on the effects of the international system (Walt, 1998). According to Waltz, states seek to survive in the international system. In the international system, there is no central government stipulating rules of interaction, states need to make their own means for survival. Bipolarity is more stable than a multi-polar system. Radical approaches consider capitalism as an essential element that causes conflicts in the international system (Walt, 1998). Rich powerful nations can use conflict in weak states in order to gain access to resources. The Realist concept based on anarchy does not entirely clarify why conflicts occur amid nations. However, the material interests approach explains another element of material interests which lead to conflicts (Booth 1991). For example, the Iraq 2003 invasion and the 2011 Libyan crises were carried out in advancement of material interests by global powerful nations. This study adopted structural realism because it sufficiently explains the behavior of states in the international system.

Having discussed the theoretical framework on which this study is grounded, the next chapter [Chapter 3] focuses particularly on the UN and its role as a global organization.

CHAPTER THREE

The Role of the United Nations as a global governance mechanism and instrument used to maintain global peace and security

3.1 Introduction

The actions of the UN since it was established in 1945 (its engagement in conflict management and resolution, and its direct intervention), have been extensively captured and documented in scholarly studies on the subject and in UN reports and documents (Boulden, 2003). The large amount of literature on the UN as a global organization focuses on the strengths and capability of the organization to carry out its primary objectives, which are to promote peace and security globally. This chapter focuses on the development of the UNSC, as one of the UN's agencies that deals with conflict management and resolution, and the efficacy of its global governance mechanism. This chapter aims at delivering a critical assessment of the literature with a keen interest in evaluating the role played by the UNSC and the implications of the resolutions adopted by it on recent conflicts globally. This review is primarily based on resolutions taken on Afghanistan, DRC, Rwanda and Syria, which I thought would be useful to draw the parallels with the cases for this study. The materials on the UNSC resolutions in each of the countries highlighted above is reviewed to closely examine the ways in which this agency has carried out its mandate in dealing with a range of conflicts compounded by contested global power games driven by national interests in the context of the realism theory.

Furthermore, given the assertion that there is a lack of an effective conflict management mechanism to manage numerous conflicts across the world, it is vital to review how this agency conceptualizes conflict and mechanisms it proposes to manage, and how its interventions and/or resolutions are formulated (Boulden, 2003). Several conflicts that have transpired globally have been prompted by a vast number of issues, ranging from the anxiety about political and economic grievances to control over resources of a country. For instance, tensions and conflicts to control mineral wealth including Brent crude oil, gas and other valuable minerals, gold and diamonds have led to conflicts that involve both internal and external actors. There are also politically driven wars, such as during the Sierra Leonean and Liberian wars (Courtright and Lopez 2000). Several civil wars have occurred in the past few decades globally among countries.

In cases where citizens are deprived of basic rights (it could be in a form of injustice or unequal distribution of resources by the state), such situations have often created an inevitable outcome war and conflict (Boulden 2003). We should not discount the persistent tension, which in many cases is characterized by civil disobedience, and, in extreme case, the country becomes very ungovernable due to the breakdown of law (Boulden 2003). Deprivation is often established through the lack of social security, lack of quality education, high levels of unemployment, and lack of public service delivery (Boulden 2003). The youth of the country in such situations becomes the victims. This was evidently the case during the Liberian and Sierra Leonean wars (Courtright and Lopez 2000 and Boulden 2003). We can also add to the mix the kind of external interference (from both regional and global players) siding with one or the other part in the conflict. These interferences are sometimes guided by ideology or security concern, and other times by economic interests and influence. Compounded effects of these are the complication of the conflicts and their management and resolution.

The reason why the study raised the issues above is to highlight the multifaceted and complex nature of most conflicts and to demonstrate that the diversity of role players and their interests certainly pose a great challenge to resolving and managing global conflicts. Moreover, the diversity of perspectives of the international community, including nations and other multilateral organizations seeking to resolve or manage such conflicts deserve attention. This chapter provides an outline of the causes of conflict globally by way of reviewing materials from the literature and available documents, assessing the terminologies appropriated and clarifying relevant concepts of conflict and conflict resolution, forms, variations and universality of these conflicts. Materials reviewed here have been useful to explaining concepts such intervention, diplomacy and foreign policy. Part of this also explores issues on UNSC reform perspectives, the evolution of the UN and the establishment of the SC and its composition, its internal workings, dynamics and roles. The status of non-permanent members of the UNSC, veto supremacy, trends on the use of veto power, power dynamics between permanent members of the SC and non-permanent members are crucial to this research, and these I sought to explore and examine. By locating my review with realism as a theory in international relations, I have also engaged with issues and concepts, which are of interest to the UNSC such as conflict prevention, conflict management, intervention, peace building, sanctions and the ever more troublesome concept of sovereignty.

3.2 The evolution of the United Nations and the establishment of the Security Council

As alluded earlier, the end of World War One was followed by the establishment of the League of Nations in 1919. It must be noted that countries such as the U.S did not take membership of the League; some members who had joined the league later terminated their membership, which led to a complete failure of the league to execute its primary objective (Uwimana, 2006; Horgan 2008). While it was unsuccessful, the League incepted a vision for a global governance mechanism. On 24 October 1945, the UN was founded to rectify the failures of the League of Nations. The establishment of the United Nations was meant to correct the mistakes which occurred during the existence of the League of Nations, to build its own legacy and chart a new path in a global world order. Soon after its inception, this agency was stuck between two competing camps (the liberal West and allies on one hand, and the socialist-communist East and their allies on the other) which sought to project their global dominance and influence – what we now call the Cold War (Uwimana, 2006; Horgan 2008). In many ways, this tension, conflict and competition between these two camps has created mistrusts and conditions for the use of the UN and its agencies as the battleground. This, in turn, has led to an inefficient and ineffective system (Uwimana, 2006; Horgan 2008).

The United Nations' role shifted Post-Cold War. For instance, when Saddam Hussein invaded Kuwait in 1991 the Security Council assumed an active role by passing a resolution aimed to prevent crimes of aggression against humanity (Hannay 2009). The UN stretched its peacekeeping efforts including monitoring a cease-fire line. The evolution of peacekeeping contributed positively towards the UN operations in Mozambique and Cambodia (Hannay 2009). On the other hand, the Post-Cold War UN tried to use sanctions as soft power tool of peacekeeping, but sanctions failed to achieve the primary objective of maintaining peace and security in countries such as Somalia and Bosnia (Hannay 2009: 2). It is vital to reveal that although the UN has made a remarkable impact in international relations, it has seen more failures than successes in its strategic involvement in maintaining global peace and security. The list of such failures is long. Just counting the recent ones: Sudan, South Sudan, Somalia, DR Congo, Syria, and Libya, etc. In all conflicts where the UN has been involved as a global player for solving these problems, it has

failed to find a lasting solution. To understand its predicament, we must understand its constitution, its internal dynamics, and global power relations, regional and global actors in the international power games, etc. The following section discusses the form and organisation of the UN.

3.2.1 The United Nations

It is fundamental to start the discussion on the United Nations since it is the mother of all organs, including the UNSC. The United Nations Charter was officially signed on 26 June 1945 in San Francisco (Morris and Clark 1999:12). Over the years, the United Nations has evolved and expanded its membership since it was established. For instance, initially when it was established in San Francisco in 1945 it only comprised of 50 member states (Burtler 2012). Recently it has comprised of 193 member states (Burtler 2012). The UN was tasked with a primary objective of maintaining peace and security, ensuring conflicts are handled diplomatically between states (Burtler 2012, Guehenno 2008:10). The UN system has three fundamental priorities and prerequisites: to ensure stability, security and prosperity in the world. The first two entail the mandate to protect the sovereignty and human rights of its member states to protect smaller states from being abused or mistreated by larger and stronger states, and protecting individuals from abuse by states and non-state actors (Guehenno 2008). The third one has led to the mandate to work with economic, social and political developments of states. To realise its objectives, the UN initially established five organs, which perform its activities supported by the United Nations Charter, Chapter 3, Article 7 (UN Charter, 1945:4). According to Morris and Clark (1999:12), the UN initially was made up of five principal organs, which perform various activities in order for the UN to fulfil its primary objective in line with its Charter under Chapter 3, Article 7. The UN is made up of six (6) main organs, the General Assembly, the Secretariat, the Security Council, the Trusteeship Council, the Economic and Social Council, and the International Court of Justice (Morris and Clark 1999). In addition, the United Nations encompasses of special organizations and agencies such as, United Nations Educational Scientific and Cultural, General Agreements on Tariffs and Trade, International Monetary Fund

⁸ UN officially came into existence on 24 October 1945 when the charter had been ratified by the P5 members of the Security Council.

and the World Bank (Morris and Clark 1999:12). All organs of the UN are expected to work cooperatively to execute these generic mandates. Despite all the great intentions of the agencies, what is troubling is that there are no coherent and well established checks and balances within the organs of the United Nations (Bianchi 2005). This sometimes chips its credibility and legitimacy.⁹

In the Post-Cold War period, however, the role of the United Nations appeared to have changed to such an extent that it acted in some occasions with broader support from member states (Hannay 2009). When Saddam Hussein of Iraq invaded Kuwait, this was one instance where the Security Council sought to play its role to reverse the acts of aggression committed by one country against another (Hannay 2009:2). According to Guehenno (2008), the underlying principle for establishing a global governance mechanism to maintain global peace and security is to bestow it with all necessary means to address conflicts between nations diplomatically. It is within this context that the UN is assisted by various organs to carry out its mandate. This is in recognition of the fact that it cannot execute its duties operating alone.

3.2.2 The Security Council

The UNSC is one of the main organs of the UN tasked with the responsibility to maintain global peace and security (Wortley 1957:23). However, other UN organs have the power to make recommendations to member states of concern. Conversely, the Security Council enjoys the power of passing binding resolutions and making recommendations in line with the UN Charter (Wortley 1957: 23). According to the UN Charter under Chapter VII, the UNSC is the only organ of the UN, which has decisions binding on all member states (Burtler 2012: 27). The UN Charter mandates states to comply with all resolutions passed by the Security Council including resolutions of military intervention (Malone 1997: 6). The United Nations Security Council passes resolutions during meetings, which contain all decisions that need to be implemented (Malone 2012: 6). The UNSC has power to enforce sanctions against a state of concern

⁹ It should also be noted that, time and again, the different organs of the UN have been substantially influenced by their prominent funders, and they happened to be members that rich, hence powerful.

(Cockayne et al 2010: 9). For instance, when Iraq invaded Kuwait sanctions were enforced against Iraq in order to force Iraq to withdraw from Kuwait, hence abolish its WMDs project.

Adoption of UNSC resolutions and authorisation of the use of foreign intervention continue to be widely affected by UNSC administrative issues (Elden 2006). According to Elden (2006:36), UNSC resolutions contribute to undue violation of state independence, hence lead to chronic human insecurities. As discussed earlier, the UNSC has the right to enforce mandatory sanctions as an alternative to resolve conflicts rather than using military force (Elden 2006). For example, in 1990, the Security Council imposed mandatory sanctions against Iraq concerning the Invasion of Kuwait (Elden 2006). Additionally, UNSC adopted diplomatic sanctions against Sudan in 1996 (Bianchi 2005). Zimbabwe too has felt the wrath of the UNSC. Although Sanctions did not prove to have an immediate effect or impact but they were regarded as less controversial than the use of military action (Malone 1997). Malone (1997: 8) emphasizes that the UNSC cannot impose peace but given sufficient resources from coalitions, military intervention can be imposed. According to Malone (1997), the use of force is vital at times. For instance, it played a critical role in Haiti whereby “a threat of force by the US-led Multinational coalition was made in September 1994” which helped to restore President Aristide’s power in Haiti (Malone1997:8). Some have argued that crimes of aggression in Bosnia in 1995 might have continued without NATO’s military action (Malone 1997). But we know that NATO’s military action caused enormous casualties which could have been prevented, which makes this military intervention controversial even today. More recently, the cases of South Sudan, Libya, DRC and Somalia are cases where the UNSC has authorised military intervention as peacekeeping and in some cases invoked R2P. In Libya, the UNSC invoked R2P based no fly zone, which was taken too far by self-authorized NATO to do all necessary to eliminate the threat (Weiss *et al* 2011). Indeed, NATO started bombing Libya and massive casualties were incurred. In a way, the actions of NATO violated the UN Charter. Hence, intervention and regime change did not end the conflict. We can also relate to the 2003 Iraq invasion. It did not end the conflict. Instead, it exacerbated it, fuelling more conflict in the country after having killed innocent civilians and causing damage to the infrastructure of the country (Azzawi 2013). The UN PKO needs to carefully check whether the mandates granted to coalitions of member states to implement enforcement are executed as agreed and as per the resolution of the UNSC which stipulates that the aim should be to bring about peace. Such mandates should not be

diverted to advancing personal goals such as the killing of the presidents of Iraq and Libya with the view to fulfil regime change agendas which some countries had.

President Obama alluded that regardless of how powerful the US military is and how strong the country's economy is, it cannot solve the world's problems unilaterally; a coalition action is always essential (McGreal 2015). For instance, the US deployed thousands of troops in Iraq and spent large sums of dollars only to sit with a failed state and a big mess which continues to unleash bloodbath. Obama states that "In Iraq the United States learned the hard lesson that even hundreds of thousands brave, effective troops, trillions of dollars from our treasury cannot by itself impose stability on foreign land" (McGreal 2015). Darfur gives us some empirical evidence of another example to add to the dilemma. Reluctance to at and intervene militarily in the conflict in Darfur led to a protracted war which only saw a peace agreement signed in May 2006 after the conflict had been active for four years (Blanchard 2014). The UNSC had imposed light sanctions which made very little impact. It failed to take decisive actions to end the conflict (Blanchard 2014). Hence, the conflict was intensifying. Even resolution 1441 did not provide guidance on what should be done.

The UN peacekeeping mission personnel had limited capacity to protect civilians under its existing mandate, UNMISS authorized by the UNSC to protect civilians under imminent threat of physical violence (Blanchard 2014). On the other hand, the Security Council had authorized an increase in the force size of UNMISS, but the mission's resources remained constrained given large-scale displacements in a country the size of France, with extremely little infrastructure (Blanchard, 2014).

3.2.3 Composition of the UNSC

In this section, I outline the composition of the United Nations Security Council. The UNSC comprises of fifteen (15) member states, comprised of five (5) Permanent seats and ten (10) non-permanent rotating seats (Beenher 2012). Beeher (2012:3) states that the, United States, the United Kingdom, France, China and Russia hold the five (5) permanent seats. Permanent members of the Council have power to veto drafting and passing of resolutions (Beenher 2012). The non-permanent members are elected by the General Assembly to serve in Council for a

two-year term (Beenher 2012). This is done in principle through regional representation. The United Nations Headquarters are based in New York, representatives of states are always urged to be present when meetings sit (Beenher 2012:4).

According to Baylis and Smith (2001:702), the nuclear non-proliferation treaty only recognises the five permanent members of the Council. On the other hand, it lacks universal legitimacy since some countries are not signatories of the treaty. Nevertheless, having nuclear weapons is not the correct explanation why the P5 remain the global powers (Baylis and Smith (2001: 702). Countries such Pakistan, North Korea and India – just to name a few – have nuclear programmes outside the nuclear non-proliferation treaty (Baylis and Smith 2001). In 2004 four members of the Councils were the largest arms exporters (Baylis and Smith 2001). Having said that, it brings into question the issue of whether the five permanent members of the Council are really trying to create a safe world or if they want more conflicts to occur globally using the arms they supply. Ideally, the SC's permanent members should be activists in advocating for the non-proliferation of arms globally. However, they are the ones which make the work of the Council more difficult (Baylies and Smith 2001). What one deducts from these is that economic interest (profit which accrues from arms sales) happens to override the concern over global peace and security. Competition for dominance and influence among UNSC members emanating from the above – driven by the logic of national interest – has complicated the work of the Council. This is much more pronounced with the permanent members of the SC (with their veto power), while the non-permanent members are either co-opted or become disgruntled with their voices alienated. To better make sense of this, let us look at the two-tiered membership status of the UNSC and its implications.

3.2.4 Status of Non-members of the UNSC

According to Bailey and Daws 1998:47) there are situations and circumstances where members of the UN that are not in the UNSC are to be part of the engagement during certain meetings if issues concern that particular state. This is in large part meant to directly engage the concerned member state/s. On numerous occasions, however, we have seen how this has become a complicated and contested process, with one or another veto wielding permanent member blocking concerned states from taking part – when they see that this would not result in the

decision regarding the issue under consideration going their way. The US and other Western powers in the council have done this on numerous occasions. What this entails is that for those who are outside the Council, unless they are in the good books of those who run the show, they have little recourse against any decision concerning or affecting them. After all, the decision of the SC is binding to all UN members.

Non-member states are, thus, expected to regulate, enforce and implement decisions of the SC. Since the UNSC does not have a stand-alone military force, it often calls upon member states of the UN. UNSC request member state to contribute troops to its missions as mandated by the UN Charter (Burtler 2012). Its operations are also to be funded by the members of the UN who may or may not be on the UNSC. The United Nations urges all member states to contribute all significant resources required by peacekeeping missions (Bianchi 2005). However, it is predictable that those who are well to do and have a skin in the matter are the ones who would foot the bill and send their troops under the Blue Beret – as in the case of China who sent its troops for the first time as peacekeeping force in Africa to South Sudan, which happened to be where China is extracting oil.

3.2.5 The Veto Power

As mentioned above, the UN Charter gave the five permanent members of the Council supreme power known as veto, which means that they can use their negative vote to block drafting or passing of resolutions (Burtler 2012:4). Initially the UNSC comprised of five permanent members and six non-permanent members, it had eleven members in total (Burtler 2012:7). The United Nations Charter in 1965 was adjusted to allow for the addition of four non-permanent members to the Council. Since 1965, the UNSC comprises of five permanent members and ten non-permanent members (Burtler 2012:7). The P5 exercise their unique privilege under Article 27 of the UN Charter. The reason behind the establishment of this unique privilege was to prevent the United Nations from taking decisions against its founding members. Veto has recently become an instrument used by the P5 to guard their material interests (Institute of Palestine Studies 2001). This power has led to the situation whereby the UNSC has not responded to very critical international conflicts including the Israeli and Palestine war and more recently the Syrian conflicts. For instance, in the on-going Israel and Palestine conflict

and tensions, the United States has been very active in casting its veto blocking UNSC resolutions solely to protect Israel at the expense of Palestinians, and, as some would argue, at the cost of a potential solution and end to this protracted conflict. The war between the two countries has continued to intensify, destroying lives and livelihoods. Mounting evidence shows that Israel has committed war crimes with blatant aggression but still the United States continues to protect Israel (Institute of Palestine Studies 2001). Veto continues to be used by the P5 to protect nations or their allies where they have vested interests. The US and Israel share bilateral relations based on security and economic interests. The US-Israeli partnership contributes to American security and the US has provided Israel with diplomatic, economic and military support to the tune of about \$115 billion since 1949 (Institute of Palestine Studies 2001). Israel and the US share intelligence on terrorism and nuclear proliferation (Institute of Palestine Studies 2001).¹⁰ This clearly shows why the US blocks any resolution against the state of Israel.

Syria is another case that we can cite concerning the casting of veto blocking necessary UNSC resolutions since the conflict started in March 2011. Russia has been playing an active role in supporting President Bashar Al Assad and his government in the “Arab Spring” that evolved into a civil war, which has created the space for the Islamic State and other terrorist groups to take root in this conflict. Partly, this was a move that was meant to prevent the Libya type of scenario where NATO destroyed the state altogether, and effected regime change, which only led to a total state collapse and lawlessness. To add, Syria is a strong ally of Moscow with all sort of military, trade and economic partnership to go with it. While the US and Western powers pushed for aggressive resolution if not direct military intervention, Russia and China prevented much of these. Many commentators simply pointed out to the paralysis in the UNSC brought to the fore in this case by super powers and their desire to influence reality on the ground to fit their objective.

After few years of the messy civil war, Moscow deployed hundreds of its forces, fighter planes, tanks and other military equipment (Spencer 2015). President Vladimir Putin allocated about \$60 billion secret fund for the war. Hence President Putin asserted that Moscow is helping Syria

¹⁰ It is known fact that they develop sophisticated military technologies which are exported to other US allies. Israeli own a technology centre where they develop, cyber weapons, unnamed vehicles (such as robots and drones), sensors and electronic war devices, and advanced defence for military vehicles. US companies own incubators in Israeli to benefit from the technology and innovation (Eisentadt and Pallock 2012).

to fight terrorist aggression (Spencer 2015). The Syrian conflict has been very destructive, so much so that it has even affected neighbouring states such as Jordan and Turkey; they have to deal with massive influx of refugees from Syria. Children in Syria have been killed by the release of Chlorine gas bombs (Spencer 2015). President Bashar Al-Assad has been accused by the West and Gulf States of using chemical weapons which violates the convection regime (Spencer 2015). Russia has consistently blamed the opposition camp – which it called sundry terrorist groupings.¹¹

In another case, since Russia is a major beneficiary of revenues from Iran and Syria through arms deals and it is also helping Iran to implement its nuclear programme, it has vetoed resolutions for the termination of Iran’s WMD programme (Spencer 2015). Hence Iran has been suspected as the supplier of chlorine canisters to Assad’s regime to counter rebels (Spencer 2015).¹²

Veto in both cases (of the US and Russia) mentioned above has become a major obstacle for the UNSC to counter conflict which is threatening international peace and security (Spencer 2015).

3.2.6 Trend on the use of Veto Power after the End of Cold War

As stated earlier, article 27 of the UN Charter enables the permanent member of the Security Council to block the drafting of resolutions with negative votes, regardless of its level of support (Burtler 2012). “The word “veto” is never mentioned in the Charter” (Okhovat 2011:12). This section of the chapter elucidates how the P5 uses veto as the tool to protect material interest and protection of strategic allies (Okhovat 2011:12). Some of the P5 members have used the veto power to silence the UNSC in conflict situations that needed UNSC intervention for instance the 2003 Iraq invasion and the recent Syrian conflict (Okhovat 2011:12). While the Israel-

¹¹ It is crucial to point out the Syrian case is far more complex and complicated than what I have simplistically placed above. The number of state and non-state actors, the overlapping and conflicting interests, at times even with seemingly on the same side of the conflict. Just to get a glimpse of this messy war, America using the Kurds (which Turkey considers as terrorist organization) as a collision against ISIS, while remaining an ally with Turkey and Golf States supporting directly or indirectly those listed terrorist organizations.

¹² Russia has made a counter claim that it through Turkey that this weapon was smuggled, with the knowledge of military and intelligence in Turkey.

Palestine issue appears on the agenda of the SC numerous times, it has failed to deliver even the slightest wording of condemnation of Israel's violence against Palestinian people. Such attempts have been blocked by the US. All diplomatic efforts such as signing treaties, signing cease fire agreements and passing resolutions have not come to any fruition (Okhovat 2011:12).

Since 1946 the P5 have used their veto power totalling 263 times. Before the 1990s the UNSC only adopted an average of 15 resolutions per year. In recent years, it has adopted an average of 62 resolutions per year (Okhovat 2011:13). According to Burtler (2012) end of Cold War led to a major drop in the utility of veto power. However, the P5 continue to use their veto power in situations which benefit them.

The Soviet Union had used its privilege more, than the other permanent members of the Council (Burtler 2012). Since the collapse the Soviet Union to the creation of Russia, the country had vetoed 199 resolutions. Recently Russia has continued to cast its negative vote over issues concerning Syria and Ukraine. The United Nations has been paralyzed since it is unable to execute its primary objective of maintaining global peace and security. "Russia has recently used its negative vote 4 times to block resolutions on Syria which seem to be problematic to their ally, the regime of Bashar Al Assad. Russia used its veto to protect Syria in October 2011, then in February 2012 and in July 2012 and again in May 2014" (Borger and Inzaralde 2015). Russia and China collectively vetoed UN action to refer Syria to the ICC on crimes against humanity. Furthermore, Russia has vetoed twice resolutions against Ukraine. The resolutions that were vetoed in July 2015 supported the motion of setting up a Commission to investigate the crash of Malaysian Airline flight MH17 in the Eastern Ukraine which was suspected to be shot down by Russian-backed rebels (Whitman 2015, Borger and Inzaralde 2015).

At San Francisco¹³, the British representative alluded that veto not only serve the interests of the P5 but the interests of the entire member states (Cox 2009:11). In addition, both authors recall that the UK representative emphasized that peace is kept in the hands of the super powers to preserve harmony (Burtler 2012). Russia remains the most user of veto followed by the United States (Burtler 2012). Both the UK and the U.S used more of their veto power to protect their

¹³ In 1945, representatives of 50 countries met in in *San Francisco at the United Nations Conference on International Organization* that is where the UN Charter was drawn. The representatives of states at the conference (United Nations Charter 1945) signed the Charter on 26 June 1945.

strategic allies. Perhaps, as a sign of the new Cold War, recently Russia has exercised its veto in defending Syria in the situation of WMDs (Borger *et al* 2015). Much of the commentaries note that Russia's action at the UNSC is to be explained by its interest in Syria and that it sells its arms to Syria, which forces it to provide a cover and protection to its client country. United States too has done the same, and it has cast its veto to protect Israel (Borger *et al* 2015). Hence, the analysis reveals the illegitimacy of the UNSC. The council represents narrow interest of the permanent members not of all member states. This falls under the theory of realism.

The UN reached its 70th anniversary whilst the Security Council is still affected by failures to deal with multiple conflicts and instabilities along with asymmetrical war. The most recent cases of Syrian, Libyan, Iraqi, Somalian, Malian, South Sudan, Yemeni, Ukraine crises are cases in point. The UN has failed to reach consensus concerning what strategies and action should be put in many of these places to stop the bloodshed and ease the tensions (Borger *et al* 2015). In Syria alone, the civil war has led to the death of more than 220 000 people and a complete devastation of the state and its infrastructure creating one of the biggest humanitarian crises in recent times (Borger *et al* 2015). More than 11 million Syrians have been displaced. It is alluded that Russia has prevented the UN to perform its primary duties by vetoing resolutions 4 times to block resolutions on Syria (Borger *et al* 2015). However, we cannot take the above claim at face value. Russia understands that if they don't support the regime of Assad they have something to lose and they could not be co-opted by the US so that it could continue to craft its own project to dominate and suppress other states to create their own world order. According to Mathew Rycroft, the British Ambassador to the UN he argues that Syria is the tarnish of the UNSC ethics (Borger *et al* 2015). "In the absence of change, the consensus view with the noticeable exception of Russia and China is that the Security Council will lose legitimacy and at a substantial rate if it remains impotent in the face of the Syrian disaster" (Borger *et al* 2015). He further argues that Syria is the major failure of the UN recently (Borger *et al* 2015). However, one could also say that in a realist perspective Russia has done what the US and other permanent members could have done to protect their own interests. It is also about standing its ground showing the United States that it is also a capable player in global politics.

Starting from the year 1991, the US has used its veto more frequently than other permanent members, vetoing draft resolutions 14 times; it is followed by Russia sitting on 13 times and

China sitting on 8 times (Borger *et al* 2015). On the other hand, France and the UK have reserved the exercise of their veto in the 21st century.

The French ambassador to the UN (Francios Delattre) proposed during the celebration of the United Nations 70th birthday that the P5 should hold or do not use their veto in situations where crimes of aggression are being committed. He stated that “Our initiative is based on key and core conviction that veto power is not a privilege; it is a responsibility” (Borger *et al* 2015). However, Russia does not support the above proposal for various reasons, some of which have been stated above. As such, the P5 use their veto power differently and to achieve different goals which are geared towards satisfying their national interests.

Japan, India, Brazil and Germany remain advocates for the reform of the UNSC so that it could be more representative and thus limit the abuse of power (Uwimana 2006, Horgan 2008). Inclusion of a permanent membership for Africa is supported by the above-mentioned countries. It is regarded as unfair for Africa not to be represented by a permanent member in the UNSC whilst about 80% of the issues that are discussed concern Africa (Uwimana 2006, Horgan 2008). France and the UK welcomed the proposal for allowing new members to be granted permanent seats with the view that the Council reform should be a catalyst towards the performance of the UNSC. On the other hand, China has rejected this, which was meant to prevent Japan from being granted a permanent seat (Uwimana 2006, Horgan 2008). However, Beijing mobilised African states to push for veto power for their collective effort to be granted two permanent seats in the Council, unfortunately this goal has been elusive to achieve (Uwimana 2006, Horgan 2008).

3.3 Diplomacy and Multilateralism within the UN organs

The United Nations, as a multilateral agency tasked with the responsibility to maintain international peace and security has a responsibility to ensure that whenever there is a conflict situation, diplomatic channels are followed to resolve that conflict. However, the UN in many occasions has failed to ensure that diplomatic processes are followed before resorting to other means to end conflicts. For instance, more recently, in the 2011 Libyan conflict, diplomatic

avenues were not exhausted before resorting to military intervention (Modeme ND).¹⁴ It is vital to discuss how essential is diplomacy in international relations and how lack of proper use of diplomacy has led to the failure of the UNSC to deal with international conflicts.

Diplomacy refers to the behaviour amongst nations and other non-state actors in global politics through diplomatic means (Bull 2002). According to Bull (2002:156), “[d]iplomacy is the application of intelligence and tact to the conduct of relations between the governments of independent states, extending sometimes also to their relations with vassal states; or, more briefly still, the conduct of business between states by peaceful means”. Representatives of the United Nations and other global institutions do engage in diplomacy with state actors, and increasingly also, as we have seen in recent years, with non state actors. Traditional diplomacy has been based on official conduct between sovereign states (Bull 2002:157).

Diplomacy incorporates the formulation of states’ foreign policy meant to assist countries on how to engage and interact with others. Carrying out policy formulation includes communicating with other government and other stakeholders about that policy, and it has to be fully explained and simplified for them in order to generate consensus or persuade them to adopt or be in favour of that policy. States share Bilateral and Multilateral diplomatic relations (McGowan and Nel 2002). According to McGowan and Nel (2002: 104) “[b]ilateral relationships formally link one state or other government with another but in present practice they are also links between one ‘people’ or political system and other”. Following this, McGowan and Nel (2002: 104) argue that “[m]ultilateral diplomacy may take the form of conferences of two or more states, or of permanent conferences that is, international organisations”. For instance, the United Nations General Assembly sits and discusses issues with a mission to resolve issues jointly. Forms of interaction between states include negotiation, which is the main tool of diplomacy. Bargaining is another tool which is used to influence one party to agree to a certain proposal. Lastly arbitration is also used to settle disputes, and it involves a third party that submits proposals and plays a role of being a mediator (McGowan and Nel, 2002: 104). To conclude, diplomacy sets out an international system where two or more states/agencies interact.

¹⁴ In this instance, France and UK military rushed in to bombard Libyan infrastructure and government buildings, assets and military, all in the name “No Fly Zone” which came through the UNSC resolution.

Therefore, diplomacy opens an avenue for states or political leaders of states and other actors to communicate and engage with one another on issues of common concerns and conflicts. Without communication, there could be no international system. Diplomats are messengers and negotiators deployed by states, non-state actors and other multilateral agencies. Wherever they are sent they automatically obtain full immunity from being prosecuted or killed if it happens that there is a war or conflict where they have been deployed (Special Envoys are granted full immunity) (Bull 2002:164).¹⁵

Facilitation of negotiations is certainly an important element of diplomacy. A consensus has to be reached when there are certain encounters, tensions and disputes between/among actors in international relations. Diplomatic engagements are a useful tool used to bring together and persuade parties involved to find a settlement and agreement between the parties involved (McGowan and Nel 2002: 105). Moreover, diplomacy requires collecting security or intelligence information about other countries – friends and foes. In other words, a state should not only be paying attention to intelligence gathering about the enemy or potential adversary. Conversely, information about those states it has bilateral relations with is as important (McGowan and Nel 2002: 105). Diplomacy in many regards is then used as a vehicle to engage in conflict resolution mechanisms. As mentioned earlier, it is important to understand what we mean by conflict and how we should conceptualise it for this research. At this stage, the focus shall shift to the role played by the UN in conflict prevention, management and resolution once it has occurred.

3.4 UN's role in Conflict Prevention, Management and Resolution

According to Burton (1990:18), the term conflict prevention refers to “the process of dealing with the causes of conflict before it manifests including the removal of the causal conditions to enable the positive promotion of environment conducive to collaborative relationships”. Miller captures the concept in a somewhat similar tone by defining it as “any activity involving the maintenance of status quo due to potential threats associated with the crises or anticipated outcomes from engaging in a dispute” (Miller 2005: 25).

¹⁵ In many ways, such immunities are useful to engender confidence among non-state actors and even state actors to participate in diplomatic engagements.

Conflict prevention is usually regarded as a diplomatic instrument used to prevent conflict from happening. Conflict prevention is an approach to detect conflict before it even occurs. From a scholarly point of view, according to Austin (2004:2), early warning is an important initiative within conflict prevention “that focuses on systematic data collection, analyses and/or formulation of recommendations, including risk assessment and information sharing, regardless of whether they are qualitative or a blend of both”. Hence, such initiative allows the formulation of a preventative response “in the latent stages of a perceived potential armed conflict which aims at reducing, resolving or transforming the conflicting situation to a now peaceful order” (Austin 2004:2). Dorn (2004:17) captures early warning as “the act of alerting a recognized authority (such as the AU) to a new or potential threat to peace at a sufficiently early state”.

The whole idea here is that if there are tensions that are detected, then a proper mechanism can be put in place to counter those escalating tensions. Adelman (1998) opines that early warning does not only concern gathering of data but it also gives adequate strategies to deal with conflict situations. It is within this understanding that perspectives on Early Warning Response System (EWRS) emerged. EWRS perspectives suggest that “international actors have a responsibility to act as protectors once the available information is processed in line with the rules and procedures that can prevent the occurrence of conflicts within an international or regional organisation” (Adelman 1998).

From the above review, one can conclude that most vital distress for conflict deterrence is to put in place measures, which are strong and effective enough to handle conflict situations (Reimenn 2004). Measures may face certain challenges such as the issues of geographic application, security interests, refugee issues, costs and benefits analyses (Reimenn 2004). To elaborate, in some situations different measures need to be applied, for instance, where there is influx of refugees more funds are required and security is vital where there are civilians who are in an area where the conflict is active. For them to get help, security must be provided to the personnel (Reimenn 2004). The mentioned challenges have led to a situation whereby conflict prevention should be handled by both state and non-state actors (Reimenn 2004:1). Reimenn (2004:1) stresses that whoever assumes the responsibility (it could be states or non-states actors) in order to obtain positive results, neutrality is essential. If conflict prevention measures fail, it

may be essential for the actor/s or mediator/s to seek for alternative mechanisms to manage the conflict.

In this section, under the umbrella of conflict management, I will explore three interrelated concepts: conflict prevention, conflict management and conflict transformation. Each represents a different stage in the development of a conflict situation and the associated strategies, responses and reactions in each stage. Various scholars have argued that conflict management holds two perspectives: the negativists and positivists perspectives (Wallenstein 2002; Ahmed and Zen 2005). Scholars have noted that negativists hold a view that a conflict situation cannot be eliminated, while positivists believe that it is possible to totally eradicate a conflict situation. For positivists, conflict management is crucial to the handling of conflicts, and then other measures can be put in place (Wallenstein 2002). According to Burton (1984:183), a conflict can only be rectified if one of the parties involved loses and the other side gains, or else if certain consensus has to be reached in a firm manner. In the latter situation, a neutral body must be involved in facilitating such negotiations towards consensus building.

The United Nations under Chapter VI urges parties involved in a conflict situations to utilise all diplomatic effort to reach a consensus (UN Charter 1945). Article 9 of the Security Council permits United Nations Secretary General to forward a matter to the Security Council if it threatens Global peace and security (UN Charter 1945). International contact groups have also become major players towards conflict management (Jackson ND).¹⁶

The United Nations in the late 1980s and 1990s had managed conflicts in Namibia, Nicaragua and El Salvador. The UN remains the only institution with global legitimacy for conflict management (Jackson ND). However, regional organisations such as NATO have been gaining importance about security and cooperation. For instance, the recent NATO bombing of Libya (Jackson ND).

¹⁶ Unfortunately, these bodies and formations have been used to bypass the UNSC and other UN agencies decisions, and involvement, literally creating a parallel mechanism. These are often done at the behest of the global powers, particularly the US, who see UNSC and the UN as limiting to their projection of power and influence in issue they deem strategically important to them.

There are various conflicts that exist globally such as ethnic identity, political identity, social, etc. (Wallis 1994). The UN has engaged in numerous conflicts and tried to use various strategies in trying to manage those conflicts. To name few examples, the recent South Sudan conflict, Somalia, Mali, Syria, Libya and the DRC come to mind (Peace Operations Training Institute ND). In some of them, the UN has sought an active role with peacekeeping operations. In others, it has played more of a supportive role working with regional bodies.

McGarry and O'Leary (1993:4) have identified two primary concepts which regulate ethnic conflict: conflict management and conflict termination. Ethnic conflict refers to a war in an armed conflict between ethnic groups (Peace Operations Training Institute, ND; Miall *et al*, ND). Conflict management on the other hand is regarded as a system that limits the spread of conflict (Miall *et al* ND). Conflict termination is defined as the termination battle; however, it does not mean the conflict has been resolved (Peace Operations Training Institute ND). For instance, in some conflicts, fighting appears to end when parties involved (for example rebels and the state troops) sign cease-fire agreements only to find that there are still clashes. We have learnt that conflicts across the world have an intractable character, and cease-fires and negotiated settlements are usually just the beginning. In Libya, Somalia, South Sudan, DRC and Iraq military fighting may have stopped but the root causes of the conflict have not been resolved (Peace Operations Training Institute). It is for this reason that instability and war continue to characterise these states. Such scenarios are what necessitated a movement beyond management towards conflict termination.

Other scholars have focused on the consequences of conflict and measures to deal with conflict. There is certainly an emphasis on the fact that conflict management can lead to conflict termination. According to Miall *et al* (ND), individuals and institutions determined to bring about peace organise steps which they believe are essential in addressing conflict. These steps have been categorised as conflict prevention, conflict settlement, conflict management, and conflict resolution and conflict transformation (Miall *et al* ND). Conflict management is envisioned to minimize and evade future violence through endorsing positive conducts and changes amongst parties.

Conflict prevention is based on early identification of risk of violent conflict. Organisations such as the UNSC, EU and AU have mechanisms put in place such as the Early Warning System as a risk management tool (Peace Operations Training Institute ND). It is designed to address risks before they lead to all-out conflicts and conflagration. Conflict settlement is regarded as dispute settlement through negotiating a mutually satisfactory consensus between the conflicting parties (Peace Operations Training Institute ND). This mechanism has been utilised globally with an aim to end conflicts it however does not explain the causes of conflict (Peace Operations Training Institute ND). A dispute may be settled permanently or it may resurface again. For instance, the series of deals and negotiated agreements throughout the 1990s and 2000s facilitated by United States and the UN in Somalia have consistently failed to quell the Somali conflicts and to deal with state collapse (Peace Operations Training Institute ND).

Conflict management has been an important global mechanism, the UNSC has appropriated to deal with conflicts and disputes globally. Conflict management has been defined as the ability to handle conflicts efficiently (Spangler 2003). The UNSC is entrusted with conflict management globally. Conflict resolution assumes that there are strategies put in place by organizations such as the UN to resolve international conflicts (Peace Operations Training Institute). For conflict to be resolved, underlying sources must be dealt with to ensure that the conflict is resolved permanently. For the UN to be able to help parties settle disputes it uses mediation. In the past, the UN has often delegated special envoys to manage and mediate such disputes and conflicts, whether they are inter-state or intra-state. Countries and regional bodies do also send special envoys to other countries as a strategy to resolve the on-going conflict (Peace Operations Training Institute ND).

According to Ledarach (1995), conflict transformation means that a conflict has been recognised, and mechanisms to work with it have been established. Ledarach (1995) argues that “Social conflict is a natural occurrence between humans and states who are involved in a relationship. Once the conflict occurs, it changes or transforms those events, people, states and relationships that created the initial conflict”. Under this formulation, even states which share bilateral relations do engage in conflict situations (Ledarach 1995).

Miall (2004) argued that because of indelible consequences of disparity in interest and values between the societies involved in a clash, resolving that conflict turn out to be elusive and/or difficult to achieve. Consequently, the premium approach that can be used is to manage and contain conflicts. It is vital to reach a settlement which will eventually lead to recommencement of negotiations. According to Ahmad and Azenn (2005) conflict resolution and conflict transformation are stages of handling conflict, and they are radical than conflict management.

Furthermore, if the formula of managing the conflict fails or does not give the desired results, it may be required that another mechanism that is perceived to be more effective needs to be put in place. That mechanism is known as conflict resolution and it is intended to eliminate disagreements that have arisen.

Conflict Resolution is regarded as “the limitation, mitigation and containment of violent conflicts using both forcible (coercive) and non-forcible (non-coercive) instruments to stop the recurrence of humanitarian emergency situations” (Golwa 2009:279). According to Snodderly (2011:17) conflict resolution’s main task is to resolve the essential roots of conflicts through discovering the common interests. This takes account of “nurturing positive attitudes and generating trust through reconciliation initiative, including the building or strengthening the institutions and processes through which parties can interact peacefully” (Snodderly 2011:17).

Furthermore, it is integral to note that after conflict has been identified, to initiate such conflict resolution process an external neutral mediator may be required to play a crucial role (Miall *et al* 2004:14). Having an external mediator can help to create a sense of trust which would ensure that proceedings of negotiations are neutral. Failure of a conflict resolution process to eliminate violence may necessitate an application of more radical instruments to deal with that conflict. At times the use of force may be required, which Boutros Boutros-Ghali (1992) refers to as a peacekeeping mechanism. This concept is an integral pillar of UNSC interventionist mechanisms to deal with conflict. Interventions such as humanitarian intervention, is perceived as an appropriate feature in conflict resolution. After observing the multiple wars and conflicts which peacekeeping missions of the UN have participated in, many have asked: how do you keep peace that does not exist? As discussed in the upcoming sections in this dissertation, countries contributing to the Somali mission of the AU, which was commissioned by the UNSC,

called for a more active role, which they called – peace-enforcing missions, which effectively meant waging an active and combative war to “bring about peace.” It has not gained attraction, at least as a principle. However, the AMISOM mission, for all practical reasons, has moved away from peace-keeping sitting between warring parties (to regulate and monitor the peace), into active war to eliminate segments of the party to the clash.

3.5 Conclusion

This Chapter has highlighted the multifaceted and complex nature of most conflicts and the diversity of role players and their interests. It showed that this certainly poses a great challenge to resolving and managing global conflicts. The diversity of perspectives of international community, including other actors in quest of managing them faces the challenge. This chapter provided an outline of the UN as a multilateral body, and the UNSC as an essential part of the 20th and 21st century global security architecture. How this body is structured and how it has worked in managing and addressing conflicts globally has been assessed by ways of reviewing the literature, the various terminologies appropriated and clarified relevant concepts of conflict and conflict resolution, forms, variations and universality. Throughout this chapter, the study attempted to clarify and accentuate the relevant concepts of intervention and diplomacy which have defined the UNSC practices. Issues on UNSC reform and their perspectives have also been closely examined. So, has the treatment of the evolution of the U.N since it was established, the establishment of the Security Council, the United Nations, the composition of the UNSC, the status of non-permanent members of the UN Security Council, the veto privilege, the trend on use of veto, lastly power dynamics between permanents members of the SC and non-permanent members.

This chapter highlighted that in any case peacekeeping or peace-enforcing mission have become an important element of UNSC interventions in conflict situation, which often feature with sanctions. The UNSC remains one of the organs of the UN that can pass resolutions that are binding to all member states. The UNSC has passed most resolutions on Africa. Representation remains a big question. South America, Asia and Africa do not have representation among the P5. This is despite the fact that these regions have the highest numbers of countries that are

signatories. Moreover, most conflicts occur in these regions. In this chapter, I have explored veto power and its implication. Despite the counter argument for the importance of veto, which is meant to enable consensus building and negotiated settlements and resolutions, veto appears to have paralyzed the operational ability of the UNSC.

The UNSC needs to be reformed in a manner that will not compromise decision-making. There is growing consensus that the UN needs to reform, but there is little agreement on how this should be done. We also notice that there is growing recognition as well as consideration for permanent seats to be allocated regions such the Middle East, Africa and South America. Lack of agreement on which ones to pick has killed this discussion on multiple occasions. Given the financial positions of the regions/continents mentioned above, it is only fair that monetary contributions to the UN must not be used as a barrier of qualifying to hold a permanent seat in the UNSC.

The following chapter explores intervention as part of this multilateral body's strategy to dealing with global peace and security concerns.

CHAPTER FOUR

UNSC INTERVENTIONS, GLOBAL GOVERNANCE AND SOVEREIGN STATES

4.1 Introduction

In this chapter, the aim is to outline the ways in which global governance (as practiced through the UN and UNSC particularly), operates to deal with global peace and security. The chapter will look at how the UNSC problematizes the sovereign state. Intervention is principally sought as a mechanism to adjust and change behaviours of states and non-state actors in the name of global peace and security (Nye Jr, 2003). According to Nye Jr (2003: 153), the word intervention is both “descriptive and normative”. This means that intervention does not only address what is occurring but also suggests what should be done. Nye Jr (2003:154) defines intervention as the “external actions that influence the domestic affairs of another sovereign state”. Actions of any form – from speech to physical military activities to sanctions can be considered as intervention. Speeches form a certain level of intervention. For example, former US President George W Bush made a speech to the Iraqi people, which contained remarks about overthrowing Saddam Hussein (Nye Jr 2003). Such a speech interfered with the domestic politics of Iraq. Intervention can also be in the form of aid. Military aid had been advanced to several countries in Africa. Intervention could be in a joint or multilateral form but usually one state takes the lead (Nye Jr 2003:155). This chapter aims to critically examine the intervention theory, peacekeeping, peace building and peace enforcing. Furthermore, it will look at the UNSC’s use of sanctions as a peace building tool by looking at the effectiveness and ineffectiveness, the role of the UN in the recent conflicts, the role of the United Nations in the Syrian conflict and lastly consider the Westphalia Sovereignty in trying to explain the UNSC’s intervention or lack thereof.

In the international relations arena, the only legitimate intervention can come from multilateral organisations, such as the UNSC and other regional bodies to which member states have given away aspects of their sovereignty (Burtler 2012). As mentioned earlier, the UNSC plays a central role in managing and resolving global conflicts (Burtler 2012). The UN Charter empowers the above-mentioned organs to draw and implement peacekeeping resolutions

(Burtler 2012). Perhaps it is for this reason that most interventions often come from this body of the UN. Murphy (1996:11) accentuates the force element of intervention. For him, it represents “the threat or use of force across State borders by a state or group of states to end the widespread grave violations of the fundamental right of its people and other nationals”. According to Rodt (2013) the International Commission on International States Sovereignty (ICISS)¹⁷ stipulates that foreign intervention is compulsory if there is an on-going conflict, where there is a huge loss of lives and where there are other crimes against humanity occurring such as ethnic cleansing.

The ICISS was established in 2001. It aimed to develop an international consensus regarding when the international community can respond or intervene to conflicts involving mass killings and crimes against humanity (United Nations General Assembly 2005). This commission was established as a basis of the R2P doctrine. The Report was made and named “humanitarian intervention.” This was produced after the controversy of foreign military intervention for human protection as it happened in Somalia, Bosnia and Kosovo. Certain things were supposed, to happen but it did not happen (UNGA 2005). According to Bellamy (2008: 621), “[t]he ICISS succeeded in reframing the humanitarian intervention debate by stressing the primary responsibility that states had towards their own citizens, situating non-consensual intervention within a wider continuum of measures including prevention, rebuilding and non-forcible means of reaction, and identifying a range of practices other than armed intervention that could contribute to the prevention and mitigation of genocide and mass atrocities”.

Rodt (2011:3) has stated that the concept of intervention places a challenge on the realist perspective of state security with its assumption about a state working in the best interest of the public within its purview. This directly pits the realist perspective against intervention which gives recognition to external actors’ and agencies’ responsibility to protect civilians (R2P). What this entails is the failure of the state in its responsibility to exercise its sovereignty in the best interest of its civilian population. Crocker (2007:53) argues that, “the notion of non-

¹⁷ICISS was established in 2001 it aimed to develop and international consensus regarding when international community can respond to conflict involving mass killings and crimes against humanity. This commission was established as a basis of the R2P doctrine. Report was made named “*humanitarian intervention*”. This was produced after the controversy of foreign military intervention for human protection as it happened in Somalia, Bosnia, and Kosovo (UNGA 2005).

intervention should be regarded as an uncertain right because, it could be stripped off when a state fails or can no longer guarantee security of its own people, as it was claimed to be the case in Somalia, Bosnia and Herzegovina (1992-1998), Kosovo, (1999), Sierra Leone (2002), Sudan and Iraq (2003), and Libya (2011)".

A vast number of active conflicts have affected the African continent (Cocker 2007). The African Union, in its effort to arrest these conflicts, has put in place few mechanisms to deal with such conflicts, and one aspect of it is interventionist (Crocker 2007). For example, Article 4(h) of the constitutive Act of the AU (2000) upholds R2P, and it stipulates that the AU has powers to "intervene" in a member state when a decision has been taken by its Assembly (Crocker 2007). Intervention is only to be applied when "crimes against humanity are being committed against citizens".

Crocker (2007:35) states that, for any intervention to be successful forces intervening should be well, equipped, competent and determined. In addition to this, affected people should also become part of the process and leadership should be strong in the areas where conflict is occurring. According to Crocker (2001), any conflict that does not involve conciliation or negotiations or diplomatic intervention, eventually has to be addressed through military intervention. Diplomatic intervention involves various tools that are utilised to negotiate a settlement or peace between parties involved in a conflict. However, military intervention means the use of force or troops to resolve the conflict at hand.

Hoffman's (2001:273) analysis of humanitarian intervention is based on intervening in domestic conflicts, which fall into the category of *jus ad bellum*¹⁸. Hoffman (2001) argues that issues regarding safeguard of human rights, principles of state sovereignty and the criteria of choosing the intervener are fundamental considerations, which will determine the efficacy of any humanitarian intervention. However, humanitarian intervention has its own complexities. For instance, there is no clear or single criterion that has been set up regarding the rights, which need to be protected; there is also a lack of suitable authority to intervene.

¹⁸ *Jus ad Bellum*, according to Hoffman it a theory which focuses on intervention in conflicts a state or lawful authority has to take to that decision.

4.2 The UNSC and Intervention

The United Nations Charter suggests that the UNSC is the only body which possesses the right to bring about order and humanitarian intervention. There has been no consensus on when unilateral intervention and the right to protect should be resorted to (Bellamy 2008). However, there is an international consensus on the responsibility to protect (R2P) as long as the international community via the United Nations mediates this (Bellamy 2008). The UNSC also “has the responsibility to use diplomatic, humanitarian and other peaceful means, in accordance with Chapter VII and Chapter VIII of the UN Charter to help and protect populations from war crimes, ethnic cleansing and crimes against humanity” (Bellamy 2008). On the other hand, uses of military intervention in some operations of the UNSC and other countries such as the US have been regarded as crimes, which violated human rights and the sovereignty of other countries (Murphy, 2002). According to Murphy (2002), the United States used force unilaterally against Iraq and justified that it was using the attack as the right to protect. However, the UN Charter, article 4(2) prohibits the use of force. States may only use force when authorised by the UNSC (UN Charter 1945). In cases, such as Iraq and Afghanistan the US acted unilaterally and undermined the central authority of the UNSC (Murphy 2002).

Chapter seven of the UN Charter authorises the UNSC to take necessary measures in circumstances that involve “threats to the peace, breaches of the peace, or acts of aggression. In such situations, the Council is not limited to recommendations but may act, including the use of armed force to maintain or restore international peace and security” Baylis and Smith 2001: 703).

The UNSC adopted resolution 6888 in April 1991, which allowed countries to intervene in Iraq for humanitarian purposes. Countries such as the US, Britain and France sent out their military personnel to construct immigrant camps for the displaced refugees based in the North of Iraq for Humanitarian Agencies to obtain as safe location for their operations (Gallant 1992). The Resolution of the UNSC demanded Iraq to end repression against Kurds and Shia Muslims and to grant permission to international humanitarian organisations to assist those in need. However, Iraq was totally against the resolution; it argued that humanitarian intervention violated state sovereignty (Gallant 1992:822). Conversely, the UNSC requested all humanitarian

organizations and member states to participate in the humanitarian assistance operations because the consequences of the Kurdish repression were regarded as crime against humanity and it threatened global peace and security (Gallant 1992:823).

According to Betts (2001: 286), for any intervention to be effective or successful it needs to be impartial at all times to ensure the legitimacy of such intervention. Scholars have noted that foreign policy and national interests play a critical role in intervention (Betts 2001). States intervene in conflict situations to protect their vested interests (Betts 2001). For example, the US intervened in Somalia knowing that there are oil reserves that it was planning to sit on so that when the need to utilise them arose its companies would have gained full access and control (Betts 2001). After a successful intervention, it is vital to put a mechanism in place to avoid the regeneration of conflict. The mechanism is often referred to as peace building, which I discuss in the following section in some detail.

4.3 Intervention through Peace Keeping, Peace Building and Peace Enforcing

For the UNSC, the immediate response to a conflict situation has been to establish cessation of hostilities and cease-fires. Following this relative peace must be sustained to work on diplomacy, dialogue or peace negotiations – an immediate need to stop the war/conflict, which means moving in between warring parties. Here, peacekeeping has been appropriated to stop and sustain the war as well as monitor and regulate the conflict situation. In the last two decades or so, however, we have seen the UN expanding its peacekeeping activities, which demonstrates a clear shift from the old style and strategies of peacekeeping (Hannay 2009). The United Nations migrated to the establishment of peace building operations (Hannay 2009). We have also seen a number of peace-enforcing operations in recent years, mainly at the African Union-led peacekeeping operations. Migration to new strategies was initiated in countries such as Namibia, Somalia and the DRC, among others (Malone 1997). In addition to these military operations, the UN has involved itself in helping states to arrange elections and help with state building in countries lacking a central government (Malone 1997, Hannay 2009).

The distinctions are very clear. Peace making is regarded as an act, which is aimed at instituting consensus between parties involved in a conflict situation through negotiation, whereas peace

building creates more opportunities for both preventions of conflict and peace making (Boutros-Ghali 1992). What has come much later in peace enforcing is active engagement in conflict as a mechanism to get rid of the so-called destabilising element in the conflict situation.

Considering that peacekeeping and peace-enforcing are straight forward, the study aims to spend a bit more time and focus on peace-building, for it is a complex practice of intervention, and hence requires sustained exploration. This study draws references from the literature on peace building, and the writings on peace offered by Galtung (1964). According to Amao (2012), Galtung is usually referred to as a modernizer of peace studies. Galtung (1964) offers two categories of the concept of peace: “positive peace and negative peace”. According to Galtung (1964), positive peace incorporates structural integration, optimism, prevention, and the use of diplomatic means to secure peace, while negative peace is referred to as lack of violence, pessimism, and dealing with conflict through non-diplomatic measures (Galtung 1964). However, Boutros-Ghali (1992) argues that post-conflict peace building is integral to ensure that the status quo is achieved.

For Boutros-Ghali (1992), in a post conflict situation of an international war, peace building may be based on activities, which will strengthen cooperation between two or more countries, which will equally benefit countries involved. Cooperation can extend to economic development. However, transformation from conflict to peace needs to be a gradual process to prevent the breakdown of peace (Boutros-Ghali 1992). Transformation “can be realised using preventive diplomacy, peace-making and peace building” (Ghali 1992:1) According to Boutros-Ghali (1992:1), “preventive diplomacy refers to an action which seeks to prevent disputes from arising between parties, preventing existing disputes from escalating into conflicts and limiting the spread of the latter when they occur”.

The concept of peace building is conceptualized as a process through which a state goes through a makeover of a conflict situation into a peaceful situation. However, it must be noted that it is

¹⁹ Boutros Boutros -Ghali was born in Egypt, a politician and a diplomat. He was appointed as the secretary general of the United Nations; he took office from January 1 1992 to December 31 1996. Ghali submitted a document titled *An Agenda for Peace* in the first ever Security Council Summit convened on 31 January 1992. The document contained strategies on how the UN can tackle violent conflicts globally. Ghali was blamed for UN's failure to manage the 1994 Rwandan genocide, which led to killing about 1 million civilians.

a gradual process. A number of factors must be taken into consideration, for instance, changes, culture and structural underpinnings of the conflict (Lederach 1997). For Clements (2004), peace building is referred to as balance of power through resolving problems. Schirch (2008:8) captures peace building in some detail and defines it as “the process of restoring normal realities between people through reconciliation of differences, the apology and forgiveness of past harm, the establishment of cooperative relationship between groups, and the replacement of adversarial or competitive relationship that used to exist”. According to Schirch (2008), there are four primary concerns of peace building. These are: provision of security, creation of socio-economic foundations for peace, establishing a political structure for a legitimate peace and setting up reconciliation and justice.

4.4 The UNSC and the Use of Sanctions as a Peace Building Tool

The United Nations and other international organizations concerned with international peace, security and human rights “moved to the use of economic and political sanctions as one of the diplomatic measures used to promote peace and security, as well as democracy” (Malone 1997:399). Economic sanctions have been thoroughly used by the UN, the United States and the European Union. They are comprised of economic, financial, political, diplomatic and military sanctions (Malone 1997:399). Economic sanctions have been used to suppress the economy of that targeted state or entity if it is perceived to be threatening peace and security and/or violating human rights within its borders or the region (Bessher *et al* 2004: 63). Comprehensive sanctions are usually part of economic sanctions and they prohibit all direct and indirect imports or exports including imports and exports of technology and services (Bessher *et al* 2004: 63). Furthermore, economic sanctions limit transactions; they block trading with minerals and other exports, which could be a source of revenue for the targeted state or entity. The UNSC condemned Iraq’s invasion of Kuwait through passing RES 660 (1990). The Resolution demanded Iraqi forces to withdraw from Kuwait. Hence, the UNSC further decided to adopt Resolution 661(1990) imposing economic sanctions against Iraq. Resolution 665 (1990) called for all states with maritime force in the area to strengthen and ensure that RES 661 (1990) was properly implemented, with regards to shipping. Sanctions also included arms non-proliferation and oil exports. The United Nations SC was acting in line with Chapter seven of the United Nations Charter, which permits the United Nations Security Council to impose diplomatic, economic and military sanctions (Browne 2003).

According to O'Brien and Sinclair (2011) on 22 February 2011, the US Secretary of State Hilary Clinton declared the Libyan government's use of violence against humanity as a terrible act. Nicolas Sarkozy, the French President, forwarded the proposal on 23 February 2011 that the EU should adopt sanctions against Libya to end the conflict. The French proposal received support from Germany and Britain. However, Italy and Cyprus were undecided whether to support or be against the adoption of sanctions since they had a huge economic relationship with Libya (O'Brien and Sinclair 2011). Resolution 1970 (2011) was unanimously adopted by the UNSC to condemn the use of violence and demanded an immediate end of violence. The resolution enforced sanctions against Gaddafi and his advisors (O'Brien and Sinclair 2011). The debate on the efficacy of sanctions persists. Sanctions have been used to influence foreign policies, and in some cases internal policies of targeted countries (Bessher *et al* 2004: 76). We have also seen that bilateral and multilateral sanctions are frequently used to "promote" democracy and to enforce resolutions against aggression and domestic repression (Neta and Klotz 1999: 4). According to Neta and Klotz (1999:4) "In recent decades, diplomatic, economic, and military sanctions have been imposed against Angola, Sudan, Cuba, Haiti, Iran, Iraq, Nigeria, Rwanda and Yugoslavia". Despite the persistent and constant use of this tool, there is still no agreement on the behavior of the targeted states (Neta and Klotz 1999: 4), and the general outcome of such sanctions. Neta and Klotz (1999:4) states that even though sanctions may be effective on some occasions, most studies show that sanctions do not work in the sense of bringing about required change in the policy of the targeted country. Some argue that sanctions have a perverted effect of exacerbating humanitarian crises instead of being a solution to humanitarian crisis.

Overall, as their primary objectives, sanctions are intended to promote social, political and economic transformation on targeted state (Simons 1999: ix). Sanctions can only be considered effective if that state met the conditions or changes its course towards the desired behavior. One needs not to forget that sanctions can be imposed by a state onto another state and international organizations (Simons 1999: ix). For instance, the European Union and the US imposed sanctions on Zimbabwe. Even though this has not produced the desired outcome, it has seriously affected the country. Some have pointed out that these sanctions are weakened by the fact that South Africa is a crucial trade partner with Zimbabwe and is not party to these sanctions, nor does it believe in them (Mazoe 2013:64). Either way, these sanctions on Zimbabwe have failed to bring about desired changes (such as regime change and the so-called "promotion" of democracy) in

Zimbabwe (Mazoe 2013:60). The clear outcome of these sanctions, as Mazoe (2013:60) points out, are the negative consequences (both social and economic) that have hit hard on innocent civilians, and they continue to bring about undesirable negative outcomes on social and economic well-being of civilians.

Nevertheless, the imposition of sanctions on Apartheid South Africa did contribute to change. South Africa was denied access to oil by OPEC. To counter this, it had to rely on the promotion of coal and nuclear energy (Peter 2013:36). South Africa was banned from importing arms and other intelligent weapon systems. This seemed to have been the driving force on the willingness of South Africa to withdraw its forces from Namibia (Peter 2013:36). The end of apartheid in South Africa was achieved because of a combination of factors and with a range of strategies and actions; yet, we still need to assess the impact or the role of economic sanctions (Peter 2013: 37). There are no doubts that economic sanctions played a significant role; the economy of the country was devastated. Thus, the country had to resort to other means to survive the crises. We have seen the apartheid state resorting to innovative strategies to circumvent this situation and enter bilateral agreements as a cushion to this isolation. Cortright and Lopez (2000:1) note that, instead of the sanctions, the economic and political conditions in SA were crucial elements, which influenced the results. For Peter (2013:37), in the final analysis, “sanctions did not cause the National Party to decide to abandon apartheid but they accelerated the inevitable”. Sanctions became a major contributing factor to bring about change in South Africa. However, this strategy was not fully effective since the apartheid state consistently found a way to mitigate itself against these sanctions. But the divestment was a so hard hitting-major as investors and banks withdrew, and the remaining ones started threatening the state, which contributed to the pressure on the apartheid government to negotiate.

4.4.1 Ineffectiveness of Sanctions

Sanctions have been used to reverse territorial aggression, in pursuing democratization projects, protecting human rights as well as deterring and isolating terrorism (Cortright and Lopez 2000:2). The use of sanctions during the 1990s did bring about some minimal positive results (Cortright and Lopez 2000:2). For example, the UNSC enforced compulsory sanctions against Iraq in 1990, Yugoslavia in 1992 and in Haiti in 1993 (Courtright and Lopez 2002:2). These sanctions proved

to be no immediate and effective measures than they had been in past decades (Courtright and Lopez 2002)

Before we even move further, it is necessary to define the success of sanctions. Cortright and Lopez (2000:3) argue that economic success does not assume political success. Economic sanctions may have been very effective in bringing about a standstill in economies of targeted states, closing national borders as in cases of Angola and Rwanda but they failed to offer expected political outcomes (Brzoska 2001: 116). Failure to produce political objectives is certainly a failure in sanctions since any sanction's objective is essentially political in its nature.

Sanctions are a better alternative to the utility of force considered financially costly and politically extremely controversial (Brzoska 2001:116). We have also seen that the use of military force does not always bring about success (Brzoska 2001:116). For instance, in the case of Kuwait and Kosovo, military force was perceived to be a success, but it failed in Somalia (Cortright and Lopez 2000:4). More than two decades later, Somalia still stands as a strain in the international system, with multiple futile interventions.

We have seen that sanctions and/or threats of sanctions have been used to bring warring parties into a negotiation table. This was the case in the case of Angola, and much recently in the case of South Sudan. In the early 1990s, the government of Angola and the National Union for the Total Independence of Angola (UNITA) was engaged in an intense and destructive civil war (Courtright and Lopez 2001:116). The UN Security Council imposed sanctions in 1993 to force the parties to negotiate the peace agreement called the Lusaka Protocol (Cortright and Lopez 2000:197). The war continued until 1997 when the UN imposed stronger sanctions and continued in 1998 (Brzoska 2001:116). The war continued, and hundreds and thousands of civilians died. This created huge economic and humanitarian devastation (Brzoska 2001: 116). Banning UNITA's extensive international networks of diamonds trade and supply of arms was not effective. The failure was because economic and disarming sanctions were not enforced properly (Brzoska 2001:116). Resolutions adopted by the Security Council comprised of diplomatic, economic and financial restrictions on UNITA but there was lack of implementation on these measures (Cortright and Lopez 2000:197).

The United Nations sanctions lacked power to prevent and monitor illegal trade of UNITA (Simmons 1999:111). UNITA did manage to transport diamonds via other ports in Africa and it

sold or exchanged them for arms through the deals it made with various countries in Africa, including independent dealers (Simons 1999:111). According to Simons, UN sanctions failed to prevent the rise of war and to weaken UNITA's ability to build its military power. This resulted from and was compounded by the rise of the regional war in Central Africa, which brought a setback to the process of solving the Angolan crisis (Simons 1999:112). In conclusion, Simons asserts that peace in Angola depended on the commitment of powerful key states, private actors and the international community to implement sanctions (Simons 1999: 113).

Sierra Leone is also another good case to evaluate the efficacy of sanctions. Sanctions imposed on Sierra Leone were almost like those imposed on Angola in an attempt to find an end to the civil war (Simons 1999:113). The sanctions in Sierra Leone were mainly against an armed rebel movement, which refused to accept the results of democratic elections (Simons 1999:113). In 1997, the Armed Forces Revolutionary Council (AFRC) overthrew the elected democratic government of Ahamed Kabbah (Simons 1999: 113). In August 1997, "the Economic Community of West African States (ECOWAS) imposed oil and arms import and export embargo in Sierra" (Cortright and Lopez 2000:167). Following resolution 1132, the UNSC also imposed travel sanctions on members of the AFRC. ECOWAS also mobilized and deployed 14 000 armed forces to remove the armed rebel group (Cortright and Lopez 2000:167). Cortright and Lopez (2000:173) argue that sanctions against Sierra Leone were ineffective in that they failed to achieve their goals due to lack of proper enforcement and monitoring mechanisms. The threat of sanctions which led to the Conakry Agreement was initially effective as it led to negotiations. Lack of proper monitoring and implementation by the UNSC and ECOWAS, however, undermined the effectiveness of sanctions (Brzoska 2001: 216). Effective trade embargo should have put the country to a standstill crippling the warring parties, as Sierra Leone depended only on few mineral resources such as diamonds, and blocking imports could have created huge economic crises (Brzoska 2001: 216).

Guinea, which has bilateral relations with Sierra Leone tried to enforce sanctions. It closed the border between the two countries. However, Guinea failed to prevent trafficking operations (Simons 1999:114). Violations of arms exports and imports were common and caused a huge problem (Brzoska 2001:183). Arms embargo failed to limit the military capabilities of the RUF and other rebel groups. The enforcement of travel sanctions was hampered by the lack of institutional capability of the UN and the inadequacy of resources in Guinea and other neighboring

states (Brzoska 2001:183). Recently in 2007 the United Nations “decided to split the DPKO and the Department of Field Support (DFS) which provided support to political field missions and peacekeeping in areas of finance and budget, personnel and human resources logistics and information, communication and technology” (Spencer 2015). The General Assembly and SC resolutions established a commission for peace building, peace building funding and the peace building support offices were found (Spencer 2015). The UNSC has almost 120 000 peacekeeping personnel serving in 17 missions globally. Plans are under way to increase this figure since the Central African Republic Mission and South Sudan Mission are to be reinforced. The UNSC has personnel deployed in Mali, helping with the rehabilitation of roads (Spencer 2015).

UN sanctions did create undue burden on ordinary citizens such as increasing transportation costs resulting from limited availability of oil (Simons 1999: 114). This eventually led to the rise of food prices to such an extent that food prices tripled. Malnutrition was also another crisis exacerbated by the sanctions (Simons 1999:114). Thus, the absence of proper implementation and inspection of sanctions led to a very limited capacity of their effectiveness (Cortright and Lopez 2001).

The UN arms embargoes imposed against Somalia and Liberia in 1992 and Rwanda in 1994 proved to be ineffective as well (Malone 1997:399). Somalia spent billions on arms imports, which exacerbated the crisis in that country (Brzoska 2001:66). This was despite the United Nations imposed sanctions and other peacekeeping operations it led in that country. In Liberia, the Security Council did very little to monitor sanctions imposed in the country (Brzoska 2001:66). It also failed to establish sanctions with immediate effect; it took no action until after two years of the crisis, during which time the war was raging. Even after the sanctions were imposed, the joint effort of the United Nations and ECOWAS failed to end the war in Liberia or even prevent Charles Taylor²⁰ from achieving political power (Brzoska 2001:66). Sanctions imposed on Somalia, Liberia and Rwanda were not effective. On the contrary, they merely exacerbated and complicated the famine, war and genocide. Sanctions were very far from ending the Rwandan genocide, which killed more than 500 000 people (Brzoska 2001:66).

Iran is another very crucial case, which is very current. Iran has been sanctioned from 1979 to-date (Einhorn *et al* 2011: 4). Debates over the efficacy of sanctions against Iran are not settled yet.

²⁰ Charles McArthur Ghankay Taylor is a former Liberian Politician who became the 22nd President of Liberia, from the 2nd of August 1997 until 11th of August 2003. On 26 April 2012 Charles Taylor became the first former head of state since Nuremberg to be convicted for war crimes against humanity by the UN backed Court.

Sanctions in that country “have targeted weapons development, trade and investments, nuclear materials, financial dealings, refined gasoline and assets of Iran” (Einhorn *et al* 2011: 4). The United States imposed the listed sanctions and other countries such as Japan and South Korea imposed sanctions against Iran by reducing their oil deals with that country. The European Union has taken similar measures. Yet Iran has not given up its nuclear programme (Einhorn *et al* 2011: 4). Iran has been involved in P+1 talks, while it is still accused of pursuing the nuclear ambition and continues to test its weapons (Einhorn *et al* 2011: 4). This can be interpreted to mean that sanctions have not yet produced the required political objectives as Iran has failed to adhere to the Resolutions and Sanctions imposed by the UN Security Council (Einhorn *et al* 2011: 4). Refusal of Iran to suspend its Uranium nuclear programme led to the passing of UNSC/RES/1696. Recent developments include the P+1 talks held in Switzerland in January 2015. The agreement was that the sanctions would be lifted if Iran agreed to reduce its production over a period of ten years (The Telegraph newspaper 2015). UNSC resolution 2231 passed on 20 July 2015 set out a schedule for suspending and eventually lifting UN sanctions with a provision of re imposing the UN sanctions if Iran does did not comply with the Joint Comprehensive Plan of Action (UNSC/RES/2231/2015).

What we can infer from the available evidence on the cases of sanctions examined in this section is that sanctions have a minimal impact or are complete failures. Lack of circulation and communication of vital information among states is a factor that may have led to the failure of sanctions on some of the cases reviewed here. For instance, the sanctions committee in Angola found out that the immigration officers in some neighboring states did not have the list of names of the individuals of the rebel groups. The travel officers could not enforce travel sanctions since they did not know who was banned (Brzoska 2001:216). Scholarly evidence shows that sanctions have failed to achieve the desired objectives in the cases of Angola, Sierra Leone, Liberia, Somalia, Rwanda and Iran (Cortright and Lopez 2000). Economic sanctions may have negative impacts on the citizens of the state under sanction by creating havoc in the economy, while miserably failing to address the main issues such as the proliferation of arms, prevention of civil wars and genocidal issues, promotion of human rights, prevention of terror, the promotion of democracy and the promotion of international peace and security (Simons 1999).

4.5 The Role of the UN in the Recent Conflicts

It is evident that the international community including countries such as the United States, Britain, France, China and Russia has failed to effectively deal with the current crises in many parts of the world – Syria, Libya, Iraq, Afghanistan, Somalia, South Sudan, and so on. The Syrian crisis highlights the fault lines and the major problems. This has raised questions why these powerful states have failed to come up with a coherent plan to deal with and intervene, and come up with collective strategies for a resolution of this conflict. Russia has been blamed for playing an unproductive role, which, the West claimed, has contributed to perpetuating the conflict by using its veto to block resolutions tabled at the UNSC. Moreover, Moscow continues to be a staunch supporter of Assad's regime, providing it with weapons, military and diplomatic support. Such blame is one-sided. There are multiple actors stocking this fire, by arming different sides in this multilayered conflict. The US has been arming what it called moderate opposition, who are effectively waging the civil war. Gulf States and Turkey continue to support anyone who could dismantle the Assad regime. In the international system, we find multiple parties using their influence to promote their strategic interests. Their actions and inactions are followed by consequence – more conflict, death and displacement of people.

Israel in 2014 launched an attack on homes, schools, and hospitals in Palestine. The UN shelter in Gaza was not spared, resulting in the killing of about 22000 Palestinians. The UNCHR commissioner Navi Pillay condemned Israel's actions, stating that "Israel was deliberately defying international law in its military offense in Gaza and that world powers should hold it accountable for possible war crimes" (Chossudovsky, *et al* (2011)). However, the UNSC failed to act since the US veto blocks any possible action to be taken against Israeli (Chossudovsky, *et al* (2011)).

Recently the Arab Spring in the Middle East Region has led to mass killings including regime changes in countries such as, Yemen, Libya and Tunisia to name a few (Chossudovsky *et al* 2011). Libya experienced massive deaths of about 40 000 people, and the Syrian civil war has caused about 220 000 casualties (Chossudovsky, *et al* 2011). Occurrence of human rights abuses and crimes against humanity at unanticipated rate in Syria is unfortunate (Chossudovsky, *et al* 2011). One observation is that "These are devastating events and could have been prevented from happening if member states had reached a consensus and acted on time" (Chossudovsky, *et al* 2011). However, the UN is not a central government but is made up of competing and conflicting nations. It also lacks a readily available army of peacekeepers to be deployed and only member

states are the ones who take decisions with regards to what actions should be taken (Chossudovsky *et al* (2011)).

(Chossudovsky, *et al* (2011) argues that setbacks reveal the weaknesses of the UNSC and the P5. This allows some member states' interests to be prioritized over the need to end on-going conflicts. Navi Pillay addressed the SC and stated that “short term geopolitical consideration and national interests, narrowly defined have repeatedly taken precedence over intolerable human suffering and grave breaches of and long term threats to international peace and security” (Chossudovsky *et al* 2011). The SC has been regarded as undemocratic, and lacks any accountability mechanism. We have seen the P5 members of the SC's refusal to accept any kind of major reform. On the other hand legitimacy of the UN is declining (Chossudovsky *et al* 2011).

4.6 UN intervention and the Question of Sovereignty

What we have explored so far speaks to the form and practices of the international system and governance mechanism. This, in many ways, conflicts and/or competes with the claims of sovereignty. This is treated as sacrosanct by the UN charter. Sovereignty is a significant concept of the Westphalia system; it was secured by the convention of the League of Nations and the UN Charter (Snyman 2006). A war that lasted for 30 years fought in Europe ended in 1648. The Westphalia treaties were signed in 1648 (Snyman 2006). Westphalia led to the creation of territorial law. Thus, the “peace of Westphalia recognized the equality of states as principle of modern international law” (Snyman 2006: 9). The State was observed as a tool of actual power and global law became the power that regulates relations between states; ensuring that states are independent, free from any external influence and that they can spearhead their interests freely (Synman 2006). The peace of Westphalia, however “obliged states to defend and protect the peace and there by combined the principle of sovereignty with a duty to cooperate” (Snyman 2006:10). The International Court of Justice (ICJ) also alluded that sovereign states have to respect the “territorial integrity” of other states that is essential for International Relations hence the use of force is condemned (Malone 1997).

Sovereignty is a concept of international law (Synman, 2006). Internationalization and universalization of human rights has led to a limited sovereignty granted to states (Snyman 2006). Sovereignty has been defined as having full authority over a certain territory, immune from being

challenged (Snyman 2006). The concept of sovereignty included a fundamental principle but which was negative. That is a principle of “non-intervention in domestic affairs of other states” (Malone 1997). Sovereignty was regarded as an integral pillar of state power and supported the view that states are immune from any foreign interference (Snyman 2006). In 1945 the principle of sovereignty was included in the UN Charter as Article 2(7) stipulates that:

The UN shall not intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to such matter to settlement under present charter but this principle shall not prejudice the application of enforcement measure under Chapter vii.

Article one (1) of the UN Charter speaks about sovereignty (UN Charter 1945). It alludes that the UN itself is based on the doctrine of sovereignty, hence all its members are equal. All states have to respect international law (UN Charter 1945). Article 2(4) of the UN Charter prohibits its members from using force or even threatening to use force against one another (UN Charter 1945). However, the Charter does recognize the use of force under the authority of the SC, and when a state exercises its right of unilateral or multilateral self-defense guided by Article 51 of the UN Charter (Murphy 2002). Article 39 of the UN Charter exempts the SC from non-intervention under unforeseen circumstances (UN Charter 1945, Snyman 2006). Article 39 of the UN Charter grants the SC the rights to eliminate any threat to peace and acts of aggression and decides on measures that should be applied to maintain peace and security (UN Charter 1945). This must be done in line with articles 41 and 42, which empower the SC with the right to enforce military intervention (UN Charter 1945). This article directly limits territorial integrity of states (Snyman 2006). Furthermore, “international human rights are a fundamental objective of the United Nations” (Snyman 2006).

The question of sovereignty has been in the discourse about legitimacy of intervention. In recent years, most governments appear to lack full control of what happens within their borders (Nye JR 2003:155). Economic globalization has played an integral part in the loss of sovereignty. Economic interdependence plays a crucial role in disturbing sovereign stable states (Nye JR 2003:155).

4.7 Conclusion

This chapter discussed how intervention has been constructed globally. It has been argued in this chapter that the UNSC has its own intervention mechanism designed to be guided by the UN

Charter of 1945. The UNSC is regarded as the only body that has the authority to intervene in a conflict that threatens global peace and security. However, it may delegate or authorize external actors to carry out its mandate. In the UN Charter under chapter vii and chapter viii it is stipulated that states have the responsibility to protect civilians from war crimes, ethnic cleansing and crimes of aggression (UN Charter 1945). Nevertheless, recently powerful states such as the US tend to disregard the rules of the UN Charter. For instance, in Afghanistan and Iraq in 2003, the United States invaded these countries without notifying the UNSC that it was exercising self-defense and invoking the R2P.

Furthermore, this chapter discussed that the UNSC has the authority of intervention, peacekeeping, peace building and peace enforcing. The UNSC holds the responsibility to initiate diplomatic engagements between conflicting parties. This chapter captured that during the 1990s the UNSC moved to use sanctions as one of peace building tool, for instance in countries such as Angola and Sierra Leone. Sanctions included economic sanctions, arms and travel embargoes. Sanctions were utilized to compel states or individuals to comply with UNSC resolutions. For instance, the UNSC passed resolution 661(1990) and imposed economic sanctions and arms embargoes against Iraq and Kuwait. Iraq was forced to withdraw its troops from Kuwait.

Debate over the efficacy of sanctions has been ongoing. Some arguments suggest that sanctions are useful and cheap. However, some arguments suggest that sanctions need extensive monitoring and proper implementation for them to work and achieve desired results. The UNSC has utilized various methods and strategies in its quest for maintaining global peace and security. However, these strategies seem ineffective in conflicts such as the Syrian conflict. The UNSC is unable to use its full potential to end the conflict. Dynamics such as the use of veto to block resolutions that could have ended the conflict has destroyed the legitimacy of the UN. This chapter also discussed the issues of state sovereignty, integral in maintaining international relations. The UN charter states that “no state has the right to intervene in domestic affairs of another state unless the country has been declared by the UNSC that it has failed to provide security and protect its own citizens from crimes of aggression” (UN Charter 1945).

The next chapter focuses on the critical discussion of the responsibility to protect doctrine by exploring its application in selected cases.

CHAPTER FIVE

UN INTERVENTION: The Responsibility to protect clause (R2P)

5.1 Introduction

It is very important to dwell on the discussion of the clause of R2P and the various notions surrounding it, since it has been a crucial instrument that was used in the three case studies of this research. This doctrine is linked to both remote and immediate causes of the 2011 Libyan conflict, linked to the 2003 Iraqi war or intervention and, in an important way, to the Somali crises. This Chapter focuses on the R2P doctrine, which has had several implications on the three case studies. This chapter also highlights that the prospect for global peace and security is elusive to attain.

The notion of Responsibility to Protect (R2P) “has been defined by various scholars such as Burke (2009), Luck (2008) and Kizti (2012) as mandatory to external protection to citizens who are affected by mass violence and suffering, genocide, ethnic cleansing, war crimes and crimes against humanity”. There are five main documents where R2P has been discussed. These documents are: “the High-Level Panels, “Report on Threats, Challenges and Change”, the Secretary Generals Reports “In Larger Freedom”, the Outcome Document of the World Summit of 2005, UN Security Council Resolution 1674 in 2005, and the UN Secretary – Generals Report on “Implementing the responsibility to protect” (Office of the President General Assembly 2009).

The above-mentioned documents play a critical role with regards to trying to ensure that the international community plays a collective role in areas where civilian populations are affected by conflicts. However, no documents contain binding international law in terms of Article 38 of the Statute of the International Court of Justice (ICJ) (Kizti 2006). The UN Human Rights report of 2006 (cited in Kizti 2006:8) and Burke (2009) suggest that the R2P concept was established to create an agreement or settlement with regards to when intervention should be permitted, under whose authority and organization, and the way the intervention should be executed.

The R2P doctrine places three primary responsibilities on the international community (Scharlen *et al* 2007). These are: “the responsibility to prevent”, “the responsibility to react”, and “the responsibility to rebuild” (Scharlen *et al* 2007:6). R2P has drawn enormous criticism with regards to how it functions and how it has been appropriated. One of the criticisms arises from the notions that it is sometimes ambiguous and it is used in situations where intervention is unclear. The 2011

Libyan crisis can be used as the typical example, which captures the above statement – fuzziness and ambiguities of the doctrine. To make matter worse, R2P has been used to overthrow governments/regimes (which is illegal under the UN Charter) and in the process inflicting massive abuses of human rights. This has raised eyebrows on this doctrine. To make matters worse, in many instances, the R2P doctrine has appeared to victimize people who should be protected (Burke 2009: 35).

Furthermore, there is a lack of legal foundations for the R2P doctrine, whose application has often surreptitiously led to the advancement of interests of the interveners. It is clear by now that time and again, more powerful states intervene in weaker states (Burke 2009: 139). In many instances, this doctrine is selectively applied against those who refuse to be in line with the powerful state's global projection of power. Burke further opines that intervention is more rooted on the Realist perspective which points out that states intervene when there are material interests. The UNSC Resolution 1973 and NATO's military intervention in Libya, Iraq and Somalia, justifies the above claim.

One must note that there has been confusion between the R2P and the use of military intervention. R2P has led to the frequent use of unilateral intervention, for instance Afghanistan and Iraq interventions (Burke 2009). In these cases, the United States and its allies used military intervention under the notion of R2P. Scholars have argued that R2P has become a 'Trojan Horse for legitimization of unilateral intervention' (Burke 2009). This chapter will discuss the doctrine of R2P and its application in Libya, Iraq, Somalia and globally. It will examine role of NATO and the Responsibility to Protect in Libya, the AU and the Responsibility to Protect in Libya, the African Union's Capacity to respond to the Libyan crisis, Lack of Unity in Africa, the Death of Gaddafi, Lessons from the activities of the AU, NATO, and the UN in Libya and Somalia, Lack of Material interests and the situation of Somalia today and Iraq in 2003.

5.2 The Doctrine of R2P: Its application in Libya

The 2005 World Summit outcome document endorsed the principle of the Responsibility to Protect. The two paragraphs i.e. 138 and 139 of the World Summit outcome are worth repeating in full here:

Each individual state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should; as appropriate, encourage and help states to exercise this responsibility and support the United Nations in establishing early warning capability.

This paragraph of the 2005 World Summit Outcome document emphasizes that the international community has the responsibility to protect civilian populations from crimes against humanity through the UN agencies (World Summit Document 2005). The UN has to use diplomatic means, and other peaceful means in accordance with chapters VI and VIII of the UN Charter (UN Charter 1945). On the other hand, regarding the 2011 Libyan conflict, the UN and NATO supported intervention. They did not use diplomatic means, but military intervention was used against the civilian population and the military of the Libyan state (Azikiwe 2012).

The UN has failed its Charter with regards to the protection of vulnerable populations. In this sense, it has failed in its primary objective as the global security mechanism. Failure of the United Nations to respond during the unfortunate ethnic cleansing in Rwanda and Cambodia, and other similar cases, has raised serious questions on whether the UN has the will and/or capacity to maintain global peace and security (Courtright and Lopez 2000). The tensions between actions and inactions here must be carefully appreciated. On one side, the UN is accused for its inaction, and on the other, it is berated for acting fashions. As the former UN head, Annan (1999) captured this in the following manner: “[t]he genocide in Rwanda showed us how terrible the consequences of inaction can be in the face of mass murder. But this year’s conflict in Kosovo raised equally important questions about the consequences of action without international consensus and clear legal authority”. Even though, on the latter, Annan was steering towards the need for international consensus on any intervention, what is clear is that, as It will be demonstrated below, those who intervene have their own agenda, for the better or worse, even when there is consensus.

Much of the contradiction is to be found in the ways in which the powerful states have sought to use the UN as an extension to their foreign policy. Particularly the US and its Western allies, they have been so vividly and unabashedly tampering with the UN as an institution to promote own

interest. One week after protests in Libya and the ensuing civil strife, the “Global Centre for the Responsibility to protect (GCRP) requested the Security Council to take actions such as establishing a no-fly zone over Libya and enforcement of arms embargo and targeted sanctions against Gaddafi’s regime” (Bellamy 2011). The UNSC intervention was deemed essential since the Libyan government run by Muammar Gaddafi was not to be trusted to adhere to Pillar 3 of the 2005 World Summit Outcome Document (Bellamy 2011). Much of this was based on speculation of his past action rather than the reality on the ground. The media fueled the potential that Gaddafi would kill his own people protesting against him. Hence, many in the Western governments led international community deemed the regime unfit to protect or that it would fail to comply with minimum protection of citizens, and aggressively pursued the request of international intervention (Bellamy 2011).

The introduction of resolution 1973 states the following:

Reiterating the responsibility of the Libyan authorities to protect the Libyan population and reaffirming those parties to armed conflicts bear the primary responsibility to take all feasible steps to ensure the protection of civilians in Libya”. This explanation proposes that the Libyan government had the capacity to protect its civilian population; however, it did not protect it. Fascinatingly, this writing discusses to both the recent norm of R2P, and to the Protection of Civilians (PoCs) — the latter being an old principle of Just War theory found in religious traditions, but which was universalized as a norm in international humanitarian law through the “1949 Fourth Geneva Convention” (Patnogie, 2006:68)

The UN Security Council intervened in the Libyan crisis under the guise of the R2P doctrine, which initially was meant to enforce a no-fly zone. The US, France and the UK used the opportunity to completely dismantle the Libyan state and its infrastructure and the military. This is the reason why some scholars such as David Rieff (2011) are uncertain of the UN’s role in the Libyan crises. They state that it can be argued that Gaddafi’s actions of dealing with state offenders publicly gave Western States a loophole into the conflict, hence the UN-supported – NATO led the intervention in Libya, which was never intended to exercise R2P, but conversely signify the assertion of the world’s powerful states autonomy to invade weaker states at will. Furthermore, it is observed that the UNSC and NATO entered Libya because of the notion that

the Libyan population was suffering from crimes against humanity. Moreover, Rieff (2011:1) and Western (2012:1) add that the UNSC and NATO led the intervention in Libya in 2011 which “obscured the fact that NATO’s interpretation of R2P in effect puts the old wine of Kosovo style humanitarian military intervention in a new U.N sanctioned bottle”.

Rieff and Western argue that the French, British and US’s intervention in Libya was rooted on the grounds of obtaining regime change; it was never intended to protect Libyan civilians as they had stated. France, Britain, and the US ignored Gaddafi’s ‘crimes’ when it benefited them. R2P played a significant role to cover up the real intention of the trio in Libya. The recently revealed former Secretary of State Hillary Clinton’s email exposes quite a bit about the intention of the trio: in their intention to dislodge the Gaddafi regime from power, and their pursuit to control the oil fields and the economy in Libya (see Hoff, 2016). These revelations highlight the susceptibility of the so called humanitarian intervention and its selective usage as well as abuse and misuse of the powerful state to promote their own economic and geopolitical interests. At the very least, they are informed by their considerations.

Another trouble to such humanitarian intervention in the form of R2P is its effectiveness. Various scholars have put forward an argument that the R2P clause had led to a loss of more life than the lives it has protected (Bellamy, 2011; Malone, 2012). With regards to Libya and Iraqi invasions, both cases represent the dubious claims, misuse and abuse of the R2P doctrine to serve the interests of powerful states. The UN’s action and decision, and sudden NATO military use in the oil rich Libya showed inequalities on how responses to issues, which threaten international peace and security, are executed (Bellamy 2011). For example, we can look at the growing evidence from cases which have been considered for such humanitarian interventions: Libya and Syria. In both cases, the removal of Gaddafi’s regime and Assad’s regime is portrayed as a crucial element of protection of human rights (Forsythe 2012). Forsythe (2012:6) states, “Western Arab states forwarded a resolution to the Security Council supposedly to protect the civilians from attacks on Gaddafi’s government. However, the rationale was to encourage the revolt and impede its repression”. Nations such U.S. UK and France were in support of the rebels (Malone 2012:4).

In the case of Syria, the UNSC was considering the resolution that Assad's government had performed acts of aggression and crimes against humanity (Forsythe 2012). Furthermore, it accused Bashar Al Assad, stating that "he resorted to violence in order to maintain his control, the Arab League of Nations forwarded a call for a resolution to the Security Council demanding Assad to step down from power as president" (Forsythe 2012: 7). In large part, the Assad regime has in many cases been protected by Russia and China. This is because it is an ally of these two countries (this is particularly true for Russia). Secondly, to avoid the Libya kind of situation of statelessness and power vacuum and radical elements appropriating this vacuum, something had to be done.

We have learnt from recent developments in the country that Moscow shares close relations with Assad's regime, and it also does not want the terrorist element to take hold in the country, which it fears could be used to destabilize Russia (Malone 2012). In addition, China's decision of casting its negative vote with Russia thus blocking the passing of a resolution against Syria was not clear since it has no material interests in Syria (Malone 2012:4). However, China has also made it clear that such an intervention requires careful consideration, which entails that its decisions are informed by its desire to avoid the undue use and abuse of R2P in the Libyan case. The following section will explore the R2P in some detail, as considered and implemented in Libya and the role of the AU as a continental body and NATO members in such intervention.

5.3 Regional Bodies, Military intervention and the Responsibility to protect in Libya

NATO's attack on Libya was the military force fronted by the trio (Britain, France and the US) to perform the self-elected mandate of enforcing a no-fly zone. Other countries too had a role here – notably Qatar. This intervention contributed as the final act of regime change and the killing of Gaddafi under the guise of protecting Libyan population from crimes against humanity. Resolution 1973 certainly did not authorize the use of unfettered military power, and it was not also meant to destroy all military and other infrastructures of the country. It was meant to be a deterrent to prevent an active war and facilitate peaceful settlement. This deterrent was termed "no-fly zone" against Gaddafi's regime to put a stop the potential active war against

the uprising and mass killings. Everyone can see that this was evolving into a civil war, with Benghazi heavily armed and militarized, and which made the NATO and associate's intervention in Libya an intervention in a civil war. This intervention in a civil war, certainly, was never authorized by the UNSC resolution. NATO crossed the line of the UN authority by forcing regime change and by targeting Gaddafi and his family. That was a complete breach of the UN Charter.

However, there has been uncertainty concerning when should there be the use of military action or use of force without any consent from the government of that country where intervention is taking place (Bellamy 2011). Where there is no clear R2P, "the intervention is more likely to be 'ad hoc' unilateral, self-interested and deeply divisive" (Bellamy 2011: 2). What happened in Libya in 2011 revealed that unilateralism, driven by the self-interest of NATO, constituted a major push for self-aggrandizement. Resolution 1973 (2011) of the Council has been interpreted to suit own objective which is different to the intent and spirit of the resolution. In the Libyan case, NATO assumed the position of being the military wing of the UNSC through its direct military action. The trio (France, Britain and the US) engaged a rushed military offensive ostensibly to implement Resolution 1973 of the SC; a resolution that was meant to open up a possibility for cease-fire. The negotiated settlement was simply hijacked by these powers and NATO's involvement. This intervention took place at such a pace that AU led initiative did not get enough time to negotiate a settlement with the Libyan government and the opposition. The Western powers saw that their position to exploit Libyan natural resources was under threat; they used all means to avoid losing control or access to the Libyan natural resources. By some account, these powers spent more in waging the war than building Libya. According to Rieff (2011), the early pull out of NATO forces from Libya and the festivity of killing Gaddafi unveiled the motives of the plan which was to dislodge and kill the Libyan leader.²¹

It can be argued that this is no different to the unilateral actions of NATO in Kosovo in 1999 and in Iraq in 2003. As Isike, Okeke – Uzodike and Gilbert (2008:34) point out, France, Britain and the US target resource rich countries since they have vested interests in these countries.

²¹ This is infamously captured by the then Secretary of State Hillary Clinton statement "We came, we saw, he died!" followed by crude giggle.

Libya and Iraq are good examples that can be highlighted since they are large oil producers. Moreover, when it comes to perusing these interests the principles of their foreign policies (such as promoting democracy and human rights) are often ignored. In contrast to these, the UN's failures and lack of political will in the 1990s cases of Rwanda and Somalia have shown its structural, political and operational shortfalls as a mechanism tasked to ensure global peace and security. Thomas (2013:85) states that "while the implied UNSC, claim that 'we are our brothers and sisters keepers' notably in Libya the UNSC served as the killer of its brothers and sisters" to advance narrow national interests of the states involved in the intervention.

For NATO to intervene in Libya, it took only one month to mobilize a joint coalition in the name of enforcing a no-fly zone over Libya (Thomas 2013:85). Resolution 1973 was adopted on 17 March 2011 by a 10-0-5 vote (China, Russia, Brazil, Germany and India abstained) (UNSC/RES/1973/2011 cited in Thomas 2013:85). African representatives voted in favor of the no-fly zone.

What is intriguing from the above is the AU's role and its members in the security council voting for the no-fly zone – without due consideration who is going to enforce such a no-fly-zone. The AU's ability to tackle or combat conflicts in Africa has been dismal, let alone getting involved in such military operations as that in Libya. The AU has failed to bring about peace during the 1990s. Examples include the Rwandan genocide, Sudan (Darfur) crisis, the DRC crisis and many others, as was the case in the 2011 Libyan conflict. However, the UN and NATO have assumed the role of trying to deal with conflicts in Africa. Even when it is involved militarily, it has often been under the auspices of the UN and backed by the financial muscle of Western powers (one example is the recent AMISOM mission in Somalia). The African Union's primary objective is to ensure that it protects common interests of African countries and promotes peace, stability and solidarity among the African countries (Thomas 2013: 86). Lack of solidarity, social cohesion and integration of the African leaders in dealing with their own troubles and challenges has certainly opened the continent up for manipulation by external powers and institutions. In October 2011, countries such as Nigeria and South Africa could not reach a consensus on certain issues regarding the Libyan crisis (Yobo 2011). There was a significant division which meant that the AU was unable to have a military capacity to be

utilized in Libya. After the conflict, countries such as South Africa, Zimbabwe and Uganda were forced to endorse the Transitional National Council (TNC) as the legitimate Libyan government (Yobo 2011).

African leaders lacked leadership that had to call them into engagement and discuss whether Libya needed change of leadership or not. This could have been done diplomatically and would have prevented unnecessary loss of human lives (Tharkur 2012). Most African countries supported the Transitional National Council formed as a coalition of different groups, which made it hard for Uganda, Zimbabwe and South Africa when they wanted the AU's Constitutive Act for conflicts to be put into use (Tharkur 2012). Such lack of unified policy and response revealed the weakness of the continent in dealing with conflict and its own problems. The AU maintained its ground suggesting that its inability to protect human rights in Libya was not that it lacked capacity. On the contrary, it argued that there were strategies put in place to deal with the conflict.

To be fair, the AU's initiative was squashed by Western and Middle Eastern powers, which escalated the conflict. Despite the different views and decisions of AU member states, there was a clear sign of disconnectedness. NATO forces run by the trio certainly did not want the AU initiative to bring Gaddafi and the opposition/protestors to a negotiating table to take hold (Dewaal 2012). This intention was clear when they started bombing Libya while the AU's mediating team led by President Jacob Zuma was still in the country, without any warning (Dewaal 2012). NATO, only belatedly, apologized for the incident which compromised the safety of a head of state and his team, working on behalf of the AU. NATO's bombing violated both human and national securities. According to Bain (2001:8) "national security postulates states as moral communities worth preserving in their own right, human security confers moral priority on the security of individual human beings". Britain, France and the US used their dual membership of the UNSC and NATO to easily execute their master plan with dubiously established consent from the UNSC. The trio had vested interests in the matter and their actions were crafted around domestic interests (Bellamy 2011), a national project pursued under the guise of "international community" and its responsibility to protect civilian populations in Libya. According to Scharader (1994) and Martin and Edwards (1995:15), the application of

R2P in Libya by NATO threatened its legitimacy. What happened in Libya showed that NATO's mission shifted from protection of human rights to regime change. It raised questions whether R2P can be abused and misused as an instrument to force regime change. R2P promised to protect the civilian population from mass killings but the case of Libya revealed the demise of the R2P doctrine (Yobo 2011).

We should reiterate the fact that there was lack of a united African position and that this was exploited by NATO forces. The AU established mechanisms such as PSC and the African Standby Force (ASF) to deal with African conflicts (Tharkur 2012 and Evans 2011). Most African countries focused on serving their own interests rather than protecting the Libyan leader from the West. Gabon, Nigeria and South Africa voted as the non- permanent members of the Council in favor of UNSC Resolution 1973 (UNSC/RES/1973/2011). The AU failed to use its position to its advantage to be in control of all diplomatic efforts that were established to deal with conflict in Libya 2011.

The discussion above simply highlights the lack of ability to coordinate policy and political position which is perceived to have exacerbated the failure of the AU to respond to the 2011 Libyan crisis (Rozoff 2011). NEPAD and PSC created plans and diplomatic strategies to help in dealing with African conflicts. The AU condemned the conflict; it promised that all necessary mechanisms of the AU will be utilized to deal with the conflict (Burke 2011). The AU respected the sovereignty of Libya; it also condemned any form of military foreign intervention. However, the organization could not stand its ground when NATO ignored the declaration of the AU of non-foreign military intervention. NATO bombed Libya up until Gaddafi and most of his family members were hunted and killed (Rozoff 2011). It is evident that the AU had failed to protect an AU member state against the Western giants.

The African Union, which is generally wary of external intervention, still has an ambiguous position on R2P doctrine, and it is also unclear with regards to what R2P stipulates and its relationship with an international conflict resolution. The AU in its reformed form has indeed been considering an "African solutions for African problems". In Durban in July 2002, 43 African leaders had an engagement, which saw the transition from the Organization of African

Unity (OAU) to African Union (AU) (WEB 1). These leaders appreciated the importance making the necessary changes to the peace and security plan (Yobo 2009). The remnants of R2P had been utilized to ensure the rigidity of the newly formulated peace and security plan of the AU (WEB 1). ‘Article 4 the Constitutive Acts’ provides the right to intervene, impose sanctions, and override the sovereignty of the affected member state and to follow up in terms of conflict prevention, issues of genocide, crime against humanity, human rights among others (WEB 1).

Furthermore, it is vital that whenever intervention is implemented it must be in line with all the rules and regulations of diplomatic processes and in line with the “African Charter on Human and Peoples Rights and other relevant human rights instruments”. This eventually ensures that human rights are not violated during any form of intervention in that conflicting situation (African Union ND). In addition, the AU has established the Peace and Security Council (PSC), a body meant to timely assess conflict situations and find solution to them – by calling members states to contribute troops, if necessary (African Union ND). It is made up of the African Armed Response Force and military personnel. PSC is being established to engage parties in conflict, bring them to the negotiating table, ensure that peace agreements are signed and respond to humanitarian crises. It has the duty to prevent conflict and ensure sustainable post-conflict reconstruction (African Union ND). So far, however, as we can see from its role in Libya and other conflict zones, it has been much less effective and still on the way to becoming a full-fledged and muscle flexing body of the organization.

5.4 Intervention as a global and regional project: The Case in Somalia

After the fall of Siad Barre, it was clear that Somalia was descending into anarchy. Somalia emerged as an intervention exercise that appeared to be different from the other major cases explored in this study. The emerging humanitarian crisis and the difficult situation that was developing in Somalia led regional bodies such as the Arab League, OAU and Organization of Islamic Conference in collaboration with the UN to search for political solutions to the conflict through mediation in the early 1990s (Global Research 2007). Hopes of most of such efforts were dashed, while the crisis continued to fester, creating a growing humanitarian crisis.

Intervention in the case of Somalia revealed that personal interests still played a critical role concerning the application of humanitarian intervention. According to Global Research (2007), before Siad Barre was overthrown four large US oil corporations were occupying land perceived to be oil rich. It was already known (a geological survey was already done) that the land these companies occupied had been presumed to hold large amounts of oil and gas. Global Research (2007) alluded that about two-thirds of Somali land was given to American large oil companies, namely, Conoco, Amoco, Chevron and Philips few years before, President Mohamed Siad Barre was overthrown. The US intervention in Somalia in the early 1990s can partially explain this material interest of the MNC. This certainly feeds into the impression that Western powers tend to be skeptical to intervene in states where they see that there would be no gain (Evans 2014). The Somali case displayed that the application of R2P is not implemented as a necessarily humanitarian mechanism but rather applied where there are perceived benefits or material interests (Evans 2014). Arguments suggest that Bush Senior's administration decided to send US forces to protect their interests in Somalia so that American companies would continue to explore the land with the hope of hoarding oil and gas in this strategically important country (Global Research 2007). On the other hand, Bush Senior's administration argued that they sent troops for humanitarian purposes not to protect personal interests. However, a document revealed that American oil companies were interested in oil and Conoco continued its oil-searching operations regardless of the violence and was being supported by the Federal government (Global Research 2007).

The UNSC passed resolution 733 in January 1992 and in April 1992 UNSC resolution 751 was passed to authorize the UNOSOM mission. Until August 1992 US president Bush announced Operation to Provide Relief under UNSCR 755 which authorized the addition of 3500 military forces. Moreover, in December 1992 President Bush authorized a United States led intervention of UN forces (Operation Restore Hope) (Clarke and Herbst 1995). The chronology of events on intervention in Somalia (which I outline and discuss below) shows that the US for the large part has been involved either directly or indirectly the whole time, while there was a lack of will among others to intervene in Somalia. Other powerful countries such as Britain and France have kept quiet while the Somalis are suffering from violent conflict, famine, and displacement. European states for the large part kept their effort to simply providing material and diplomatic

support, which matured belatedly in the late 1990s. One can argue that intervention was very minimal than expected (Clarke and Herbst 1995). International organizations such as the Red Cross and USAID have played a critical role in trying to advance help to the Somalis. However, they lacked capacity (Lofland ND).

According to Abebe (2013) Somalia does not represent any form of being a threat to the US that could be the main reason why a major intervention has not been executed after the failure in 1993. On the surface, as Abebe (2003) points out, the United States' hesitance to embark on a full scale, open, and direct intervention in Somalia can be due to its political unpopular involvement in Iraq and Afghanistan. Nonetheless, the US is perhaps the only global power that has invested more in the Somalian conflict - directly or indirectly. According to (Chossudovsky 2011) the US's main focus in Somalia is not oil exploitation but rather the United States recognizes that the oil reserves do exist but they are not needed now but they must be preserved so that when it needs them these will be easier to access. The US's strategy included two fundamental aspects. Firstly, it wanted to make sure that it blocked the contenders from exchanging with a rich, powerful, functional and United Somali state. One can also recall Sudan's case, in comparison with what is happening in Somalia (Chossudovsky 2011). Secondly, America drew a lesson from history. The American companies discovered oil in Sudan thirty years ago, but Sudan is now selling it to the Chinese (Chossudovsky 2011). Therefore, the US was fearful that the same thing could happen in Somalia.

Incomplete and ineffective political analysis must have led to failure of the multiple missions in Somalia (UNOSOM1 and UNOSOMII),²² including, as some would argue, the African Union led AMISOM. One would also argue that the multiple and conflicting interests of the local, regional and global players have rendered those missions into ineffective tools. About 2.5 million of Somali people have died because of different conflicts. Consequently, Somali populations have lived under fear – a situation which has been worsened by the threat of Al Shabab.

²² I discuss the different missions in Somalia in their chronological order and their implication in the upcoming chapter.

When Western powers, particularly the US, found it politically costly to directly intervene in Somalia, they devolved this task to regional agencies and agents. The AU and IGAD sought to play an important role, funded essentially by the US and EU. After the failure of UNOSOMII, and multiple other efforts for peace talks, Somalis started resolving their own issues internally. This was a period between 1998 and 2004, which saw the rise of the Islamic Court Union (ICU), a group of clergy who managed to disarm the local gangs and warlords piece by piece and village by village. The ICU became a broad-based group that took control from warlords in Mogadishu and expanded their control to the south and central of Somalia under the banner of Islam. Some suspected the link with global terrorist groups. Ethiopia too found this acceptable, and became the first neighboring country to unilaterally intervene in Somalia. It deployed its troops in 2006 (Rice 2009). Ethiopian troops went to Somalia to fight against the Islamic Courts Union (Rice 2009), and influenced the process of change in its favor. Until such time, neighboring countries' interventions in Somalia have been limited to an indirect one, through their favored Somali partners. After spending years fighting insurgency, Ethiopia withdrew its forces in 2009, which created a serious power vacuum. Ethiopian intervention certainly led to more insurgency in the country, at the back of long standing animosity and mistrust between Somalia and Ethiopia (Rice 2009).

It is at this moment that the AU updated its call for a peacekeeping force to replace Ethiopian troops and bring calm to the country. After months of waiting, Uganda and Burundi agreed to send troops. With the help of Ethiopian, Ugandan and Burundian forces, Mogadishu was secured, leaving the rest of Somalia to the different insurgents, of which Al Shabab was the most dominant. This was not enough. Then, Ethiopia (for the second time)²³ and Kenya unilaterally entered Somalia, strangely retrospectively counted as peacekeeping force and part of AMISOM. Their task is no longer peace-keeping but fighting insurgency to install the government. The force was established in Kenya first and then moved to Mogadishu.

It is crucial to dwell on the discussion on how other African countries have recently intervened in Somalia. One of these countries is Uganda. This country intervened in Somalia under the

²³ I say this despite certain claims that Ethiopian troops never left Somalia.

notion of war on terror, and potential monetary return for its military activities. Many have questioned why Uganda chose to take part in the Somali conflict, perceived to be dangerous (Damon 2012). The Ugandan army spokesperson confirmed that this is a dangerous activity. Colonel Felix Kulayigye confirmed that they have lost about 80 of their forces since the operation was initiated in 2007 (Damon 2012). Uganda deployed about 5700 troops to Somalia. It was discovered that there are financial reasons. For instance, the basic salary for Ugandan soldiers is around \$120 US dollars per month. However, if they fight in Somalia they receive more than \$1000 US dollars a month (Damon 2012). According Colonel Kulayigye, their forces are deployed in Somalia because of regional politics. He added that the instability of Somalia and Kenya means that Uganda too is also unstable. Uganda has a long history of wars; so, soldiers now have nothing to do and the country has a 50% unemployment rate. In that sense, deploying their soldiers to Somalia is part of employment creation (Damon 2012).

As noted above, Kenya made a unilateral decision to enter Somalia in October 2011, committing about 24000 soldiers in Somalia's Juba valley to fight against the Al-Shabaab (African Report 2012, Throup 2012). The intervention was characterized by kidnappings and killings of foreign nationals (African Report 2012, Throup 2012). Gunmen from Somalia crossed the border to Kenya, killed a British tourist, and kidnaped his wife. Kenya was also concerned about the refugee inflows which they perceived to be a treat to their national security (African Report 2012, Throup 2012). Operation Linda Nchi (Protect the Country) was motivated by the desire to immunize the North-Eastern Province from anarchy and to eradicate the Al-Shabaab (African Report 2012, Throup 2012). On the other hand, the Kenyan intervention proved to be deep rooted on the assertion that the country wanted to gain control over the territory that was part of Kenya during the colonial period (African Report 2012). The monetary element, noted in the Ugandan case, was also, what motivated Kenya to approve its troops' inclusion to AMISON (African Report 2012). Furthermore, some Kenyan politicians had planned the intervention long time ago, they just needed the right time. Another reason provided by the Minister of State for Defense, Yusuf Haji, was that they wanted to test Kenyan military capabilities. This means that Kenyans wanted to advance their national interest. They also hoped to ensure the stabilization of trade in cattle and other commodities, control the port of Kismaya then establish a Kenyan controlled buffer zone (African Report 2012, Throup 2012).

Burundi became the second largest contributor to the AMISOM peacekeeping mission with 5423 troops in 2007. Burundi's army from 2007 supported several peacekeeping operations authorized by the UN in Africa. Burundian soldiers have been deployed to Somalia for various reasons. For instance, intervention has helped Burundi to gain post-conflict political settlement between Burundian parties and external partners (Wilén *et al* 2015). Burundi used troop contribution to solve its domestic problems and strengthen relations with aid donors. Another reason is that contributing troops to AMISOM was a strategy of government to evaluate the success of the army reform to maintain domestic peace (Wilén *et al* 2015). Burundi has used the Somalia crises to develop and train its troops to become professionals, expose them to new training techniques and military equipment. One must note that involvement of Burundian soldiers in the Somali crisis also came with financial gains (Wilén *et al* 2015). For example, troops deployed to Somalia in 2013 were paid \$1028 US dollars monthly while domestically they only earned \$ 40 US dollars a month (Wilén *et al* 2015). The inflated salaries are paid by the African Union. However, the large portion of the money comes from the European Union. According to the diplomatic community in Bujumbura, the government of Burundi keeps \$200 US dollars on each salary of the troops that they have deployed (Wilén *et al* 2015). The Burundian Government does not only benefit through training of their soldiers eventually enhancing the domestic army's capabilities, but also there are monetary gains (Wilén *et al* 2015). According to observers, the Burundian government receives about \$45 million US dollars per year from its participation in Somalia. The money from AMISOM has been redirected to the general budget of the country and it is utilized to purchase presidential jets (Wilén *et al* 2015). Therefore, the involvement of Burundi in Somalia has helped the administration of President Nkurunziza to reduce the threat from the army (Wilén *et al* 2015).

The point in the above discussion alludes that these interventions have not been genuinely humanitarian. Since the troop contributing countries are paid by EU and US, they cannot escape from being characterized as regional proxies performing the bidding of global powers, even though they have genuine security concerns. Chossudovsky (2011) argues that the issue in Somalia is the control of the Indian Ocean. For him, "western powers have an important share of the responsibility in the Somali piracy development" (Chossudovsky 2011). The West uses Somalia as

a geopolitical scape from which to regulate the economic development of the developing powers, predominantly India and China (Chossudovsky 2011). About half of the world's container shipment and 70% of the total shipment of petroleum products utilizes the Indian Ocean. Somalia is in a strategic position (Chossudovsky 2011). No wonder the US had deployed security in the Indian Ocean (Chossudovsky 2011). Chossudovsky (2011) suggests that countries linked to the Indian Ocean can obtain access to the Asian market, which can eventually create mutual relationships and gains. This point has been captured by one author thus: "Nelson Mandela, when he was president of South Africa, had mentioned the need of an Indian Ocean revolution, with new economic relationships. The United States and Europe do not want this project. That is why they prefer to keep Somalia unstable" (Chossudovsky 2011).

In sum, the intervention in Somalia represents competing and conflicting interests of both regional and global players. As with many of such practices, there is an ongoing debate about the use of the Responsibility to Protect (R2P) to justify the invasion and intrusion (Dewaal 2012). If the interest of global players in such intervention is a move for geopolitical strategy, dominance and control, the local actors are also pursuing what I call "collection of crumbs". In other words, the protracted conflict entails long-term investment for the troop contributing countries; were influenced by vested national interests to contribute their soldiers to the AMISOM mission. It is through such an analysis that the essence of the theory of realism becomes more explicit. We can therefore confidently state that this theory is relevant for the present study.

5.5 Conclusion

In conclusion, this chapter revealed that the R2P doctrine was applied by the UNSC to intervene in the Libyan conflict and the Iraqi invasion. It was also utilized by the UK and the US in Somalia. The reality is that there was minimal usage of the Responsibility to Protect. To a large degree, the invasion of Somalia was motivated by other factors. The chapter further evaluated the functions of R2P and highlighted that it led to several deaths in Libya and Iraq. Hence the use of force was an inappropriate measure; it did not respect Libyan sovereignty as an independent state. In the cases of Iraq and Somalia, the situation was different because the states in these countries have collapsed. It was therefore necessary that intervention is initiated. This had to be done in order "To

avoid repeating such tragedies in the next century, I believe it is essential that the international community reach consensus not only on the principle that massive and systemic violations of human rights must be checked; whenever they take place, but also on ways of deciding what action is necessary, and when and by whom” (Annan 1999:1). Even though R2P is a universally accepted concept, countries from the global South are always victims of military intervention and countries from the Global North are always the interveners.

One can simply argue that material interest continues to play a major role in determining how intervention is applied. The realist perspective does allude to the fact that countries seek opportunities to maximize their material gains. Earlier in this chapter, we discussed how Kenya used the Somali situation to their advantage. Kenya waited for a perfect opportunity to intervene so that it could claim back the control of Ogadeni Region, which used to be part of Kenya during the colonial period. Furthermore, Uganda was also primarily driven by national interests. We revealed that Ugandans saw an opportunity to keep their soldiers active while providing employment opportunities since the country is sitting at a 50% percent rate of unemployment. We also discovered that soldiers deployed in Somalia earn about \$1000 US dollars a month, which is way to above their domestic standard salary, which is \$120 US dollars a month. Ethiopia is another country that tried to intervene in Somalia and failed to reduce the crisis. Ethiopia thought that defeating the ICU would remedy the situation. Instead, it exacerbated the situation. Ethiopia only created a vacuum for power struggle. Lastly, Burundi became another prominent intervener in Somalia. Burundi deployed over 5000 soldiers who benefited from receiving training there by enhancing their capabilities. Importantly, financial gains were also part of the reasons why Burundi chose to intervene. Soldiers deployed to AMISOM received about \$1028 us dollars from the AU backed by the EU. As mentioned above, \$200 dollars was retained by the state. On the other hand, the government of Burundi receives \$45 million US dollars per year.

One can safely say that mineral resources play an integral part in driving interventions globally. In Somalia, the US intervened repeatedly because its companies identified potential oil deposits and wanted to secure concession for them. The subsequent conflict was also fueled because the concessions were rolling from one to the other – whichever gang won the day and made a deal with which ever company. The on-going power struggle in Somalia to this day serves as evidence that the US did not send soldiers to Somalia as peacekeepers merely on humanitarian grounds. As with all other countries involved in the Somali crisis, national interests still guide their

involvement. This is not an anomaly as such interventions happen globally. In a nutshell, the war on terror has been used as a legitimizing tool to intervene.

The following chapter discusses the UNSC Conflict Resolution Mechanisms focusing on the Council's interventionist role in the 2011 Libyan crisis.

CHAPTER SIX

UNSC Conflict Resolution Mechanism Globally: Council's interventionist role in the 2011 Libyan crisis.

6.1 Introduction

The Libyan conflict sparked a view that it is integral that a new international organization be established to effectively deal with global conflicts. The UNSC has been struck with series of failures to maintain peace where it matters the most. Both interventionist and anti-interventionist scholars argue that UNSC resolutions have played a significant role in exacerbating conflicts globally rather than settling them. Thomas (2013:1) argues that “[t]he 2011 Libyan conflict was not a war for democracy; rather it represented and demonstrated clearly the asymmetrical relations between Africa and Europe”. This chapter explores and critically discusses the roles of the UNSC, NATO, AU and other actors who intervened during the 2011 Libyan conflict. We notice that Western powers such as France, Britain and the US acted with zeal and ferocity ostensibly to protect civilians, promote democracy or liberation of the Libyan people, which certainly served as the narrative to undermine the sovereignty of the Libyan state. The notion of the R2P doctrine was central to this intervention. As we shall see in the following sections, there are numerous indications that the material interests played a critical role in the NATO-led military action against Libya which ended up causing enormous loss of lives of the Libyan people. As we have seen in the previous chapter, the UNSC adopted resolution 1973 which authorized a no-fly zone over Libya and thus opened the back door for more active and aggressive intervention (UNSC/RES/1973/2011).

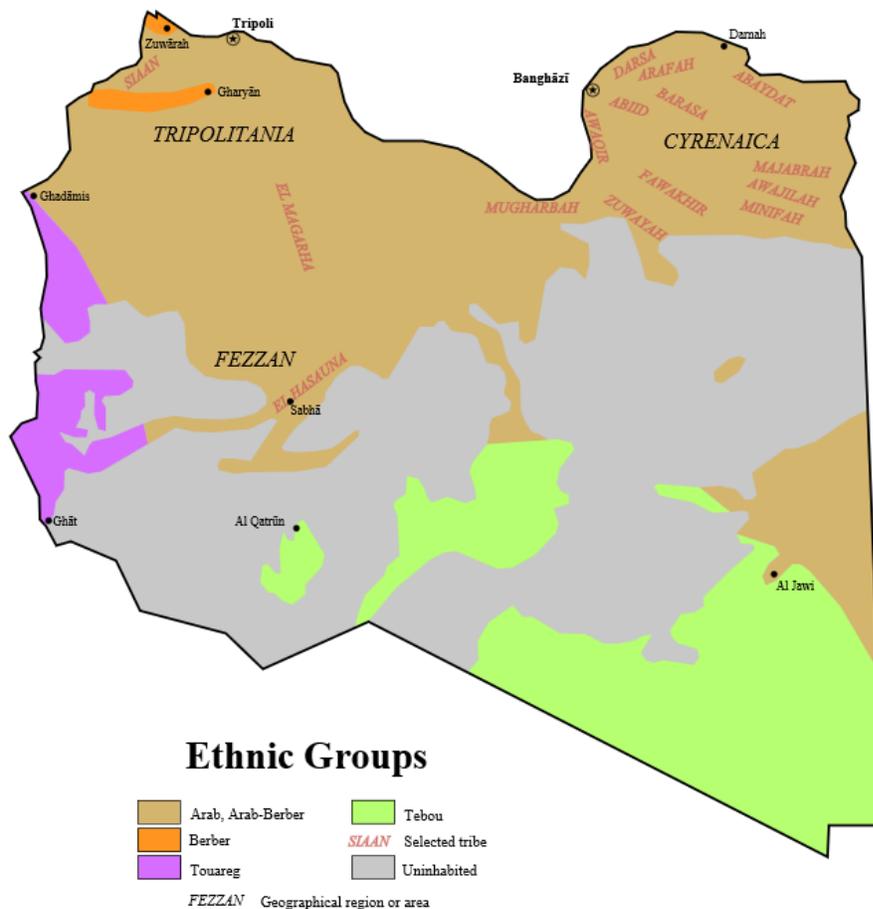
6.2 Historical Background: a brief overview of the history of Libya

Muammar Gaddafi's political prescription of Pan-Arabism, Pan-Islamism and Anti-Westernization is perceived to have played an integral part in broadening the 2011 Libyan conflict. According to Thomas (2013) “Libya is located between six (6) countries: Algeria and Tunisia in the West, Chad and Niger in the South and also Egypt and Sudan in the East. Its size is about 685 square miles”. According to Morti- Bakaoni and Riahi- Belkaoni (1996: VI) and Wright (1982) (cited in Thomas 2013), Libya comprises of Arab, African and Mediterranean features. Libya

obtained its independence in 1951. This means that independence only happened after two decades since Libya's colonial power, Italy, left the country. Italy ceased its control over Libya as a colonial power in 1931.

Libya was invaded by a number of Western powers; particularly, during the end of World War II countries such as: Britain, France, Italy, Germany and Turkey had occupied Libya's different segments. According to Hahn (1981: 45), the UK conquered Cyrenaica and Suez as "Convenient staging grounds for the British troops, Tripolitania was under Italians control and a trusteeship was gained over Fezzan by France". Colonizers and the different subsequent occupying forces divided the Libyan population according to ethnic groups. In 1948 France, Britain, and the USA nominated themselves as trustees to control the provinces; they declared that the country was not ready to govern itself. The figure below shows how ethnic groups have been divided in Libya.

Figure 6.1: Map Showing Ethnic Groups of Libya, Source: geopolitics world atlas (1974)



The United Nations General Assembly exerted pressure on the colonizers to grant Libya its independence (Lavender 2012). Settlement was reached that Western powers would monitor a two-year transition process. In 1951 Libya was granted its sovereignty. However, Britain and the USA maintained their military bases in the country for two decades. Furthermore, the US oil companies were given permission to operate in Libya (Lavender 2012:3). Libya joined the Arab League in 1953 a year after Gaddafi was in power and it further joined the United Nations in 1956 (Lavender 2012: 3).

Libya is well endowed with mineral resources such as oil and is also the 9th largest oil producer in the world as it held the largest oil reserve of 41.1 billion US dollars in 2008. Through the ethnic divisions, colonizers had made it easy for themselves to exploit the mineral resources of Libya. The post-colonial period Kingdom of Libya came into existence on 24 December 1951. In the post-Colonial era, the United Nations took a resolution to create an independent Libyan state (Cavendish 2001, Vandewalle 2006). The National Assembly of the UN constructed a Kingdom constitution and chose King Sayyid Idris to lead the country. King Idris was the leader of the powerful Sanusi religious brotherhood established by his grandfather (Cavendish 2001), (Vandewalle 2006). The UN Resolution of 21 November 1949 gave Libya its independence. The Kingdom struggled to sustain itself economically. It had no developed industries; even agriculture did not bring much revenue to the economy (Cavendish 2001), (Vandewalle 2006). The country was only dependent on exports such as wool and horses. Libya at that time of its independence became one of the poorest African countries (Vandewalle 2006). In 1953, Libya joined the Arab League of Nations and signed a military agreement with Great Britain. Under King Idris, Libya's relations with the West were good to such an extent that US secretary of state John Foster paid a visit to Libya on 28 May 1953 (Cavendish 2001, Vandewalle 2006). The US signed several bilateral agreements for cooperative programmes such as, education, natural resources, agriculture and public health in July 1955 (Vandewalle 2006). The US continued to support Libya's development, US president Eisenhower announced that the US was willing to protect countries in the Middle East against communist aggression (Vandewalle 2006). The US further announced that it was going to help Libya with its development of telecommunications and electric power supply as well as domestic water supplies (Cavendish 2001, Vandewalle 2006). According to the former US Vice President, Richard M Nixon Libya was a "key strategic position" in North of Africa so they had to keep it as their close ally (Cavendish 2001, Vandewalle 2006). Late in 1957, a military

deal was signed between Libya and the United States (Cavendish 2001, Vandewalle 2006). The Western countries used the vulnerability of the Libyan economy and promised to supply the country with developmental needs including arms and provision of security. In return, foreign oil companies occupied Libyan land which was presumed to hold huge oil reserves.

The discovery of oil in 1959 changed the relations between the West and Libya dramatically. For instance, Libya was becoming self-sustainable economically (Cavendish 2001, Vandewalle 2006). In 1961 Libya, had about “10 fields producing oil for export; by 1965”, it became one of the world’s largest oil producing nations (Vandewalle 2006). The 1955 Libyan petroleum law “was followed by the creation of the Libyan National Oil Company” (Cavendish 2001). In 1968, Libya announced that it would no longer grant oil agreements to foreign companies but the new agreements would be granted in joint ventures with the Libyan Oil Petroleum Corporation (Cavendish 2001).

Gaddafi had been planning a military coup against the Kingdom regime. It was in September 1969 when Gaddafi led a military force that removed the administration of King Idris and took power (Cavendish 2001). From 1970 relations between Libya and Western powers started to sour, when Gaddafi’s regime started to show a socialist leaning which was a big brow raiser for the West in the context of the cold war (Cavendish 2001). Muammar Gaddafi’s government when he came into power took radical decisions (Hzoubir, 2002:1). Gaddafi’s political formula to unite Libya through the pan-Islamic, pan-Arabian and anti-Western rhetoric derived from the notion that the USA and its allies as the global hegemony were to control the Arab and Islamic world (Hzoubir, 2002). The USA was not certain about what this would mean for its operations since its oil companies had been making profits during the old regime. Oil at that stage was a major strategic interest. According to Hzoubir (2002), relations of the US and Libya became sour when Gaddafi took a decision to partially nationalize the oil resources of the country, which American and British companies controlled. This was also strengthened by another more forceful nationalization of Libyan resources. He also made a major upset by forcing British troops to leave the country and shut down their bases in Libya (Nazemroaya 2014). Before Gaddafi came in as president of Libya, the entire Libyan population (about 99%) lived divided along the ethnic lines and divisions which were legacies of the colonial imposition and rule. However, the Gaddafi regime dismantled the ethnic divisions and installed *Jamaheer al Islamiya* (Islamic form of socialism), as a narrative and

practice to unify and bring them together. Gaddafi's political and social programmes, revolutionary in many ways, sought to re-create social cohesion and unity in the country.

During the 1970s-1980s Gaddafi's regime sponsored, Muslims and anti-Western terrorist groups globally, such as Palestinian guerrillas and Philippines Muslim rebels (History ND). The United States imposed sanctions against Libya and relations went sour. In 1981 Libya shot down a US aircraft that passed into Gulf Sindra. The US discovered that Libya was sponsoring terrorist groups and that they had planned to assassinate US officials and bomb the US embassy in Sudan (Khartoum) History ND). In 1985, five American citizens were killed in Rome and Vienna airports (History ND). Libya was blamed for the bombing (History ND). Ronald Reagan, the former US President expanded sanctions and further froze all Libyan assets in the US. The United States also responded by firing air missiles against Benghazi and Tripoli, including Gaddafi's headquarters (History ND).

It is important to highlight that there was long standing conflict between Libya and the Western world powers. On 21 December 1988, Pan Am Flight 103 exploded 31,000 feet over Lockerbie in Scotland (CNN 2015). The flight was from London (CNN 2015). There were 259 passengers killed and 11 on the ground were also killed. British investigation discovered that Libyan's Abdelbaset Ali, Mohamed al Meghari and Al Amin Khalifa Fhimah conspired to bomb flight 103. The United Nations on 15 April 1992 passed resolution 731(1992) after Libya refused to hand over the suspects for trial in Scottish courts (CNN 2015). The former United Nations Secretary General met with Gaddafi in December 1998 to urge Libya to hand over suspects to UN custody (CNN 2015). There were 198 Americans killed in the bombing, the US threatened Libya that families had the right to sue the Libyan government if it refused to cooperate. Libya handed over the suspects in 1999 to stand trial in the Netherlands. The UN suspended arms and air sanctions (CNN 2015). In January 2001 Abdelbaset Ali and Mohamed al Meghari "were found guilty and sentenced to 27 years, Al Amin Khalifa Fhimah was found not guilty" (CNN 2015). Gaddafi agreed to pay \$ 2.7 billion to the families who lost their loved ones (CNN 2015). On 24 June 2004, the US resumed diplomatic relations with Libya (CNN 2015).

6.2.1 Gaddafi's Libya and Its Political Programme: Foundations of the Green Book

'The Green Book' incorporated rules and laws that had been set out by the administration of Gaddafi. The Green Book is made up of three parts. The first part contains the discussion about the "Instrument of Government". It gives a discussion on how the problem of democracy can be defeated. The Green Book primarily speaks to and contains details on how Libya should be developed. The Green Book does not subscribe to western types of democracies; it argues that they are not good for Libya as they represent dictatorship of elites. The Green Book further argues that Western types of democracies lead to inevitable situations whereby they create struggle for power between the pillars of the government itself. It further alludes that party systems do not really represent the interests of the masses, but instead pits constituencies against other constituencies - "constituencies are often against the interests of the other constituencies". Gaddafi's ideologies of democracy clashed against the ideologies of western democracy. For instance, the West regards democracy as a tool to provide or build the economy of the country and develop its citizens (Katzentei 1996:296).

Part 1 of the Green Book states that:

The problem of democracy in the world will finally be solved. But before that, the masses must struggle to eliminate all prevailing forms of dictatorial governments, be they parliament, sect, ethnicity, class, one-party system, two-party system or multi-party system, which falsely call themselves democracies. True democracy has but one method and one theory. The dissimilarity and diversity of the systems claiming to be democratic do, in fact, provide evidence that they are not so. Authority of the people has but one face which can only be realized through Popular Conferences and People's Committees.

According to Gaddafi, a concrete sound democracy is democracy that means management of people by the people and not control of government by the people as it is stipulated by the West (Green Book 1974). Part II of the Green Book is about 'The economic basis of the third universal theory, since their democratic governments who fail to liberate their people from poverty, Part II tries to come up with solutions for economic constraints (The Green Book 1974). It suggests that capitalism plays a major role towards economic hardships, while socialism is preferred for it serves the interests of the people. The employer is regarded as an exploiter of the employee. Part two of

this book states that the West is to be blamed for individuals who are affected by poor conditions of the economy in the West and globally where the West is in control of the economy. Capitalism is about gaining profit, not only about satisfying material needs of an individual (The Green Book, 1978:17). The Green Book perceives capitalism as an enemy of nationalism and humanity.

Part three of the Green Book discusses “The Social basis of the third Universal Theory”, and it explains the gap that exists in the Western form of democracy and capitalism. According to Thomas (2013) “Gaddafi argues that however Karl Marx maintained that class struggle is the crucial variable accounting for change, nationalism is the real constant, dynamic force of history”. Gaddafi argues that:

Nations whose nationalism is destroyed are subject to ruin. Minorities, which are one of the main political problems in the world, are the outcome. They are nations whose nationalism has been destroyed and which are thus torn apart. The social factor is, therefore, a factor of life - a factor of survival. It is the nation's innate momentum for survival. Nationalism in the human world and group instinct in the animal kingdom are like gravity in the domain of material and celestial bodies. ... For this reason, human communities struggle for their own national unity, the basis for their survival. The national factor, the social bond, works automatically to impel a nation towards survival, in the same way that the gravity of an object works to keep it as one mass surrounding its centre. When the factor of unity in those component systems is destroyed and gravity is lost, it is an established natural law. Similarly, man's [sic] life is damaged when he begins to disregard nationalism the secret of human survival.

The Green book further regards families as an integral part of the society; it opposes the structure of ethnic groups rather states that nationalism is the way Libya should be built upon (Green Book, 1980). In a nutshell, the Green Book envisaged how an independent Libya had to look like.

6.2.2 Chronology of the 2011 Libyan Crisis

According to Thermer and Wallernsteen (2011), about 37 conflicts concurrently occurred globally in the year 2011. Some of these conflicts are assumed to have been triggered by the Arab Spring the apparent spread of protest, demand for change and reform in the many of authoritarian Arab states. The Libyan crisis emerged within this context of civil uprising against the Gaddafi regime who ruled the country for four decades. A brief chronological order of events during the Libyan crises is vital to outline. This sequence of events has been captured by certain authors (O'Brien and Sinclair 2011).

- The uprising started on 15 February 2011.
- By 20 February 2011, the protesting masses had obtained control of the city of Benghazi.
- On 26 February 2011, the UNSC unanimously voted in favor of resolution 1970.
- Rebels of Libya formed the Transitional National Council in Benghazi on the 27 of February 2011.
- In March 2011, engagements about implementation of a no-fly zone, AU were against this.
- The League of Arab States (LAS) approached the UNSC and pushed for imposition of a no-fly zone over Libya in an engagement that held in Cairo.
- On 17 March 2011 UNNSC passed Resolution 1973.
- Coalition allies in a meeting held in Paris discussed their military attack strategies. The US and the European soldiers on 19 March 2011 initiated their military action against Gaddafi's forces using air drones.
- On 22 March 2011 China, India, and Russia advocated for a cease-fire.
- On 24 March 2011, NATO took over from the US forces to continue with the use of military force that was authorized by UNSC resolution 1973.
- On March 2011, the UK held the first meeting of the Libya contact group.
- In April 2011, the EU declared its military operation in order to support humanitarian relief (EUFOR).
- On 11 April 2011, the AU called for a cease-fire.

- On 15 April 2011, a meeting between from the NATO-led coalition and regional leaders and TNC was held. On the same day, the presidents of the US, UK and France declared that they were united concerning what should be done to put an end to the Libyan crises.
- On 3 May 2011 Elalal Khatib forwarded his diplomatic efforts to the UNSC.
- On 30 May 2011, South African President Mr. Jacob Zuma had a meeting with the Libyan president however; Gaddafi was not willing to step down as the Libyan leader.
- On 27 June 2011, the ICC issued a warrant of arrest against Gaddafi.
- On 15 July 2011 contact group officially recognized the TNC.
- On 22 August 2011 clashed between Gaddafi forces and rebels were continuing in Tripoli.
- Later Gaddafi was captured and killed.

The Libyan crisis and the rise of military intervention leading to high rates of deaths in the country, and human suffering raised serious questions about the role of the UNSC as an agent to ensure global peace and security. Hence, it is vital to examine the impact of UNSC resolutions 1970 and 1973.

6.2.3 Libya's Role in Africa (Countering Western Dominance) and the 2011 Crisis

When Gaddafi came to power, he was particularly interested in forging a pan-Arab unity, which he pursued with such fervor. The country established bilateral relations between Libya, Egypt and Sudan (Nazemroaya 2014), and was looking at expanding such relations to other Arab states. His efforts were never going to be realized since there was very little appetite for such ideals and he soon became disillusioned with growing competition and division between the Arab world, and much worse their reliance on Western powers. He then turned his face to the African continent, which he thought he could bring them together as a force to counter Western dominance. Gaddafi had a strong belief that a united Africa would achieve various things such as economic development and continental security (Pougala 2011). Gaddafi argued that Africa needed transformation in order to achieve what it is keen to achieve as a continent.

Gaddafi's initiative was for African states to be united to champion development of the continent. He saw the divisions that were established by the colonial masters as an obstacle for Africa to obtain economic independence. He was concerned that Africa is still dependent on European

technology. According to Thomas (2013) Africa pays US 500\$ million for using European satellites. Gaddafi saw the need for Africa to have its own satellite; hence proposals were made to the World Bank and IMF to lend Africa US 400 million to fund the project. However, a promise by these institutions was not a success. Gaddafi donated US 300 million to get the project off the ground.

Africa has been affected by false communication on various issues concerning it as a continent. The British Broadcasting Corporation (BBC) and other Western broadcasting corporations, in the past and present, reported false information about Africa (Pougala 2011). Having our very own satellite, Gaddafi believed, would bring about the most needed change of perception about Africa, true pictures of Africa would be revealed globally (Pougala 2011). Libya was playing a central role in advocating and funding African Unity projects. The US president Mr. Barack Obama took a decision to freeze \$30 billion of the Libyan Central Bank assets, which was allocated by Libya to help with completing the projects of African Unity (Pougala 2011). According to Pougala (2011):

the African Investment Bank in Sytre, Libya, the establishment in 2011 [of] the African Monetary Fund to be based in Cameroun Yaoundé with a US\$42 billion capital fund and the Abuja-based African Central Bank in Nigeria which when it starts printing African money, will ring a death knell for the CFA franc through which Paris has been able to maintain its hold on some African countries for the last five decades, will meet their end freezing these assets, the President seeks to deprive Gaddafi and his government of the ability to siphon funds for personal gain, prevents further bloodshed in Libya, and secures state assets for the benefit of Libyans when a future basically US instituted government is implemented. The Executive order further freezes all the country United States, as well as those of senior Libyan government officials and other participants in the human rights abuses there. Gaddafi and members of his family have also been added to the Office of Foreign Affairs, a Specially Designated Nationals List (SDN).

According to Nazemroaya (2014), the freezing of the account was intended to not only frustrate the regime, cause it to lose national sympathy, and turn the Libyan citizenry against the state, on the contrary, it was to scuttle the entire project. Freezing of Libyan accounts as stated above was indeed a strategy used by the US to create anarchy and eventually make the country ungovernable. Once the government has lost control and it fails to cater or provide basic services to its citizens, anarchy is inevitable Nazemroaya (2014). It was unthinkable that the West was planning to topple Gaddafi's Regime. Due to those bilateral relations between Libya and the US, Britain, Spain, Italy, Turkey and France thrived. Colonel Gaddafi had opted for cooperation with Washington. However, Gaddafi's "New Libyan" became a demise of that cooperation Nazemroaya (2014). EU partners and the US had planned for years to remove Gaddafi. In addition, they penetrated the Libyan government, security and intelligence sector Nazemroaya (2014). The US and its allies approached several anti Gaddafi agents and pitched their plan for regime change. They used their colonial designs to establish the TNC as a puppet body to govern over Libya Nazemroaya (2014).

It is within this context of trying to topple Gaddafi that the National Transitional Council of Libya (NTC) was established. NATO, UNSC, UN- funded mercenaries and Libyan rebels formed the NTC during the civil war. The NTC was regarded as an interim government of Libya. Mustafa Abdul Jalil, former Justice Minister of Libya, was reported as a key player in the process towards the formation of the interim government of Libya. Jalil blamed Gaddafi for the crimes against humanity, so there was the need to form the interim government.

According to Mbeki (2011, cited in Thomas 2013) "the creation and growth of the NTC is a function of UN and NATO alignment aimed at protecting Western interests in Libya". According to the Security Council (2011), "Ali Suleiman Aujali and the Libyan Deputy Ambassador to the UN, Ibrahim Onal Al Dabashi, were the officials who seconded the interim government proposed for Libya". It is within this context of extreme interest of Western powers that the AU initiative in Libya was sidelined.

6.3 UNSC and its Resolutions 1970 and 1973 on the Libyan conflict

On 26 February 2011, resolution 1970 was adopted. This Resolution "ordered the travel and assets freeze and arms embargo on Libya to forestall genocide" (UNSC/RES/1970/2011).

However, on 17 March 2011 the UNSC convened a meeting in Washington and 10 votes were casted in favor of resolution 1973 and there were 5 abstentions by China, Brazil, Germany, India and Russia (UNSC/RES/1973/2011). Resolution 1973 (2011) declared that:

Deploring the failure of the Libyan authorities to comply with resolution 1970 (2011), expressing grave concern at... civilian casualties, reiterating the responsibility of the Libyan authorities to protect the Libyan population ... further condemning acts of violence ... considering that the widespread and systematic ... crimes against humanity, expressed its readiness to ... support humanitarian assistance in the Libya. Expressing its determination to ensure the protection of civilians and civilian populated areas and the rapid and unimpeded passage of humanitarian assistance ... decide to establish a ban on all flights in the airspace of the Libyan Arab Jamahiriya to help protect civilians, the ban shall not apply to flights whose sole purpose is humanitarian.

Resolution 1970 (2011) under Chapter viii of the UN Charter condemned the use of military action against civilians and violence and expressed the need to protect violation of human rights. It also included arms embargo, asset freeze and travel bans. Furthermore, on the other hand resolution 1973 (2011) of the Security Council further enforced arms embargo and asset freeze. Individuals were also imposed with asset freeze and travel sanctions. The resolution stressed the need to protect the civilian populations of Libya whose lives were under threat. The use of all necessary means was stressed. Lastly, no-fly zone in Libya was imposed. According to Thomas (2013: 70), “the Council eventually concerned itself with regime change in Libya. To achieve this objective, it invoked Chapter VII of the UN Charter”. Chapter VII authorized NATO to bomb Libya to achieve regime change, which was the mission of the US, UK and France as they had stakes in the mineral resources of Libya.

The Security Council on 16 September 2011 unanimously adopted Resolution 2009 (2011) which served as the basis to re-enforce Resolution 1973 (2011). Resolution 2009(2011) declared that the UN had to “establish a United Nations Support Mission in Libya (UNSMIL)” (S/RES/2009 (2009)). The Council further partly lifted using this resolution. The arms embargo imposed on Libya and

asset freeze targeted companies that shared relations with Gaddafi's government. Resolution 2009 (2011) further declared that:

the measure imposed by paragraph 9 of Resolution 1970 (2011) shall also not apply to the supply, sale or transfer to Libya of: (a) arms and related material of all types, including technical assistance, training, financial and other assistance, intended solely for security or disarmament assistance to the Libyan authorities and notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification; (b) small arms, light weapons and related material., temporarily exported to Libya for the sole use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification (S/RES/2009(2011))

Resolution 2009 (2011) lifted the sanctions imposed on the Libyan oil corporations and the Zuetlia Oil Company. It further allowed the UK, US and France to export and sell weapons to the TNC (UNSC/RES/2009(2011)). However, the no-fly zone was not lifted. On 20 October 2011, Gaddafi fell and he was killed by the NATO forces and the TNC.

Following Resolution 2009 of the Council, the UNSC adopted Resolution 2016 (2011) which declared that: "the measure imposed by paragraph 9 of resolution 1970 (2011) shall also not apply to the supply, sale or transfer to Libya of: (a) arms and related material of all types, including technical assistance, training, financial and other assistance, intended solely for security or disarmament assistance to the Libyan authorities and notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification; (b) small arms, light weapons and related material, temporarily exported to Libya for the sole use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, notified the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification" (S/RES/2009(2011)). Resolution 2017(2011) was passed to lift the previous resolutions by the SC.

The adoption of Resolution 2022 (2011) by the Security Council as its final resolution was a significant moment. It was stated that "Stressing the importance of the UN's, including UNSMIL's, continued support to the transitional government of Libya in addressing immediate

priorities as set out in paragraph 12 of Resolution 2009 (2011), [the resolution] decides to extend the mandate of the United Nations Support Mission in Libya established by paragraph 12 of Resolution 2009 (2011) until 16 March 2012, and looks forward to the report of the Secretary-General, including recommendations on the next phase of UNSMIL's support to Libya" (S/RES/2009(2011)). Scholars such as Isike, Uzodike and Gilbert (2008), and Amuwo (2009), argue that the resolutions that were passed on Libya reveal that the UNSC lacked independence from the permanent members of the Council. The resolutions reflected that the powerful states pretend to intervene in conflict situations under the impression of the R2P but the underlying fact is that they intervene where they have vested interests.

6.4 Regional Organizations and NATO's Intervention in the 2011 Libyan crisis

The 2011 Libyan crisis brought to the fore the overlapping mandates, conflicting interests and competition of regional organizations and multilateral bodies. Here I am referring to the AU, Arab League, the UN, and NATO as major military alliance partners that took part on "behalf" of the UN. The AU, NATO and the UN prior their establishment accords were signed to ensure that security of humans is secured globally. Global conflicts have tested the above institutions with regards to checking that their primary objectives or foundations are being achieved. Cordesman and Vira (2011) state that a Libyan crisis is the kind of conflict that left many questions on the will of the institutions and global powers to respond to the conflict. Hence the main objective of the UNSC as a global governance mechanism was challenged. It is noted that Anti-Interventionist states did not form part of the military action exercised by NATO against Libya. Failure of the AU leadership was also experienced during the Libyan conflict. Similarly, the leadership of the AU was caught up in a situation where it could not make radical decisions where it mattered the most. One can argue that countries such as South Africa and Nigeria played a significant role in contributing to the failure of the AU since these countries had different views on how the conflict of Libya should be handled. Furthermore, Africa lacked unity to protect Libya from military action exercised by NATO. The actions of three AU members voting in favor of UNSC/RES/1973/2011 and further military intervention in Libya by NATO revealed lack of a united functional AU (Adebayo 2011). Voting in favor of resolution 1973, revealed that the AU could not resist or handle the pressure from the Western powers that eventually afforded NATO an opportunity to take over and deal with the African conflict.

One can argue that the AU should have assumed the full responsibility of dealing with the Libyan conflict since it possesses the full authority to do so. Hence ‘Article 4(h)’ of the AU Act affords the authority for intervention when one of its member states can no longer guarantee security of its own citizens and they need to be protected against crimes of humanity (Adebayo 2011). In addition to this, the AU has another important functionary. The AU Peace and Security Council (AUPSC) in line with the constitutive act were established (Adebayo 2011). According to Kalu (2009), Articles 3 (F) and (h) stipulate that the primary objective is to stimulate peace and security and also endorse protection of human rights. Article 4 further states that the AU has the responsibility to establish a single security and defense policy that will be utilized for executing diplomatic resolutions of conflict in the continent. Use of military action against other states is condemned. To ensure that the peace and security of Africans is secured, the AU decided to develop Continued Early Warning System (CEWS) and the African Standby Force (ASF) all these initiatives were made under the aim to maintain peace and security in Africa (Kalu 2009).

Despite all this structure, albeit in their infant stages of development, these could have been brought in to test their relevance during the time of such a crisis. However, for the large part, the AU is still less intrusive. From the surface, the AU also appeared to have failed to protect people under the R2P doctrine; instead, most member states (at least the dominant powers in the continent) maintained values of sovereignty (Kalu 2009, Twinomugisha 2013). It is also worth knowing that non-interference is what guides the AU and its predecessor OAU.²⁴ Even if they want to, they do not have the capacity to enforce a no-fly zone. Taking into consideration the mentioned reason, NATO and its major actors exploited an opportunity, certainly fronting the responsibility to protect Libyan populations (Kalu 2009, Twinomugisha 2013). The contact group in Libya during the fourth meeting took a decision to recognize the NTC as a legitimate governing authority on 15 July 2011 (Kalu 2009, Twinomugisha 2013). The African Union’s position to act on the Libyan conflict was compromised. UNGA voted in favor of giving the NTC a seat (Kalu 2009, Twinomugisha 2013). This meant that the United Nations no longer recognized the government of Gaddafi, but only the NTC had a voice over Libya’s affairs.

²⁴ In 1963 Organization of African Unity (OAU) was formed its primary objectives incorporated enhancement of cohesion amongst African states and creation of certain rules or statutes to govern relations amongst the African countries (<http://AU.org>). African Union was later established in 2002 to fix and work on the failure of the OAU.

The AUPSC had established an Ad Hoc High-Level Committee that was led by President Zuma of South Africa. The AU High-Level Committee aimed to facilitate peace talks to find a sustainable solution. ‘Article 4(h) of the AU Constitutive Act accords’ the right of the AU “to intervene in a member State pursuant to a decision of Assembly in respect of grave circumstances, namely; war crimes, genocide and crimes against humanity” (Kalu 2009, Twinomugisha 2013). The African Union was willing to do all necessary to achieve stability in Libya. The TNC pushed for implementation of UNSC RES 1970 and 1973. It gave the AU less time to conduct negotiations between the Government and the opposition. NATO did not waste time, it quickly pursued military intervention, eventually dooming the AU’s initiative (Kalu 2009, Twinomugisha 2013). African countries were also having divergent perspectives. For instance, countries such as South Africa and Nigeria for the passing of, UNSC/RES/1973/2011, which directly affected the AU’s initiative of negotiating a smooth transition (Kalu 2009, Twinomugisha 2013).

One thing is certain, sidelined or because of lack of its own capacity, failure of the AU to deal with the Libyan conflict raised several questions concerning efficiency when dealing with conflicts in the African continent (Adebayo, 2011). The AU was not to be a direct player with an authority to act towards the conflict. Instead, it was forced to follow European powers and ask them to lend a hand.

There is another one-sided view in the growing analysis of the AU mission in the Libyan crisis. Various scholars argue that the AU mission in Libya failed to capture what the AU exists for. Initially when the Libyan conflict blew up the AU blocked international actors from intervening in the affairs of Libya. At that time, diplomatic engagements were in progress with the government of Gaddafi to try to find solutions and deal with the conflict (Dewaal 2012).

The five permanent members of the UNSC showed great interest to the 2011 Libyan crisis, more especially the UK, France and the US. Divisions existed amongst the permanent members of the SC, Russian President Vladimir Putin was angry at the way NATO handled the Libyan mission. He told the media that NATO violated the UN resolution (Lynch 2011). On the other hand, China hoped for a legitimate transition, which became impossible after NATO bombed Libya (Lynch 2011). Russia and China would have prevented a NATO intervention in Libya. China had growing investment in Libya at the time as it has in many parts of Africa. Russia had a relatively good, if not warm, relation with the Gaddafi regime (Lynch 2011). In much respect, Russia and China

displayed distaste and disdain for Western interference in another state's affairs. It is for this reason that the other permanent members who were part of NATO quickly deployed their military to the NATO initiative as a bombing agent in the name of ensuring no fly zone. This became possible simply because China or Russia have no veto in NATO (CIC 2011).

Heads of state of Mali, Congo, Mauritania, South Africa and Uganda's foreign minister initiated a diplomatic engagement to reach a settlement between the parties in this Libyan developing conflict at the time (Thomas 2013). The AU as a block had initially blocked the use of military force against Libya as noted above. However, some members of the AU were already swayed or persuaded by Western powers to accept the UN backed- NATO military intervention as inevitable. The African members of non-permanent seat holders at the UNSC, including South Africa, voted in favor of the no-fly zone, mainly because they could not trust Gaddafi's reaction and partly because they did not want to be responsible for another Rwanda (Thomas.2013). Yet, they never knew that its interpretation would allow NATO to bomb Libya into smithereens.

According to Thomas (2013:64) "[I]t is the submission of this paper that NATO's involvement in Libya marked the first attempt by the West to militarize the new scramble for African resources in the present age". This military intervention cannot be seen in separation from the US's desire to establish a permanent military command center in Africa termed AFRICOM, and which was a project the US has tirelessly pushed for a good few years by then. This was located within the competition and struggle to carve out a new influence and domination between the West and China in the continent. In this sense, NATO's eager intervention in Libya can partly be seen through the prism of the US, its Western allies' desire to use the notion of democracy, and human rights as their card against what they considered to be authoritarian regimes. The reality is that some countries participated to satisfy their material interests, including mineral resources (Murshed and Tadjeddin, 2007).

While some scholars such as Dewaal (2012) assert that the AU mission in Libya was a failure, one cannot disentangle the failure of the continental initiative from the global powers' interests and swift action accompanied by military might and readily available resources to influence matters on the ground. For example, Benette (2011 3) argues that "the rebels emboldened by NATO air support did not allow the AU to practice its bolstered "no defense" policy." She held the view that "the Libyan rebels should have accepted the AU plan, arguing that it would have forced the AU to

take more responsibility for Gaddafi's actions" Benette (2011: 3). The AU would have to make sure that Gaddafi stepped down in a smooth transition and protected the civilian from violence of Gaddafi's army (Benette 2011). According to Thomas (2013:65, 66) NATO's involvement and escalation of the conflict by funneling money and weapons, and offering extraordinary diplomatic support to the Libyan opposition based in Benghazi and Misrata, and actively sidestepping it, paralyzed the AU's initiatives and potential strategies for peaceful settlement. Both the AU and the Arab League of Nations could have played a significant role in trying to make sure that the diplomatic processes produce positive results. There are also claims that the AU failed to use what it has in its toolbox for resolving conflicts. The African Union Peace and Security Council is an integral organ of the AU, utilized to deal with conflicts in Africa (Twinomugisha, 2013). Claims argue that the AU failed in its gatekeeping role in the implementation of R2P and seeking a ceasefire from Gaddafi whilst the opposition was not willing to negotiate was unrealistic (Twinomugisha, 2013). Retrospectively, we now know how the war was escalated that fast, sidestepping the AU initiative to bring the parties to the table (Twinomugisha, 2013). According to the International Crisis Group (ICG), the AU could have been able to reach a settlement between parties if it was given sufficient time (ICG 2011). Speculative claims as, the AU's initiative was certainly never given a chance to take its course.

An apparent failure of the AU and its inefficacy to deal with the conflict strategically opened a door for the NATO-led intervention in Libya. France, the US and the UK fast-tracked the process of bombing Libya. NATO engaged in a media campaign to counter the allegations, which suggested that its primary objective of bombing Libya included killing Gaddafi, which would then eventually lead to regime change. The double standards in Libya played a critical role in waging war in that country. Suggestions in the media stated that Gaddafi's government used mercenaries to attack the civilians (Nazemroaya, 2014). However, evidence revealed that the US, Britain and France used mercenaries in Tripoli to wage war (Nazemroaya, 2014). Hence, Britain had a brigade of Gurkhas, which trained with US forces. There was propaganda war within Libya. For instance, the Libyan government in Tripoli and Benghazi placed the TNC on Jamahiriya news, claiming that the French and Qatar jets were, shot down (Nazemroaya, 2014). The TNC opened its news and television channel, which they used to falsify the situation in Libya to acquire immediate intervention by NATO (Nazemroaya, 2014). The Transitional Council detained and interrogated Russian journalists because they reported what was truly happening on the ground in Libya

(Nazemroaya 2014). The TNC mercenaries were the ones who tortured, raped and killed civilians who did not support their campaign. In the media, the blame was shifted to Gaddafi's forces and thus justified the urgency of foreign intervention by NATO (Nazemroaya, 2014). NATO justified that actions were to protect the Libyan populations and then possibly persuade Gaddafi to step down from power as the Libyan president.

What history records is the opposite. NATO was there to ensure that diplomatic agreements and peace negotiations were broken down. The growing available evidence suggests that the trio led NATO waged war against Gaddafi's regime to push for regime change. According to Bellamy (2011) peace is possible without the use of military action. Besides this, humanitarian intervention and military intervention are two separate actions – and the assertion that humanitarian concerns can be resolved through military intervention is rather simplistic, if not outright sinister. After all, military actions, as stipulated in the UN Charter, should be the last resort when all strategies of diplomacy have failed to bare the required results. Despite such conditions, what we noticed in the 2011 Libyan crisis points to the contrary - diplomatic strategies were never exhausted, and/or never to be utilized in the first place.

It is important to analyze the involvement of the Arab League in the Libyan crisis. Invariably, the Arab League too was divided. It held a meeting on 12 March 2011 in Cairo. At that meeting, the Arab League Council discussed the implications of the Libyan crisis including “the outcome of the dangerous situation in Libya and its implications, and the crimes and violations being perpetrated by the Libyan authorities against the Libyan people, the use of military aircrafts, mortars and heavy weaponry against the civilians”. The Arab League Council decided to call for the UNSC to assume the responsibility “to take the necessary measures to impose immediately a no-fly zone on Libyan military aviation” (RES. No.: 7360)

Qatar was part of the coalition – perhaps to push the possibility for the Muslim brotherhood to take root and power in Libya. During the 2011 Libyan conflict, there was lack of coherent strategy to deal with the crisis (Hauben, 2011; Vidino 2013). For instance, United Arab Emirates and Qatar joined the coalition with NATO, France, Britain, and Italy to initiate military intervention in Libya. The support of Qatar and the UAE, as well as the Arab League made military intervention possible regardless of the disapproval from countries such as Algeria and Syria (Hauben, 2011; Vedino 2013). Qatar supplied biased media reports, which only depicted a negative picture about

Gadhafi's regime hence the UN relied on Aljazeera's non-verified information (Hauben, 2011). Qatar seemed very determined in achieving regime change in Libya. There is a chance that perhaps it was keen to push the possibility for Muslim brotherhood to assume power in Libya (Hauben, 2011).

6.5 Role of Contact groups in Libya

Contact groups have been a useful tool to circumvent the UN and its organs. For instance, contact groups in Libya played a significant role towards achieving regime change. The first contact group meeting was held in Doha 13 April 2011 (Doha Meeting 2011).

The meeting was co-chaired by the State of Qatar and the United Kingdom, with the participation of 21 countries and representatives from the United Nations, the Arab League, NATO, the European Union, the Organization of Islamic Conference and the Cooperation Council for the Arab Gulf States to indulge on the situation in Libya. The African Union attended as an invitee (Doha meeting 2011).

The second contact group meeting was held in Rome on 5 May 2011. It mapped the transition to regime change. Italy chaired the meeting together with Qatar. There were 22 participants and representatives of the UN, the Arab League, NATO, the EU, the Organization of Islamic Conference and the Gulf Cooperation Council (Rome meeting 2011). However, what raises eyebrows is that the AU was there as an invitee. One would have thought that the AU should have attended the meeting as the Chairs given that the issue to be discussed concerned one of the African countries. When the meeting was concluded, it was unanimously agreed that the contact group would continue to serve as the legitimate focal point of contact (Rome meeting 2011).

During the fourth meeting held in Istanbul on 15 July 2011 the contact group welcomed reports by the prosecutor of the ICC, that Qaddafi's regime had been charged with crimes against humanity (Istanbul meeting 2011). The report was further submitted to the UNSC. The contact group further recognized the TNC as a legitimate governing authority (Istanbul meeting 2011). Recognition perceived to be not a true representation of what the Libyan masses wanted (Istanbul meeting

2011). One has to agree with the notion which suggests that the contact group was utilized as a tool to facilitate the regime change. It collected and produced all negative issues against Gaddafi's regime. Some questions need to be asked as to who endorsed the contact group to hold meetings on behalf of Libya's civilian population. What criterion was utilized to choose and legitimize those individuals to form that contact group? The same contact group advocated for the implementation of UNSC/RES/1970/2011 and UNSC/RES/1973/2011, which ended up leading to a NATO bombing that, killed thousands of Libya's citizens. Were they really concerned about the lives of innocent people of Libya? Well I do not think so. Regime change was the only goal they wanted to achieve. Hence, those people who constitute the contact group are interest driven in the Libyan case. Gaining of power was also another primary goal. The US and its allies played an integral part in establishing and assembling the contact group. They knew that they would be able to control the TNC eventually infiltrating the economy of Libya. In several countries, such as Somalia and Iraq the so called concerned actors became established contact groups whose primary objective was to further their interests. This could be in mineral resources or any other reason as long as access was guaranteed.

6.6 The impact of Intervention on the Libyan Republic

The UNSC conducted a study to review the impact that was exacerbated by the Libyan crises on the Sahel Region. The Report revealed that various challenges occurred due to the occurrence of the crisis. For instance, neighboring countries such as Chad, Egypt, Mali, Algeria and Mauritania had to deal with a massive influx of refugees fleeing away from Libya because of the conflict (UNSC 2012). Hence, neighboring countries were faced with issues such as food insecurity and nutrition. Food production was no longer sufficient to maintain consumption since there were too many refugees inflowing to these countries (UNSC 2012).

Libyan economy changed because of the crisis. Oil production declined by 2.3%, division amongst the citizens went up to 6.4%, foreign control to domestic Libyan affairs increased by 11.2%, the population of Libya decreased by 0.6% and 12.45, increase arms proliferation was experienced. The above figures reveal that the crisis brought huge negative impacts in the country. Large numbers of people are currently in possession of dangerous weapons; the country has become dangerous than it was before the Gaddafi regime was overthrown (Azikiwe, 2012).

The role of Libya as a regional player in African politics also declined because of the conflict. Lack of cohesion is also evident. There is less unity in the country, and some are predicting balkanization of Libya which came about because of regime change. The NATO-led Libyan intervention is responsible for the killing of thousands innocent civilians of Libya, even though they intervened to avert such a situation (Yobo, 2011). Some have suggested that the UNSC's action or inability to act in the Libyan conflict led to the State of Human insecurity in Libya (Yobo, 2011). According to Thomas (2013), "The main concern in Libya is the degree of insecurity the Council and NATO created in their bid to install security". According to scholars such as Isike, Uzodike and Gilbert (2008), security means protection of citizens against war, poverty, food insecurity, environmental concerns and preventions of crimes of aggression, ethnic cleansing and human rights protection. Edward (2009) further argues that security is all about developing people to enhance their livelihoods. Hence security is also about having liberty, freedom and being free from any form of fear.

However, what happened in Libya was the total opposite of the above claims; the NATO-led military intervention imposed a great threat to human lives, and they were no longer secured. Libya and Libyans are in a worst situation now than they were under Gaddafi. To make matters worse, the conflict continues to affect the population six years after the intervention with no end in sight for global settlement and reconstruction of the country to bring semblance of normal life.

The UN-backed NATO-led military intervention undermined economic security of the Libyan citizens (Nazemroaya, 2014). Libyan people could no longer be able to have stable incomes to sustain themselves (Nazemroaya, 2014). Food security also became a major concern in the country. Access to food became a matter of grave concern, since production had declined and imports could no longer get into the country and food aid was no longer sufficient. This caused a lot of human suffering (Nazemroaya, 2014). Health security of the Libyan people was put under threat to such an extent that they were deprived access to health facilities and not being able to obtain their necessary medicines resulted in several deaths in the country. Personal security from violence was lacking. According to Nazemroaya (2014) environmental security and community security were affected drastically. For instance, the people of Libya lost relations because of violence. The political security of the country could no longer protect the human rights of its own people, which is exacerbated by the fragmentation, militarization of the region and the emerging civil war (Nazemroaya, 2014).

In contrast to the original plan, the situation of Libya changed to the worst after the intervention by NATO. For instance, this chapter highlighted that Libya is an underground resource rich country with oil, gas, precious water resources and it has important trade routes (Nazemroaya, 2014). Libya owned more than US \$150 billion of financial assets in 2011 before the invasion (Nazemroaya 2014). The country employed a very large number of foreign personnel from all over the world. It provided employment opportunities to foreign nationals from, Turkey, China, Russia, Italy and Belarus; the list is not exhaustive (Nazemroaya, 2014). Foreign nationals even opened their personal businesses in Libya. Gaddafi had played a very significant role in providing basic services to the citizens (Nazemroaya, 2014). Although there was corruption but the large amount of oil, money was channeled to development (Nazemroaya, 2014). Gaddafi's government used the oil money to boost the economy of the country. Consequently, he kept the living standard of the people high (Nazemroaya, 2014). Government ensured that social services such water, health, benefits such as subsidy of housing were available to the population (Nazemroaya, 2014). However, poverty did exist like in other countries globally but it was not the driving force of conflict. Libya for 4 years up until 2011 had the highest living standards in Africa (Nazemroaya, 2014).

Libyan intervention undermined the concept of state sovereignty. Under the UN Charter, "Article 2(7) stipulates that the UN is not to intervene in a matter of domestic jurisdiction unless the matter threatens international peace and security" (UN Charter 1945). This was not respected in the case of Libya. According to Modeme (2011), the realist perspective argues that the Libyan government should have been given an opportunity to deal with the conflict on its own capacity as a sovereign state. According to the realist approach, every independent state has the right to deal with its domestic affairs without any external interference. Intervention undermined the territorial integrity and Libya's leadership. According to the UN Charter (1945) "Article 2(4), between independent states respect for territorial integrity is an essential foundation for international relations and all members shall refrain from use of force against the territorial integrity of any state".

One must argue that realism played an integral part during the Libyan crisis. The actions of the US, the UK and France were rooted under the realist approach. The Western powerful countries felt the threat to their interests and so they had to do whatever it took to advance their interests.

According to Hoff (2016), “the discovered Hilary Clinton²⁵ emails reveal that Gadhafi’s plans to establish the gold backed currency that would compete with the Euro and the US Dollar was a catalyst of NATO’s intervention”. Over 3000 emails were discovered, they contain admission by Hilary Clinton. Included in the list were: rebel war crimes and special operations inside Libya before the protest occurred. The emails also include the origin of the false claim about Viagra mass rape, concerns “over Gaddafi’s gold and silver reserves threatening European currency” (Hoff 2016). Hillary Clinton had an unofficial intelligence collector Sydney Blumethal who has the evidence about war crimes by NATO backed rebels. Clinton had a team briefing her about what was happening on the battle field (Hoff 2016). In that sense, what happened to Libya was unfortunate. The invasion was based on manufactured facts with political undertones.

6.7 Conclusion

This chapter gave an overview on the history of Libya and Muammar Gaddafi’s political prescription of ‘Pan-Arabism’, ‘Pan-Islamism’ and ‘Anti-Westernization’. The chapter showed how this played an important role in catalyzing the 2011 Libyan conflict. This chapter has sought to critically assess the roles of the AU, NATO and the UNSC during the 2011 Libyan crisis. The UNSC resolution 1970(2011) imposed assets freeze and arms embargoes to Libya. Furthermore resolution 1973(2011) was adopted in March 2011 in Washington. “It called upon all states to use all necessary means to protect all civilian populations of Libya from crimes of aggression” (UNSC/RES/1973/2011). This was followed by a no-fly zone. NATO initiated its bombing campaign. The use of false information to justify the urgent need for military intervention was the strategy that was utilized by NATO. This made the world believe that Gaddafi was killing his own people. The AU initiated a peace process which ended up useless after NATO took over. South Africa and Nigeria voted in favor of resolution 1973(2011). This showed lack of unity among Africans. The AU failed to protect Gaddafi’s government. The weakness of the AU was revealed after failing to address the Libyan conflict. One must note that the AU was out of depth in terms of resources. It could not deploy an immediate mission. It had planned to hold diplomatic meetings

Hillary Clinton is the Former United States Secretary of State and is an American politician and the nominee of the Democratic Party for President of the United States in the 2016 elections²⁵

and ask Gaddafi to step down as president in a peaceful manner. Military intervention was the last resort.

NATO was used to achieve the goals of super powers of the world, France, the US, and the UK. Gaddafi was planning to nationalize the mineral resources of the country, which meant that multinational corporations from the Western countries were going to lose control and access to Libyan oil. The United States, France, and the United Kingdom could not do anything as they are the major consumers of the world's oil. Achieving regime change meant that they were going to align themselves with the contact group hence they became allies of the TFG to continue to benefit from Libya's mineral resources.

I am of view that UNSC resolution 1973/2011 was wrongly interpreted in a manner that suited the national interests of the UK, France, and the US. Intervention was not performed under the impression of 'R2P'. It was only rooted in securing material gains. The people of Libya were not the priority, only regime change at whatever cost was at the hearts of France, the UK and the US. The UNSC failed to play its central role to protect the people of Libya from crimes of aggression committed by NATO. The UNSC's legitimacy was destroyed by the incident of intervention in a sovereign state.

The following, chapter will critically discuss the UNSC as a conflict resolution mechanism globally, particularly focusing on the Council's interventionist role in Somalia.

CHAPTER SEVEN

UNSC as a conflict resolution mechanism globally: The Council's interventionist role in Somalia.

7.1 Introduction

Somalia has been affected by conflict for decades; obtaining peace has failed on quite several attempts. Regional organizations and other international actors have attempted to end the Somali conflict. The Civil war in Somalia is believed to have resulted in social processes, which have been percolating for the past few decades (Marangio 2012). Much of it is attributed to clan rivalry and competition for dominance of the Somali state. However, the desire to simply confine the conflict to the internal factors is not going to help us understand the underlying context within which such rivalry has emerged. Some have suggested that each of the clans, and the different warring parties and gangs of the early 1990s were supported and funded by outside entities from Europe. The root causes of the Somali conflict include piracy, Islamic fundamentalism and domestic challenges of poverty and corruption. Somalia, located in the horn of Africa, is used as the maritime route, which passes through the Suez Canal. It is utilized to transport oil from the Arab Peninsula (International Affairs Institute 2007). Pirates who are based in Somalia threaten oil transportation. Criminal activities such as funding the terrorist groups disturb the exports and imports and other economic activities (International Affairs Institute 2007). This has helped internationalize the Somali crisis, and has led to major power squabbles. The situation can no longer be perceived simply as a mere domestic issue; piracy and Islamic terrorism transcend geographical boundaries.

It is within such context that we notice the different stages and phases of international and regional intervention in Somalia. The Somali crisis is an important precedent for international intervention in many ways. It is one of the cases where intervention after intervention has failed to bring about sustainable peace and stability. In addition, this case shows conflicting interests and competition framing the series of interventions and often exacerbating the problem. Since the fall of Siad Barre, we have seen multiple missions set up for Somalia by the UNSC and other UN agencies to deal with the humanitarian and security crisis. This chapter discusses a brief historical background of the Somali state, the roles of the UNSC, the US, the AU and the EU during the Somalia Crisis. This chapter also assesses the different missions and interventions including Operation Restore Hope, with a keen interest on the UNSC and its role as a global peace and security mechanism.

The chapter examines the UNSC's role in the Somali conflict, regional organizations and blocks, and other individual state involvement in the Somali conflict. Here the interest is on the overlapping mandates, conflicting interests and involvement in the conflict. The European Union, the AU and neighboring states' rules are also explored here.

27.2 Brief History of the Somali State

During the 7th to the 10th century, Arab and Persian trading networks were established. During the 16th century Italy occupied the Northern Coast of Somalia. Britain in 1839 occupied the Somali coast and used it as a food source. France further opened a coalmine station in 1862 (International Affairs Institute 2007). In 1960 Britain and Italy granted Somalia independence and the Republic of Somalia was formed (International Affairs Institute 2007).

In October 1969 President Abdirashid Ali Shermarke²⁶ was assassinated and the army took over power. Mohamed Siad Barre became president of Somalia. In its quest to establish greater Somalia by bringing all the ethnic Somalis into its fold, in 1977, Siad Barre's government initiated a war in the East of Ethiopia, Ogaden region, along with rebels it formed from the ethnic Somalis of Ethiopia (International Affairs Institute 2007). However, Somalia was defeated in the war that had lasted for 8 months; about 32 000 troops and arms were lost. This day must have been one of the causes of the tension, animosity and otherwise suspicion between Ethiopians and Somalis. It has also contributed to the longest secessionist movement in Ethiopia. The Ogaden National Liberation Front composed of many ethnic Somalis of the Ogaden clan with strong ties into Somalia proper.

General Mohamed Siad Barre is known as the Military dictator. He took office as President of Somalia in 1969 up until 1991 when he was overthrown after 21 years of military rule. Barre, when he came into power, nationalized banks and other industries such as farming. Barre died in exile in Nigeria and he was returned to Somalia for burial. President Siad Barre left the country in January 1991 (International Affairs Institute 2007). After the fall of Siad Barre Somalia was categorized as a failed state. Somalia was self-sufficient in food until the late 1970s (Chossudovsky, 2011). In the early 1980s agriculture and the national economy collapsed. When

²⁶ President Abdirashid Ali Shermarke took office in 1967 and he became the 2nd Somalia president, and in 1967 he was shot and killed by one of his bodyguards at the age of 49. His assassination was followed by a coup d'état on October 21, 1969 lead by Major General Muhammad Siad Barre.

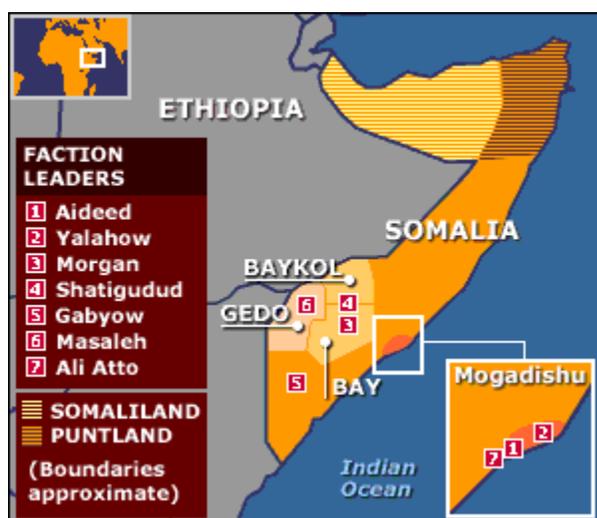
Siad Barre took over in 1969, social programmes were put in place. For example, education and health programmes were implemented (Chossudovsky, 2011). Moreover, infrastructure development was prioritized (Chossudovsky, 2011). Until the 1980s, the “World Bank and the IMF imposed Structural Adjustment Programs (SAPs) on sub-Saharan countries” (Chossudovsky, 2011:1). SAPs led to famine in most African countries, including Somalia (Chossudovsky, 2011). IMF strategies led to economic dislocation and social conflict in Somalia. Intervention by the IMF into Somalia destroyed the pastoral economy and livestock economy. The SAPs imposed imported goods and influx of cheap surplus wheat and rice. These displaced local producers (Chossudovsky, 1993). The devaluation of the Somali shilling by the IMF in 1981 created major problems, such as the increase in fuel prices and seeds (Chossudovsky, 1993). Farming communities could no longer produce food to sell and to consume for themselves (Chossudovsky, 1993). Restructuring of government expenditure under the supervision of the World Bank and the IMF was a crucial element towards the eruption of conflict in Somalia (Chossudovsky, 2011). Social services could no longer be provided to the citizens (Chossudovsky, 1993).

There are many who blame Siad Barre’s rule for contributing to the clan tension and conflict, for he ruled the country for that long by turning one clan against another. What is clear is that the momentous departure left Somalia with no central authority but with anarchy (Chossudovsky, 2011). Rebels and clan’s warlords, and small gangs vying to fill the vacuum became a staple in Somalia. The country descended into a state of complete despair and anarchy (Chossudovsky, 2011). It came under the control of about 12 clans, and it remains a lawless nation (Roth, 2004). The figure below demonstrates the divisions of Somalia where different leaders are in control. According to (Roth, 2004) Mohamed Aideed leads the United Somali Congress/Somali National Alliance. Mohamed Aideed is the son of late General Mohamed Farah Aideed a guerrilla leader who played a role in overthrowing President Siad Barre from power (Roth, 2004). In 1993, he went into war and fought against US forces in Mogadishu (Roth 2004). Southern areas of Mogadishu are under control of Mohamed Aideed (Roth 2004). The second faction leader is Muse Sudi Yahalow. He is the leader of United Somali Congress/Somali Salvation Alliance (Roth, 2004). He is based in Mogadishu and also gains support from Ethiopia (Roth, 2004).

The third faction leader is General Morgan who is associated with the Somali Restoration and Reconciliation Council (Roth, 2004). According to Roth (2004), Morgan’s organization opposes the TNC and is suspected to have relations with terrorists. Regions of Bay and Baykol are under

the control of Hassan Mohammed Nur Shatigudud who leads the Rahanwein Resistance Army (Roth, 2004). Former Defense minister for President Siadd Barre’s administration Aden Abdullahi Nur Gabyor, leads the southern based Somali Patriotic Alliance (Roth, 2004). Osman Ali Atto is the former funder of General Mohammed Farah Aideed, however he is now a leader of USC/SNA. The Puntland was the independent northeastern state in Somalia formed in 1998; Jama Ali Jama is its leader. The leadership of Puntland does not recognize the TNC in Mogadishu (Roth, 2004). Mohammed Ibrahim Egal is President of the splinter republic of Somaliland, the northwestern region that declared independence in 1991 after the coup of Siad Barre. He formed a new political party, the Allied People's Democratic Party (UDUB), in 2001. Mohammed Egal's term of office ended in 2002 (Roth 2004).

Figure: 7.1 Factions between the clan leaders in Somalia.



Source: Global Security.Org

About 57.5 million people live in Somalia. The country lacks social cohesion; there is no cohesive government to such an extent that there is no political ideology and foreign policy of the country. Somali people belong to clans and sub-clans (Chossudovsky, 2011). Relations in Somalia are made up of the clan system.

Attempts to restore a central authority in the country have been made several times ever since Siad Barre left. Unfortunately, they have failed to produce positive results. Most of the power is still in

the hands of the rebel groups and clan factions that have dominated Somalia's economy and politics for decades (Chossudovsky, 2011). Before Siaad Barre was removed from power, Somalia was a member of the UN and its agencies (Chossudovsky, 2011). It was a member of the OAU which is now known as the AU,²⁷ and was also a member of the League of Arab States (Chossudovsky, 2011). One must note that after Siaad Barre's regime was overthrown Somalian embassies in most Western states were closed.

To add to the devastating war, Somalia was also hit again and again with recurring drought exacerbating the humanitarian crisis. In 1992, for example, soon after it descended into anarchy, Somalia was hit by severe drought which led to the crippling famine and food insecurity, devastating much of the rural Somalia. By some estimate, about 300 000 civilians were killed because of famine in the country in that year. The international community had to intervene; it provided food aid to help Somali people survive the era (Chossudovsky, 2011). Since the war among the different clan factions and warlords was negatively impacting and severely curtailing the humanitarian missions, the US army mandated by the UNSC was deployed to protect food deliveries. In May 1993, the UN took over from the US and it controlled the relief efforts (Chossudovsky, 2011). This arguably became the start of a series of long standing interventions mandated by the UNSC. Intervention by the IMF led to the major decline of the Somali economy. The IMF and the World Bank Proposed SAPs which were imposed during the 1980s in various Sub-Saharan countries. Somalia was one of the victims of SAPs, which destroyed the economy of the country and turned it into chaos. SAPs destroyed food and Agriculture; the livestock economy crashed.

7.3 Roles of the UN, US, AU and EU during the Somalia Crisis

The international community led by the US and the EU has played a significant role in dealing with the Somali conflict (Lofland, ND). The United States assumed a significant role since 1992 through diplomacy, direct and indirect military interventions (usually through what the US called regional partners) to enforce law, stability and order in Somalia that has plunged into anarchy.

²⁷ The African Union is a Continental Organization it consists of 54 member states only Morocco is not a member. AU was formed in 1963 known as the Organization of African Unity in Ethiopia 33 states reached a consensus and it was established; until it became the African Union in a Summit held in South Africa Durban ICC in 2002.

When, in January 1992, Boutros Ghali was announced as the Secretary General of the UN, the trouble in Somalia was already in flames and few of the peace initiatives by regional organizations led by the Arab League and the OAU brought much needed stability. Following this, the UNSC voted in favor of increasing humanitarian aid through the passing of UNSCR 733/1992 (Clarke and Herbst 1996, Lofland ND). In March 1992 the UN dismantled the ceasefire agreement, which was signed in Mogadishu by the leaders of clans, Ali Mahdi Mohamed and Mohamed Farah Aided (Lofland ND). UNSC Resolution 746/1992 was unanimously adopted. It urged compliance between the conflicting parties for the UNSC to distribute food to the starving citizens in Somalia (UNSC/RES/746/1992).

Despite these initiatives, conflict in Somalia continued to worsen. Considering these developments, the UN took a stance to launch a mission through the United Nations Operation in Somalia (UNOSOM) whose main intention was to provide humanitarian assistance to Somali populations who had been affected by the endless conflict (Lofland, ND; Patman, 1997). United Nations Security Council Resolution 751 in April 1992 was adopted. It authorized that mission (Lofland, ND; Patman, 1997). Since the country was affected by extreme drought and famine, the United States sent food aid through a mission it termed Operation Provide Comfort (Lofland, ND; Patman 1997).

Intensive conflict in the country between warlords created problems for the delivery of food aid. Some areas could not be easily accessed by humanitarian organizations ((Lofland, ND; Patman 1997). The UN had to resort to other strategies to be able to reach the needy citizens of Somalia. As a response to this, the US – led intervention was initiated by President George Bush Senior. The coalition was approved by the UNSC in December 1992, which mandated it to secure the humanitarian operations and to ensure that all the needs were forwarded to the suffering Somali people (Lofland, ND). Furthermore, UNOSOM1 was authorized to use all the necessary means, pull all stops including the use of military action, if needs be, to ensure that peace and security was achieved (UNSC RES 751/1992). The US-led operation was then launched, with a typical US style mission named - Operation Restore Hope, which was also known as UNITAF (Unified Task Team) (Mroczkowski, 2005). The latter sent the UN marine under the blue beret. The UNITAF mission consisted of military units from Australia, Belgium, Botswana, Canada, Egypt, France, Germany, Greece, India, Italy, Kuwait, Morocco, New Zealand, Nigeria, Norway, Pakistan, Saudi Arabia,

Sweden, Tunisia, Turkey, United Arab Emirates, United Kingdom, and Zimbabwe (Mroczkowski, 2005). The US failed to detect that there were far more complex political dimensions and clan relations to the Somali crisis than the sought military interventions under the banner of peacekeeping (Clarke and Herbst, 1996). By the UN's own assessment, Operation Restore Hope managed to produce some degree of humanitarian success but failed to end the conflict.

In any case, the US's push for intervention in Somalia was not driven solely by humanitarian desire, which some have attributed to the reason why stemming the conflict was a failure.²⁸ Underneath this sad tragedy of Somalia, four main US oil companies are silently sedentary on a potential wealth in exclusive concession and franchises to discover and exploit tens of millions of acres of Somalia's rural area (Chossudovsky, 2011). These companies' dealings and desire for exclusive concessions in some ways intensified the rivalry and competition of the warlord-led clans and factions. According to Cunningham (2011) "[t]he US military confirms Washington's secrete new war in Somalia despite the official denials". Laliou (2010) argues that "this is the result of an American strategy. In 1990, the country was bruised by conflicts, famine and lootings; the state collapsed. Facing this situation, the United States, who discovered oil in Somalia a few years ago, launched Operation Restore Hope in 1992. For the first time, US marines intervened in Africa to take control of a country. It was also the first time that a military invasion was launched in the name of humanitarian interference". The US wanted to remain a global hegemony. A report from the US State Department suggested that to achieve the position of being the only hegemony, the US should dominate Africa to reap benefits such as extracting natural resources in well-endowed countries of Africa (Lofland, ND).

As stated above, it is of vital importance to emphasize that on the 3rd of December 1992 UNSC Resolution 794 mandated the US -led coalition to "use all necessary means to establish a secure environment for humanitarian relief operations in Somalia as soon possible" (UNSC/RES/794/1992). US troops played a critical role from the 3rd of December 1992 to the 4th of May 1993 (Lofland, ND). US marines occupied the Mogadishu shore to initiate the establishment of security measures to deliver food to Somalis. Furthermore, the Civil Military Operations Center was established and it collaborated with the UN's Humanitarian Operations Centre (HOC) (Lofland, ND). A unified command was established under USCENTCOM. Its tasks

²⁸ For additional discussion on this see chapter four.

were to provide, guide and arrange required support and resources essential for the operational commander (Lofland, ND). The first Marine Expeditionary Force (IMEF) commanded a Joint Task Force (JTF), which comprised of air force, army and Special Operations Forces (SOF) (Lofland, ND. Unified Command, USENCOM was given several tasks in order to ensure that the operation was a success (Lofland, ND).

During the year 1992, three prepared Restore Hope Force pillars were triggered to afford support to the UN's humanitarian and peace keeping operations in Somalia (International Affairs Institute, 2007). For instance, two offshore petroleum discharge systems (OPDS) tankers were installed, the American OSPREY and POTOMAC (International Affairs Institute, 2007).

According to Patman (1997:511) the UNSC voted in favor of Resolution 794/1992 and authorized the US to initiate the mission since it was declared that conflict constituted crimes against humanity and 'a threat to international peace'. There is need to restore peace, security, and stability in the country (Patman 1997). UNSC/RES/794/1992 stated thus:

The Security Council authorized the use of force "to restore peace, stability and law and order" to Somalia after first determining that "the magnitude of the human rights tragedy caused by the conflict in Somalia, further exacerbated by the obstacles being created to the distribution of humanitarian assistance, constitute[d] a threat to international peace and security," the Council resolved "to restore peace, stability and law and order with a view to facilitating the process of a political settlement under the auspices of the United Nations." To achieve these objectives, the Council, this time specifically invoking Chapter VII of the UN Charter, authorized both the Secretary-General and cooperating Member States "to use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia (UNSC/RES/794/1992).

Patman (1997:511) also states that "the UN charter is crafted with functioning states in mind and it "made no provision how to deal with failed states". The US-led military intervention failed to stop riots and gun battles in Mogadishu. The US announced that it was planning to withdraw its 3000 forces in Somalia. Boutros Ghali denied the claims that UNOSOMI/UNITAF could establish a secured environment for safe delivery of humanitarian assistance (Patman, 1997). The UNSC, adopting Resolution 814, followed it in March 1993 thus leading the way for the transition from UNOSOMI and UNOSOMII, which expanded the mission to include disarming the militias

(Patman, 1997). On 4 May 1993, the UN-led operation in Somalia (UNOSOM II) took over all the operations (Patman, 1997). UNOSOM II expanded the mission, which comprised of reconstruction of state institutions “nation building” (Patman, 1997). UNOSOM II was mandated under Chapter VII of the UN Charter to disarm Somali militias to pave a way for political agreement between warring parties. The International Affairs Institute (2007) argues that the image of the UN Secretary General’s office was degraded because of militias which challenged the UN’s authority. This transition to UNOSOM II was a strategy used to protect food deliveries. It encountered various problems since the warlord Muhamed Farah Aideed deployed his troops to disrupt the mission. Farah’s forces shot down two black hawk helicopters in the fight, an incident which led to the death of 18 US troops and mass killings of the Somali people occurred. After that incident, all US troops departed from Somalia in March 1994. This also raised important questions (Patman, 1997). Since then, Aideed and his clan based troops were seen the bad guys of these times. Furthermore, the Secretary General failed to earn the trust of the Somali clan leaders. The Secretary General had not been able to remain neutral, which was necessary for diplomatic efforts to produce positive results. The Somali people had the notion that the Secretary General was biased. He supported the anti-Aideed forces. Rich (1999:132) stipulates that “The lesson the UN ought to have learnt from this episode is that the Secretary- General should not direct and command an enforcement operation”. The credibility and legitimacy of the UN was degraded. The UN sadly pulled out in 1995 from Somalia and the conflict worsened. The actions of the UN revealed failure of the UNSC to make sure that peace and security is achieved. It never fulfilled its primary objective of ensuring global peace and security.

According to Patman (1997:1) “[t]he latest mission –UNOSOM II was mandated to disarm Somali militants under Chapter VII of the United Nations Charter to create conditions for a political settlement”. Disarming the warlords was the primary goal to gain control of 60% percent of Somalia. Unfortunately, 24 Pakistan troops who were part of the mission were killed in June 1993. Clarke and Herbst (ND) aver that “the failure to disarm the major combatants meant that the United States and the United Nations in effect with those who had the most weapons leaving the weak and defenseless to abandon hope”. Clarke and Herbst (ND) further assert that forces which were deployed in Somalia were unable to recognize which Somali population has been affected by conflict.

This was further complicated, according to Clarke and Herbst (ND), by the fact that when the UN took over the mission in 1993, it lacked the ability and essential resources to deal with the conflict after the US pulled out. The UN failed to employ qualified staff and it took very long for appointed individuals to take charge of their positions. Wrong decisions were taken such as failing to reconstruct the Somali Police Force. As some argued, “disarmament in Somalia never had a chance because the UN made a fundamental error when it abandoned diplomacy and the consensual principles of traditional peacekeeping or to intervene unilaterally in Somalia's civil war. By seeking to impose peace upon the warring factions, the UN compromised one of its main assets, namely, political impartiality” (Patman, 1997:1). This was partly a legacy from the US intervention – choosing one faction over others. In the process, the UN “became simply another party to Somalia's civil war and thus become part of the problem rather than the solution to the country's crisis” (Patman, 1997:1).

UNOSOM II was positive to some extent, more especially in Baidoa.²⁹ Some good changes were experienced. Australians played a critical role in trying to show the UN that peace can be achieved in Somalia. What was striking about the Australian engagement was that they were willing to listen to and engage creatively with local actors. However, for much of the US-led UN, the practice has been one of an imposition rather than engagement, in hope that they prop up their chosen favorite parties in the Somali conflict, which in turn often created a sense of marginalization among others in the conflict. In many ways, in Somalia, the state collapse and external intervention represent how external powers complicated the situation by perpetually imposing their world view, instead of seeking to engage local actors. Patman (1997:524) argues that “[t]he UN had a top down approach to peace building they focused on the 14 faction leaders, which meant the grassroots movements did not get much attention”. Six UN organizations were active in Somalia. The humanitarian organization which were present included the World Health Organization (WHO), the Food and Agriculture Organization (FAO), the United Nation Development Programme (UNDP), and the United Nations High Commissioner for Refugees (Patman, 1997). The entire state was managed through the UN in one way or another. Moreover, according to Rick (1999:130) the UN made enormous means to try and deal with conflict in Somalia. One of the initiatives is

²⁹ Baidoa is known as the capital in southwestern bay region of Somalia. It is a strategic town in central Somalia, situated approximately 250km west of the Ethiopian border. It is traditionally being a major economic hub for Somalia.

that it engaged with clan leaders to obtain a settlement for the makeover of the Somali state. Rich (1999:30) argues that “the use of force by UN troops to try to obtain Somali compliance led to an atmosphere of confrontation and legitimized the use of force by the Somali militias against anyone else”.

Even when other regional organizations such as the EU assumed a role to address the Somalian problem, development projects or peace initiatives, they entailed external prescriptions, which did not speak to local material and political relations. As Marangio (2012) observes, for example, “[t]he performance of the EU suffers from severe deficiencies as other international actors engaged in the Somali crises.” It should be noted that the European Union³⁰ has been playing a major role since the conflict of Somalia came into existence. The EU has made various interventions through military missions, development and political missions (Marangio, 2012). The EU efforts include response to escorting World Food Programme Vessels crossing the Indian Ocean and prosecution of piracy. The European Union Training Mission (EUTM) aimed to train Somali Security Forces so that they could service government (Marangio, 2012). Despite all these important roles assumed by the EU, for the large part, their involvement, like the UN missions and operations, are characterized by “top-down approaches than on bottom- up strategies developing reconciliation and social cohesion” (Marangio, 2012).

As Clarke and Herbst (ND) argues, “Somalia is the most obvious case to date of the world organization taking on new duties to build the new world order”. However, the United Nations' capabilities have changed little in response to these new challenges (Clarke and Herbst ND). Rich (1999:30) writes that in Somalia, “it was the first time that the UN had taken over the entire responsibility of running a sovereign state, and, finally, it was the first time that UN peace – enforcement operation had been given enormous task of providing relief supplies, undertaking political reconciliation and rebuilding a collapsed state”. UN operations having used billions of US dollars failed to achieve positive results. Much of the blame can be lodged with the UN bureaucracy, which must be reformed (Clarke and Herbst ND). Such blame can be apportioned to powerful states in the UN that seek to steer UN missions and operations to align them with their

³⁰ Economic Community was formed in 1958 when the European economic and political cooperation grew. European Union is politico-economic union of 28 members primarily located in Europe states it was later change the name in November 1993 in Netherlands it became the European Union. It has its headquarters located in Netherlands in the city of Brussels. Founders were France, Belgium, Luxembourg, Italy, Netherlands and Germany.

interest that exacerbates the problems and obstruct process and actions need to deal with the problems. We have seen this, particularly the United Nations' major donors who tend to have a sway in the mission – mainly by opening and closing the financial taps.

7.4 The African Union's Role in the Somali Conflict

In 2007 the AU peacekeeping mission was established to support the TFG. Clashes between the TFG and the opposition political parties led to the displacement of about 400 000 people in Mogadishu (International Affairs Institute, 2009). The AMISOM mission was derived from the IGAD Peace Support Mission in Somalia (IGASOM); the Intergovernmental Authority in Development (IGAD) in 2005 established it (Ndiwimana, 2014). However, IGASOM failed to implement its mission due to lack of funding and troops (Nduwimana, 2013). The AMISOM mission consisted of troops from Uganda, Burundi, Ethiopia, and Kenya (OHCA 2014). UNSC Resolution 1224 mandated AMISOM to take all necessary measures, address security problems, stabilize the country and facilitate provision of humanitarian assistance (Nduwimana, 2013). In 2008, conflict worsened; about 1.1 million Somalis required humanitarian food aid since they were displaced, they could no longer feed themselves. The existence of the Al Shabab militants led to extreme famine (Williams, 2013).

AMISOM is the mission of the AU. Its troops have been deployed to fight against the existence of the Al Shabab. However, the problem of the existence of Al Shababs continues to persist (Williams, 2013). Kenya saw the need to get involved since it saw threats and challenges affecting the national security and interests (William, 2013). Kenyan troops integrated with the AMISOM peacekeeping forces under the authority of the AU and UNSC mandate. Resolution 2936 of the UNSC of February 2012 authorized Kenyan Defense Force to join AMISOM (Williams 2013). Jubaland, is known as a strategic economic hub. Sheikh Ahmed Mohamed Islam, known as Madobe, is a former warlord and the leader of Raskamboni Movement, was elected president of Juba on 15 May 2013 (Kisiangani and Noor, 2013). However, Jubaland remains under shared control, government, Alshabab, AMISOM/Raskamboni Movement controls the urban areas and some peril-urban sections (Kisiangani and Noor, 2013). Jubaland, is well endowed with arable land, gas, oil deposits, and charcoal industry (Kisiangani and Noor, 2013). It all attracts clans and

neighboring countries such as Kenya and Ethiopia (Kisiangani and Noor, 2013). Kenya's interest in Jubaland is that a strong administration could be installed so that Juba could be a barrier hence provides a solution to security threats in the northeastern region (Kisiangani and Noor, 2013). Kenya finds itself in a compromising position, having been part of Somalia's various peace processes and having relied on the support of Raskamboni during its intervention against Al-Shababb (Kisiangani and Noor, 2013). The insinuation of this is that Kenya cannot disregard its ally, more especially acknowledging the role each is playing in peacekeeping in the Southern Somalia (Kisiangani and Noor, 2013)³¹. On the other hand, backing the creation of Jubaland, Madobe's leadership is regarded infidelity of the same national government that it supported to create (Kisiangani and Noor, 2013).

It is vital to acknowledge the role of Ethiopia in the Somali crisis. Ethiopia deployed about 30 000 to 40 000 troops to Somalia in 2006 (Civins, ND). The task was to restore security in the country. Intervention by Ethiopia National Defense Force caused about 15 000 casualties and about 476 000 civilians were displaced (Civins, ND). Ethiopia has been involved in the Somali conflict for decades. One must note that the two countries have never resolved the hostility over the demarcated border whereby Somalis occupied the Ogaden Region of eastern Ethiopia. Civil war broke out in Somalia in 1991. According to Muhammad (2014: 35), the Somalian situation enabled the rebel groups to exploit and exacerbate instability in Ethiopia.

Muhammad (2014:38) states that

With regards to reconciliation and conflict resolutions to Somalia's conflict, Ethiopia played roles in many peace initiatives. However, Ethiopia undermined some of the efforts in which its interest was at stake. For example, it challenged the Cairo peace process by recruiting and persuading two main Somalia faction leaders to boycott the process. General

³¹ As I indicted in chapter four, Kenyan troops, like Ethiopians, entered Somalia as invasion force, and only retrospectively, albeit tacitly, included as peacekeeping force. This certainly added to its the complicated involvement and entanglement in Somalia conflict. To add to this, Kenya is now in a row with the Somali government on disputed territorial waters, which are believed to be potentially rich with oil.

Aden Gabyow³² and Colonel Abdullahi Yussuf³³ withdrew the process in Cario and flew to Addis Abba.

Ethiopia defeated the Islamic Courts Union (ICU) but it was unable to end the conflict. Conversely, it created a power vacuum and exacerbated more insurgents.

Muhammad (2014) further argues that Ethiopian intervention in the Somalian conflict was not only based on the protection of national interests but it also included blocking other states, which supported Somali factions. Realism played a significant role in the decisions and actions taken by Ethiopia. Uganda and Burundi deployed troops as part of AMISOM in Somalia after being convinced by Western powers. All troop contributing countries are beneficiaries of this humanitarian disaster and organized as well as unorganized intervention (see discussion in Chapter four and Wilen *et al*, 2015). What is worse is that there are reports recorded in the Somalian Sanction Monitoring Committee that implicates all troop contributing countries in wrong doing and compounding Somalia's already complicated problem.

In additions to this, we notice that there are rival interests – between Ethiopia and Kenya, Uganda and Kenya, under whose command each operates in this mission. Much more problematic than this is Ethiopia and Kenya as immediate neighbors, and directly involved parties. They have long adopted local proxies designed to influence the political process, which turned out to add more problems to the already ominous Somalian local politics. Kenya's main objective is to create a buffer zone – which would mean creating an Ogaden region of Somalia as a buffer. However, Ethiopia sees this as a potential threat by becoming an organizing space and launching pad for its own long established insurgency and secessionist movements of Ethiopia's Ogaden region. The suspicion emanates from the fact that both regions are homes to the same Somali clan. By some account, this is the reason why Ethiopia entered full trot into the Somalian quagmire in the first place. In many instances, Ethiopia has managed to settle some of these disputes and re-directed its concerns through IGAD, the regional organization, which it dominates and by its virtue of contributing the largest number of troops to both to AMISON and as part of the bilateral agreement it has with the Somalian government.

³² General Aden Gabyow served as a general in the Somali National Army hence served as a Minister of Defense in the administration of Siad Barre from 1986-1988.

³³ Colonel Abdullahi Yusuf: a warlord who became president of Somalia under the TFG in 2004-2008, he failed to maintain peace and restore order in the country.

The EU is involved in the development cooperation with Somalia. The EU provided 521 million euros between 2008 and 2013 (Franco 2013). The funding was channeled to economic development and education (Franco 2013). The EU is also engaged in security cooperation. It provided funding to AMISOM mission to cover military allowances, and operational costs for the Nairobi headquarters (Franco, 2013). Furthermore, the EU provides training to military personnel and strategic advice. Regional actors have played an active role in Somalia. For instance, the Democratization Programme Steering Committee (DSC) was formed by several donors including the EU, Denmark, Norway, Sweden, Switzerland and USAID. However, the EU remains the major donor and co-chair with the US (Franco, 2013). The committee backed TNG election in Somaliland held in November 2012 (Franco, 2013). Earlier in this section, we highlighted that the AU deployed about 22 000 troops under AMISOM consisting of Kenya, Ethiopia, Burundi and Uganda troops since 2007 (Koigi and Lorenz, ND). They receive an allowance from the EU African Peace Facility. Over 1.08 billion euros has been utilized since 2007 to date (Koigi and Lorenz, ND). APF budget of 750 million euros for 2014-2020 has increased to 900 million euros (Alison, 2016). Further 710 million euros is required to fund the increasing needs until 2018 (Alison 2016). The AU mission costs about 45 million euros per month (Alison, 2016). AU member states were urged to donate funds to the AMISOM mission to cover the shortfalls of the current budget (Alison, 2016).

7.5 The Role of Contact Groups in Somalia

In Somalia, several contact groups exist such as the “Contact Group on Piracy of the Coast of Somalia (CGPCS) established in 2009” (Tardy, 2014). UNSC RES/851 (16 December 2008) “mandated all states and regional organizations devoted at fighting against piracy and armed robberies at the Somalian coast to create an international cooperation mechanism to act as a common point of contact between and among states, regional and international organization on all aspects of combining piracy and armed robbery at sea off Somalia coast”. Representatives from 23 countries were present and five international organizations were present during the first meeting (Tardy, 2014). The CGPCS works outside the UN system it carries out piracy operations, it helps with deploying self-defense measures and so on (Tardy, 2014). However, this contact group has played a significant role in combating piracy (Tardy, 2014). On the other hand, it has shifted the focus of the UNSC to deal with the bigger picture, which is ending violence in Somalia (Tardy,

2014). For instance, lack of a formal structure to deal with piracy leads to the exploitation of power by the actors. The rebel groups usually form contact groups with the support from interested states willing to intervene and end the ongoing conflict in that country (Tardy, 2014).

7.6 Conclusion

This chapter captured the UNSC's interventionist role in Somalia. It mentioned that Somalia is regarded as a failed state. As discussed in this chapter, conflict in Somalia exploded after Siad Barre was overthrown in 1991. Warlords continue to fight over power to control parts of Somalia. Civilians live under constant fear and under extreme poverty. Famine is the drastic problem that is affecting Somalia. The US intervened in Somalia in 1992 and implemented Operation Restore Hope. However, US intervention was perceived to be rooted in material interests. Major US oil companies occupied land presumed to be holding huge amounts of oil deposits. The US-led mission failed to end the conflict. The UNOSOM1/UNITAF mission in Somalia failed to provide a secured environment for humanitarian relief. This was followed by the UNSC adopting RES/814/1993. This Resolution authorized the expansion of the UNOSOM mission. Thus, UNOSOMII was established by Resolution 814(1993) which demanded disarmament of militias in Somalia in order to pave way for diplomatic engagement and find a political settlement. The UNOSOMII mission led by the UNSC failed to disarm the militias although it could reach civilians who required humanitarian relief. In 1995 the UNSC pulled out of Somalia.

The TFG government was formed; it became the interim government of Somalia. The African Union established the AMISOM mission in 2007 to fight Al-shabaab militias. The mission drew troops from Kenya, Uganda, Burundi and Ethiopia. The governments of the intervening forces receive millions from the EU. To this day, the EU heavily funds the AMISOM mission. EU involvement is strategic. AMISOM is dependent on EU funding for paying the soldiers and for operational costs of the headquarters in Nairobi. The EU seems to be intervening where it had material interests. The AMISOM mission is burdened by national interest of neighboring countries and regional political dynamics of countries such as Kenya, Ethiopia and Burundi. Somalia continues to be in turmoil. The AMISOM mission struggles to keep peace and security in the country. In areas, such as Juba, Bidioa and Mogadishu there is intense fighting over the control of the area. The UNSC takes an observing position. There is lack of immediate strategies that could

be put in place and resolve the ongoing conflict. The US government continues to back the puppet government in Somalia's capital, Mogadishu. Kenya, another American puppet, refused to allow displaced Somalis to enter a new refugee camp. The United States continues to use food aid as a weapon to rule Somalia. Starving the Somalis does not solve the crisis. Instead, more casualties are incurred every day.

The Somali situation could have been handled well if a proper plan was followed. For instance, the first step is to reach a ceasefire agreement and disarm all warring parties. Leaders of clans should discuss the drafting of the constitution. Once the constitution has been endorsed by all parties a plan of building state institutions must be put into paper with all the details of implementation. Elections can then be scheduled and the UN must play a central role in facilitating all these processes. Everything must be done to ensure that the elections are free and fair. Unless this process is followed, Somalia will remain in political turmoil.

Having discussed the intricate nature of the Somali conflict, the next chapter will discuss the UNSC's interventionist role in Iraq and the invasion of Iraq by the US and its Allies.

CHAPTER EIGHT

UNSC's interventionist role in Iraq and the invasion of Iraq by the US and its Allies

8.1 Introduction

Dating back to the Cold War, Iraq had an unpleasant relationship with the United Nations. For instance, it had differences with Iran in the 1980s and waged war with its neighbor, an act which was condemned by the UNSC. This chapter, seeks to begin with highlighting Iraqi's occupation of Kuwait in 1991 with the intention to control the oil resources, and the US's strong reaction to the invasion of Kuwait to such an extent that Saddam Hussein's forces were forcefully removed out of Kuwait by the US-led coalition. Oil was assumed to be the main reason that made the US to react in the manner it did – to mobilize its troops and rally its allies to engage in all-out war in what was termed Desert Storm. One needs to remember that the US did not rely on the Middle East oil at that time. The issue was not about how much oil Iraq would control but it was rather about the oil prices. Supposedly, had Iraq succeeded with the invasion of Kuwait, it would have meant that Saddam Hussein would control 40% of the world's oil reserve, by passing Saudi Arabia's position in the dominance. The US saw this as a geopolitical threat. Iraq was going to dominate the Middle East region. Geopolitical control led to the imposition of sanctions against Iraq.

Consequently, the US approached the UNSC to endorse the call for sanctions against Iraq as it was suspected that Saddam Hussein's regime possessed nuclear weapons. Some scholars suggest that America imposed and enforced sanction regimes, both unilaterally and multilaterally through the UNSC as part of its foreign policy to destroy or weaken Iraqi's military capability. It should be noted here as well that such development came at the dawn of a new era – the US emerging as the apparent victor from the Cold War and seeking to establish a new world order (and American World Order). It was also a period when the US dominated the UN and its many organs, including the UNSC. The US-led UNSC intervention in Iraq must be within this historic development in mind. Framing this as the starting point for subsequent discussions, this chapter explores and examines the establishment of sanction regimes in Iraq, a brief historical background of Iraq, the US, the United Nations and the UNSC in Iraq from 2002 to 2003, and finally explores the nature and extent of the intervention in Iraq and their consequences to the Iraqi state and society.

8.2 A Brief Historical Background of Iraq

During the 1980s Iraq attacked Iran in an all-out war, which claimed thousands of lives. The armed conflict was regarded as the Gulf War. The Iran-Iraq war was initiated when Iraq used air and land weapons in 1980 to wage war on Iran (Najyar, 2000; Aljazeera, 22August 2009). The two states fought over border disputes and Iraq was in fear of the Iranian Revolution that it would lead to insurrection amongst the suppressed Shia population. Hence, Iraq was keen to remove Iran as a dominant Persian Gulf State. One must note that Iraq's attack on Iran did not produce much of the outcomes that were initially expected. The United Kingdom and China supplied arms to both Iraq and Iran (Najyar, 2000; Aljazeera, 22August 2009). The UNSC adopted Resolution 479 for a ceasefire, calling upon negotiations to settle the disputes (UNSC/RES/479/1980). The Council failed to condemn Iraq's acts of violence against Iran (UNSC/RES/479/1980). In part, this was because back then, the US was considering the Saddam regime as a strategic ally against Iran which had a troubled relationship with the US since the Islamic Revolution in Iran which toppled the Western friendly Shah monarchy.

In 1987 Resolution 598 was adopted because of Mikhail Gorbachev after he had assumed power in the Soviet Union. The Resolution was accepted by both Iraq and Iran. For its part, the United Nations Iran-Iraq Military Observer Group (UNIIMOG) monitored it (UNSC/RES/598/1987). The United Nations Security Council released statements alluding that there was use of chemical weapons during the war between Iran and Iraq. However, the statements of the UNSC did not reveal that only Iraq utilized the WMDs. Curiously, the international community never said a word about the use of WMDs by Iraq against Iran. This too speaks volume about how international relations are formed around *interest* rather than *morality*. Iraq was never held accountable for its violent conduct up until it moved into the bad books with the Western powers, particularly the US, by invading Kuwait in 1990 (Copson, 2003).

There are several motives which led to Saddam Hussein invading Kuwait after the Iranian Shiites and Iraqi Sunni conflict. One reason is that Iraq was indebted and devastated by the war with Iran hence it owed a lot of money to several Arab countries, including Kuwait (Stork and Lesch, 1990; Cooper and Sadik, 2003). Leaders of the Arab League countries wanted their money to be paid back by Iraq (Copson, 2003; Chitalkar and Malone, 2012). The money lent from Gulf countries was utilized to purchase high technological weapons, which made the Iraqi army one of the most powerful armies globally. Kuwait was regarded as the wealthiest country in the world with one of

the biggest oil reserve and a small population. Kuwait was situated at a well-endowed desert land with oil reserves and the country was more of a developmental state where most social services were free. Enabled by its wealth and its small population, personal income tax was non-existent in Kuwait (Copson, 2003; Chitalkar and Malone, 2013). The above-mentioned fortunes of Kuwait, combined with Iraq's troubled economy, are partly the reason why Saddam Hussein was attracted to the idea of incorporating its smaller neighbor into Iraq. Invading Kuwait meant that Iraq would be adding another 19 percent of the world's oil reserves which is one of the largest (Chitalkar and Malone, 2013).

Such a move obviously cannot happen without any narrative to justify the action. In 1990, Saddam Hussein's regime alleged that Kuwaitis were stealing about 2.5 billion barrels of oil from its Rumaila oil fields by slipping drills into Iraqi pipelines (Najjar, 2000). Furthermore, Iraq alleged that Kuwait had exceeded the OPEC production which eventually led to reduction in oil prices per barrel from 20 dollars to about 13 dollars per barrel, in 1990 (Aljazeera, 2009 August 22; Najjar, 2000). One must highlight that the drop-in oil prices meant that Iraq lost 1 billion US dollars every time an oil barrel went down by a dollar (Najjar, 2000). The Iraqi government issued a statement that it would react to the acts of aggression by Kuwait. On the fringe of this, Iraq was also making a historical claim that Kuwait belonged to ancient Iraqi political structure. Some Iraqi sources indicated that Saddam Hussein's decision to attack Kuwait was made a few months before the actual invasion.

Having successfully invaded Kuwait, Iraq held the position that was going to stop manipulation of quotas, and it had support from most OPEC members, especially Iran and Libya on this position (Copson, 2003; Chitalkar and Malone, 2013). The Western and Gulf countries amalgamated and formed a coalition against Iraq. The Arab League countries held an emergency Summit in Cairo and they condemned Iraqi invasion of Kuwait and supported UN resolutions 660/1990 and RES/661/1990. Twelve Arab states supported the use of force, while eight of them, including Palestine Liberation Organization (PLO) were against the military solution. Previously, the PLO from 1969 had benefited financially from both Iraq and Kuwait (Aljazeera, 2009 August 22). Yasser Arafat, the leader of PLO chose to support Baghdad. Arafat argued that the West must not fool Arab nations with the impression that the West is going to liberate them. Instead, he argued that they were after the wealth of the Arab countries (Najjar, 2000; Aljazeera 2009). Eventually, the PLO lost support from Gulf Co-operation Council (GCC) after Kuwait had gained support

from most members. The United States Secretary of State, James Baker, took an initiative to urge countries to contribute to the coalition. Several nations joined such as Saudi Arabia, the United Kingdom, Egypt, Argentina, Italy, France, Syria, Norway and Morocco, amongst others. One of the reasons for the formation of the coalition against Iraq was that it was in control of about 53% of oil reserves in the Middle East Region that would have had a negative impact on the stability of the nations that have oil in that region (Najyar, 2000). One would argue that Saudi Arabia felt threatened that it was next to be invaded. The United States, Japan and other Western Nations depended on Middle East oil resources and disruption of oil from this region would have caused a major negative impact to their economies. Thus, the “Coalition of the willing” was formed to protect material interests. The fact that the invasion of Kuwait by Iraq has caused the rise in oil prices which was not good for most economies around the world certainly helped the formation of global coalition which the US sought to put together.

The UNSC adopted Resolution 660 on the 2nd of August 1992, which condemned the invasion of Kuwait and declared the breach of peace under Chapter vii of the UN Charter (UNSC/RES/660/1990). The UNSC acted under Articles 39 and 40 of the Charter (UN Charter 1945). The UN Charter, Chapter vii, stipulates that the UNSC shall act “with respect to threats to the peace, breaches of the peace, and acts of aggression” (UN Charter 1945). According to Article 39 “the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security” (UN Charter 1945). According to “Article 40, in order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures” (UN Charter 1945). Iraqi forces were demanded to pull out of Kuwait. Resolution 661(1990) was later adopted at the 2933rd meeting of the UNSC. It imposed a wide range of sanctions on Iraq in 1990.

Resolution 661(1990) mandated all states to “prevent import of all commodities and products originating from Iraq or Kuwait”. This prevented any activities by their nationals promoting exports shipment if any commodities – including transfer of money to Iraq or Kuwait, sale and

supply of weapons and military equipment excluding medical equipment and products intended for humanitarian relief (RES/661/1990). The UNSC also mandated Iraq and Kuwait to initiate engagements in order to resolve differences. “Resolution 661 was adopted at the 2932nd meeting by 14 votes. Only Yemen did not participate during the votes” (UNSC/RES/661/1990).

8.3 Sanctions Regime in Iraq

The stance was taken by the UNSC to impose sanctions on Iraq. Some saw it as a historic moment that promised a new direction to the Post-Cold War. Certainly, a significant shift was manifested. The UNSC appeared to be responding more swiftly to the crisis and seemed more effective than it had previously been during the Cold War. Iraq did not show any commitment to comply with UNSC Resolution 660(1990). It mandated Iraqi forces to withdraw from Kuwait (UNSC/RES661/1990). Iraq had further occupied Kuwait and continued committing acts of aggression (UNSC/RES/661/1990). The UNSC called upon members and non-members of the UN to support resolution 661 and make sure that all measures were strictly implemented. Resolution 661 “was adopted at the 2933rd meeting by 13 votes to none, Cuba and Yemen were absent”. Resolution 661 enforced a sanctions regime which revealed a significant shift in the UNSC’s approach as a global governance mechanism tasked to maintain international peace and security. The sanctions regime required efficient management and monitoring (UNSC/RES/661/1990).

However, sanctions failed to produce the desired results. The UNSC moved to more drastic measures; it authorized a US-led military intervention in 1990. Resolution 678 was adopted at the 2963rd meeting by 12 votes to 2 (UNSC/RES/678/1990). Cuba and Yemen were not in favor of the resolution and China was absent (RES/678/1990). Resolution 678 (1990) was adopted “which authorized all member states to pull all stops and join the coalition to implement resolution 660 in order to restore international peace and security in the Middle Eastern region” (RES/678/1990). Iraq was given an ultimatum to comply with all UNSC resolutions that had been passed. According to Resolution 678 of 29 November 1990 the United Nations had put efforts to urge Iraq to comply with UNSC resolutions. However, Iraq had failed to comply with all the UNSC resolutions. (RES/678/1990). According to paragraph one of resolution 678 of 1990, Iraq was given the last chance to conform with all resolutions until 15 January 1991(RES/678/1990). When this failed, war became inevitable.

8.3.1 Operation Desert Storm

UNSC Resolution 678/1990 called on “Member States to use all necessary means to uphold and implement Resolution 660 and restore international peace and security in that region”. Failure by Iraq to honour UNSC resolutions 660/1990, 661/1990 and 678/1990 led to the implementation of Operation Desert Storm, a US led coalition which included both West and Arab Nations such as Egypt and Syria (Chitalkar and Malone 2013). The military intervention defeated Iraqi forces within 100 hours using extensive firepower. Eventually Iraqi forces were removed from Kuwait. Baghdad was bombed and its infrastructure was destroyed (Chitalkar and Malone, 2013).

8.3.2 Post Operation Desert Storm

Post the US-led coalition conflict, humanitarian crises erupted in Iraq. Kurds rebels in the north fought against Shia militias. They rebelled in the southern part of Iraq (Chitalkar and Malone 2013). The UNSC adopted RES/688/1990 disapproving suppression “casting the refugee flows as a threat to international peace and security”. The resolution maintained that humanitarian organizations should be given immediate access to all individuals in need of assistance (UNSC/RES/688/1990). At that time, a vast number of about two million Kurds ran away since their lives were in danger.

Moreover, the US hijacked the whole legitimate process that was initiated by the UNSC, through establishing and leading another coalition known as Operation Provide Comfort. The US unilaterally led this coalition without being authorized by the UNSC (Chitalkar and Malone, 2013). The coalition included countries such as France and the UK. This was operationalized with the claim to provide a humanitarian relief for Iraqis affected by the war. However, the United Kingdom and France imposed a no-fly zone against Iraq. The UNSC continued to ensure its visibility in Iraq through installing its forces as security to protect Kurds so that they could return to their respective locations safely (Chitalkar and Malone, 2013). In this regard, the UN agencies played an active role in providing humanitarian relief (Chitalkar and Malone, 2013).

UNSC Resolution 688 remained a crucial element towards the transformation of the SC in dealing with humanitarian issues. Human Rights issues had previously been regarded as domestic issues.

However, resolution 688 openly advanced the SC's will to become an activist of human rights. We saw a shift from the politico-military approach to global peace and security.

The West was confused with its objective. While they wanted Iraq to comply with UNSC resolutions about arms, they were using this to pursue a regime change agenda, which one thinks was their more crucial goal after achieving disarmament of Iraq. Sanctions in Iraq lasted for a significant number of years. It came with a price to the civilian population (Halliday, 2005). To be precise, sanctions lasted for about 12 years without any monitoring of the health and well-being of the civilian population. Civilians had to stop visiting clinics and hospitals, the sanctions severely affected the country's ability to purchase medical equipment, drugs desperately needed to deliver health care to the public, and in some cases, there were no longer medicines at the health institutions (Halliday, 2005). The mortality rate spiked, and the health of the general population deteriorated and general conditions worsened in 1994. In early 1995, the Iraqi government reported that about 500 000 deaths were children under the age of five (Halliday, 2005).

Since the year 1995, sanctions have been becoming unpopular to such an extent that the P5 had different perspectives. For instance, France and Russia were pushing for the removal of sanctions, while the US was opposed to the idea (Halliday, 2005). The US argued that Iraq had to comply with UNSC resolutions. One must highlight that sanctions seemed to be ineffective in Iraq, and if anything, they simply created a dislike and negative perception towards the UNSC. Ever since the Iraqi crisis, sanctions as an instrument of the UNSC utilized to maintain peace and security was under consistent criticism and scrutiny by a wide range of actors and states (Halliday, 2005).

According to Engdahl (2004), the UNSC made a mistake when it established the sanctions without closely monitoring their impacts and consequences. Imposition of sanctions was easier but the removal was a challenge since members of the UNSC had conflicting views. For example, on the Iraqi case, the sanctions regime imposed on Iraq seriously curtailed its ability to operate like a normal state, particularly in this case, generating revenue and providing essential social services. UNSC Resolution 986 (1995) authorized states, "notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating there to, sufficient to produce a sum not exceeding a total of one billion United States dollars every 90 days for the purposes set out in this resolution and subject to

the following conditions” (UNSC/RES/986/1995). This resolution had a notable negative and crippling impact on the sales of oil in Iraq. For example, about 1 billion oil sales after every 3 months was made. This new resolution was known as oil for food. Aside from being simplistic, this resolution did not seriously consider the various humanitarian concerns and impacts of the sanctions imposed on the country. Either way, the US and Britain maintained the sanctions through the oil for food programme. In 1996 the Iraqi government agreed to the SC conditions then the humanitarian goods were set to be provided. In March 1997 food reached Iraq. The oil for food programme provided over \$7 billion humanitarian goods and \$14 billion of oil sold in return (Chitalkar and Malone 2003).

On Friday, 3 December 1999, at 5 p.m. UNSC meeting 4077 was held to discuss the possible extension of the oil for food programme by one week. Mr Hasmy (Malaysia), the Chair of the delegation for the oil for food programme, alluded that his delegation voted in favor of Resolution 1275(1999) which authorized a two weeks’ extension of the oil for food programme for Iraq (UNSC/RES/1275/1999). He added, “They were hoping that there was not going to be any linkage between the adoption and negotiations on the draft of omnibus resolutions on Iraq” (UNSC/RES/1275/1999). The delegation leader announced that the delegation was not in support of voting for another resolution that would prolong the oil for food programme for one week. Instead, a serious issue at hand should be dealt with (UNSC/RES/1275/1999). The feeling was that the grave humanitarian issues should be tackled. The president of the meeting tabled a vote for the new resolutions by the show of hands. “Votes in favor were casted by Argentina, Bahrain, Brazil, Canada, Gabon, Gambia, Namibia, Netherlands, Slovenia, the United Kingdom of Great Britain and Northern Ireland, and the United States of America” (UNSC/RES/1280/1999). Resolution 1280 (1999) was adopted. In addition, Russia, China and Malaysia abstained while France did not partake in voting process. China and Russia forwarded their concerns about the shortcomings of the oil for food programme, which they thought it was failing to address the immediate humanitarian issues in Iraq. On the other hand, the United States maintained that it was going to continue to ensure that the oil for food programme continued without interruptions. Namibia, as the non-permanent member, was concerned and unsatisfied by the incapability of the Council to address the Iraqi issue, which had become a protracted and a costly one (UNSC/RES/1280/1999). It was for this reason that the Council agreed that the permanent five should try to resolve the differences among themselves. As a compromise, the oil for food programme was extended by the

adoption of resolution 1382 in November 2001(UNSC/RES/1382/2001). Resolution 1409 further extended the oil for food programme by 6 months, with new import procedures being put in place as part of this resolution in May 2002 (UNSC/RES/1409/2001) (Adriaensens, 2013). The United States and the UK certainly were major beneficiaries of the cheap oil from Iraq, with their companies exploiting cheap oil. This is a sufficient reason why they were in full support of the oil for food programme for so long, despite the various criticisms against it (Adriaensens, 2013).

In 1998 in a meeting held by the UNSC, Canadian and Brazilian governments urged the SC to pass a resolution that would assess humanitarian conditions in Iraq. A unanimous decision was reached that a team would be established and \$100 000 would be set aside to fund the project. The evaluation never happened since the project was cancelled due to unforeseen circumstances.

NGOs did play a crucial intervention role; humanitarian emergency relief was needed after the Gulf war in 1991. Kurds in the north of Iraq required enormous humanitarian assistance. However, one needs to highlight that big humanitarian agencies were not doing enough to such an extent that they were nowhere to be seen in Iraq, despite the claims they made (SC Report 2013). Agencies such as Action Aid, Save Children and Oxfam did not discharge their duties. This raises questions as to why the people of Iraq were left to suffer, while knowing very well that the Iraqi state was in no position to deal with the crisis at hand (SC Report 2013). Some considered this to be a collective punishment. This also points to the fact that R2P is only invoked on selective cases and where powerful states see it as part of their geopolitical interest and game. The UNSC failed to protect Iraq's civilians from death because of lack of basic needs due to sanctions that have hit the country hard. When President Bush on 6 April 2003 announced a call for the removal of the UN sanctions against Iraq the damage was already done; the people of Iraq had already suffered (SC Report 2013). The 1990s period was a sanctions decade. The UNSC utilized sanctions to force states to comply with its resolutions. However, in some regimes sanctions tend to victimize the rights and welfare of civilian populations. There have been various dynamics towards the application of sanctions. For instance, resolution 2046 on Sudan and South Sudan reflected sanctions as a useful tool for conflict management (SC Report, 2013). In some cases, such as the Guinea-Bissau resolution 2048, the UNSC inappropriately applied sanctions just because it wanted to be doing something (SC Report, 2013). UN sanctions do not require extensive resources compared to the deployment of a peacekeeping mission. Resolutions such Somalia 751 regime were not

unanimously adopted, Libya voted against it whilst China abstained. This revealed political and economic dynamics (SC Report, 2013). Sanctions regimes do not only affect the target country but also neighboring countries. The impact may be political and/or economic (SC Report, 2013).

8.4 The United Nations and the United States of America in Iraq, 1998-2003

The United Nations Special Commission was deployed to perform inspections in Iraq. The United States of America bombed 3 targets in Iraq in December 1998 during Operation Desert Fox (Copson, 2003; Jentleson, 2007; Chitalker and Malone, 2003; Everest, 2013). The Mission aimed at destroying Iraq's nuclear capabilities. Nevertheless, the US-led intervention was never a correct stance and it seemed as a form of imperialist intervention and bullying of a defenseless country (Copson, 2003; Jentleson, 2007; Chitalker and Malone, 2003; Everest, 2013). Bill Clinton took a stance that on his orders America's strikes on Iraq were to eliminate a threat to peace and security. Clinton claimed that their actions resulted from Saddam announcing that he would not comply with the UN resolutions which left them with no further options but to try and prevent Iraq from further developing its nuclear capability (Everest, 2013). On 16 December 1998, the US and Britain initiated their bombing campaign by launching a four-day cruise missile. The UNSCOM inspectors were pulled out of Iraq in December 1998 (Everest, 2013).

When George W Bush's administration took over in 2001, oil and geopolitics took a center stage in Washington (Engdahl, 2004). Dick Cheney, Bush's Vice President, was tasked to review America's energy policy. The National Energy policy report of April 2001 revealed a drastic US dependency on imported oil for the next 20 years (Engdahl, 2004:249). The US targeted the Middle East Region which controlled two thirds of the oil reserves and with affordable production costs. Despite the inexistence of evidence of WMDs, which the US claimed Iraq possessed, Washington prepared for the invasion of Bagdad in 2002, unilaterally without consulting or informing the UNSC. At three PM, the UNSC blocked the US's move to get its military action accepted, and when it failed it moved on its own and launched the attack. This was an act of violation of the UN Charter. In any case, the United States continued to act inconsistently with the UN Charter (Engdahl, 2004; Hinnebusch, 2007). Russia has a long-term contract to develop Iraq's West Qurna oil fields. China also did not endorse any military attack against Iraq. China held a big contract in Western Iraq where it operated. Nonetheless, France also had authority to consume Iraq's oil at its

own will. The three mentioned superpowers of the world knew that the consequences of US invasion of Iraq would have a negative impact to their own operations in Iraq. China at that time had become the second largest oil consumer (Engdahl, 2004; Hinnebusch, 2007).

American pressure against Iraq manifested as acts of war and economic coercion. The United States of America sought to justify this by claiming that it felt its strategic interest was threatened and suspected that Iraq possessed nuclear weapons. The United States of America was in a mission of establishing its national security strategy following the 9/11 attacks, and it could not turn a blind eye to what was happening in Iraq (Hinnebusch, 2007; Jentleson, 2007). The Middle East had become a vital piece for maintaining global hegemony (Jentleson, 2007). According to Hinnebusch (2007), the United States applied a realist approach when it reacted to the Iraqi situation. The way Middle Eastern countries reacted to the US policy led to the decisive actions by the US government. The United States focused on Muslim countries and other Middle Eastern oil producing countries which it considered an impediment to its takeover and control Middle Eastern oil reserves (Hinnebusch, 2007; Jentleson, 2007). The Iraqi war developed since US hegemony globally was under threat (Jentleson, 2007). The US had to eliminate Saddam Hussein to expand control of the Middle East. The US's Middle East Policy was a piece that needed to ensure that the US's Global Strategy was achieved (Jentleson, 2007).

Many who assessed the US-Iraq tension concur that the invasion of Iraq in 2003 was a strategy initiated by the US under Bush's administration to ensure its dominance (see Hinnebusch, 2007; Jentleson, 2007; Engdahl 2004). Hinnebusch (2007) argues that to understand the real reasons for the war by the US against Iraq, one needs to focus on the US's strategic interest in the Middle East and its desire for hegemony over the oil market. The United States was becoming more dependent on oil import. In this regard, its strategic balance of power towards oil producers was becoming a major concern. Both the real or perceived shift in the balance of power (and/or any such potential) became a major concern to the US establishment. As such, such potentials for the shift in the balance of power have, to an extent, exposed the US as the world capitalist economy which has increasingly become more vulnerable to an oil shock (Hinnebusch, 2007). Iraq was a victim to be utilized to tackle potential threats and maintain its hegemony, since Iraq had the second largest oil reserves in the world and producing at very low costs. On the other hand, the view was that so long as Saddam Hussein was in power, the US could not exploit Iraq's oil at will. In part, the US

sanctioned Iraq to prevent it from selling oil to the global market so that most of the oil remained in the country (Hinnessburgh, 2007).

Saddam Hussein³⁴ was regarded as a dictator, after years of campaign in weakening him and the Iraqi army, he was removed from power by the US, and in December 2003 he was captured and later killed (Adriaensens, 2013). Saddam had his own goals that he wanted to achieve in his country. According to the realist theory, “the fundamental interest of a state in an anarchic system is security” (Jackobsen, 2009). States seek to survive to be able to achieve other goals such as making profit and preserving their power, which has informed Iraq’s foreign policy as the major power in the Middle East region (Jackobsen, 2009). One can thus assume that the actions of Saddam Hussein suggested that he desired Iraq to dominate the Middle Eastern Region (Jackobsen, 2009).

Jackobsen (2009:1) summarizes Saddam Hussein’s goals as follows:

According to realist theory the survival of Iraq as hegemony in the Middle East was of utmost importance. This entailed securing the regime and handling regional threats. But Saddam Hussein also wanted to rise to the status of a modern Saladin, which could be achieved by successfully standing his ground against the ‘crusader states’. A confrontation with the U.S could be described as a double-edged sword. If the U.S was ‘hard line,’ Saddam risked being ousted from power by following his policy of showing WMD-ambiguity. For the Iraqi leader, however, there were real dividends to be gained by letting his enemies believe he possessed WMD. And if the U.S was a mere ‘paper tiger’ Saddam could achieve becoming the undisputed leading figure of the Arab world by not giving into the crusaders.

Saddam Hussein had incentives to show uncertainty whether he possessed WMDs which eventually clashed with the US policy of post 9/11 (Jackobsen, 2009). Conversely, Saddam Hussein had complied with the UNSC inspections; in the end, it was falsification of intelligence reports that played a significant role in the attack of Iraq. Collin Powell crafted a document which stated that Iraq possessed WMDs whilst knowing very well it was a complete bogus claim. The

³⁴ According to Biography.com (Saddam Hussein was president of Iraq for 24 years from the year 1979. He fought a war with Iran and United States during the 1990s. During the invasion of Iraq Saddam was captured by American forces and later executed in 2006.

US knew what Iraq has and what the US built for Iraq, and what was destroyed during the 1991 war. Yet, they had to forge a claim based on concocted intelligence, which was their strategy to convince the world that the intervention should take place. The US Congress gave George W Bush a go ahead to proceed and wage an unjustified war against Iraq (Jackobsen, 2009).

During the 1991 Gulf war, integral resources for Iraq's WMDs programmes were destroyed by the air strikes and ground efforts by US forces (Wahlberg, 2007). According to the UNSC report the war destroyed significant ammunition and essential production facilities (Wahlberg, 2007). Post the 1991 war about 38500 ammunitions, 480000 liters of chemical agent and 1.8 million liters of precursor chemicals were destroyed (Wahlberg, 2007). Furthermore, the infrastructure for Iraq's ballistic missile program was destroyed by the 1991 Gulf war and other various facilities supporting the program were destroyed (Wahlberg, 2007). The UN inspectors conducted about 750 inspections at about 550 sites (Wahlberg, 2007).

According to Halliday (2005), the UN was aware of the crime in the Iraqi conflict since it imposed sanctions which lasted for 12 years but it failed to act on the occurrence of the tragedy. In 2002, the UNSC adopted resolution 1441, which was a final warning for Iraq to disarm and surrender all WMDs to the UN officials. Tony Blair and George W Bush exerted more pressure on Iraq to comply in early 2003 (Wahlberg, 2007; Copson, 2003). At the UNSC's 4644th meeting held on Friday, 8 November 2002, at 10 a.m. Resolution 1441 "was unanimously adopted by all 15 members of the Council, namely, Bulgaria, Cameroon, China, Colombia, France, Guinea, Ireland, Mauritius, Mexico, Norway, Russian Federation, Singapore, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America. A mandate was given to the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency" (UNSC/RES/1441/2003). On the other hand, leaders of Germany, Russia, France and China appealed for more time to be given to the UN inspectors in order to do their job effectively. However, the UK and the US were not satisfied and they alluded that a vast number of diplomatic efforts had been made for the past 11 years yet Iraq still refused to cooperate. By this time, it was clear that radical action was looming.

The UNSC was not accepting evidence presented by the US Secretary of State Collin Powell³⁵ (Wahlberg, 2003). On 24 February 2003, the US, UK and Spain went to the UNSC and presented what they called “second resolution” which argued that Iraq had failed to comply with resolution 1441 (Wahlberg, 2003). On the 17th of March the UNSC members failed to reach consensus with regards to authorizing military intervention against Iraq (Wahlberg, 2007). Bush feared that the other permanent members of the UNSC would vote on a resolution that would veto the US’s actions (Wahlberg, 2003). Thus, he had to speed up the process of invading Iraq before the UN permanent members could utilize their negative votes (Annovo, 2003:11). However, according to Chitalker and Malone (2003), the UK and the US withdrew their proposed second resolution because of failure to obtain 9 positive votes from SC members required to sustain an assenting vote. Lord Goldsmith, attorney General of the UK, released a legal statement on 17 March 2003. Lord Goldsmith alluded on the possible legal bases for the use of force, which could be self-defense, including collective self-defense, and prevention of aggression against humanity. Lastly, Lord Goldsmith invoked the potential for this action on the ground the UNSC had given authorization acting under Chapter viii of the UN Charter (Chitalker and Malone, 2003). He added that the United Kingdom wanted to revive resolution 687 since Iraq had failed to comply with UNSC resolutions of disarmament. The key question was whether Resolution 1441 did provide authorization of the use of force. Resolution 1441 did not authorize military action against Iraq, tracking back from UNSC Resolution 678 (1990) between Kuwait and Iraq the resolution authorized coalition forces to use all necessary measures to force Iraq to comply, pull out its forces from Kuwait and eventually restore peace and security in the area (Chitalker and Malone, 2003). Resolution 687 (1990) allowed Operation Desert Storm to take place. Subsequently, Resolution 687 (1991) was adopted and it put an end to the operation mentioned through a ceasefire, effectively obliging Iraq to comply with disarmament. Furthermore, Resolution 687(1990) simply left hanging the authority to the use of force, which was not totally terminated. There was no resolution passed to terminate the use of force. Inferring from this, the UK held a view that Iraq had been in violation of UNSC resolutions, hence they could revive the use of force granted by Resolution 678 (1991). Despite the UK’s effort to find legal ground for the invasion of Iraq, we

³⁵ According to Biography.com, Collin Powel was the first African American to be appointed as the U.S. Secretary of State Powel retired as a four-star general in the U.S. Army and he became the 65th U.S. Secretary of State serving under President George Bush from 2001 – 2005.

now know there was none and that military action against Iraq was an incorrect remedial action. For authorization of the use of force to be revived, the UNSC needed to bring sufficient evidence that there was violation of the ceasefire conditions and that the SC had to sufficiently consider how serious the conditions on the extent to destroying the ceasefire were. If the violation is minimal, the UNSC cannot revive the use of force. In the Iraqi case, it was clear that the UNSC was not able to revive the use of force anytime soon. It still gave a chance to Iraq to comply. If these failed consultations on the next steps were to be discussed. Conversely, the White House released a report on 19 March 2001 suggesting that Iraq had failed to disarm and failed to set up conditions for a ceasefire agreement (Wahlberg 2007). Resolution 687 of the SC 1991 reaffirmed UN resolutions in Iraq including Resolution 678 of 1990, which had authorized member states “to use all necessary means to uphold and implement Resolution 600 (1990) and subsequent relevant resolutions to restore international peace security in the area” (Wahlberg 2007). The UK and US’s view suggested that Iraq’s failure to disarm warranted the need for military intervention. However, as stated above in this chapter, Resolution 1441 did not authorize the use of force by member states but the Council was mandated to continue with inspections (Wahlberg, 2007). Thus, the use of force could only be legitimate if another resolution was adopted authorizing its use (Wahlberg, 2007). Kofi Anan recalled the UN weapons inspectors to leave the country on the 18 of March 2003 (Wahlberg, 2007).

On 20 March 2003, the coalition of the United States, the UK and other allies invaded Iraq and overthrew the regime of Saddam Hussein (Cohn, 2013). They maintained that their action was to bring peace and democracy in the country (Cohn, 2013). Although the UNSC had refused to authorize the invasion of Iraq but months later it authorized the coalition as a “Multinational Force” (MNF) when the United States of America exerted pressure on the UN urging it to play a role by helping to build and install an interim government (Cohn, 2013). However, the UN’s political role persisted to be minimal since the United States wanted to be in control of the political affairs of Iraq. On the other hand, the UN wanted legitimacy from the UN whilst forcing UN to play a marginal role in the political affairs of Iraq (Cohn, 2013). The United States wanted to install leaders that could be accessible to them and those who would not deny them access to oil and control to other resources.

According to Cohn (2013), unilateralism against Iraq by the United States undermined the objective of the UNSC, which has the responsibility to maintain international peace and security.

Iraq became a lawless country, cultural property was lost, ancient civilizations were also lost. Iraq had no central government at that time and it became an anarchic society where no rules were enforced. Ever since, it has not been able to install a legitimate government, one that is accepted by all groups in the country. In a meeting held by the UNSC on the 22 of May 2003, the Council had a draft resolution that was submitted by Spain, the United Kingdom, Northern Ireland and the United States of America. Prior to the adoption of resolution 1483, the United States and the United Kingdom sent a letter to the UNSC which was clear that they wanted it to serve as the core reference to the adoption of Resolution 1483 (UNSC/2003). Resolution 1483/2003 “recalled the previous resolution on the conflict between Iraq and Kuwait, The UNSC lifted trade sanctions against Iraq excluding arms embargo hence terminated the Oil-for Food Programme”.

Votes were to be casted by “the show of hands. Angola, Bulgaria, Cameroon, Chile, China, France, Germany, Mexico, Pakistan, Russian Federation, Spain, United Kingdom of Great Britain, Northern Ireland and United States of America all voted in favor” of Resolution 1483(2003). The Syrian Republic did not participate in the voting process (UNSC/RES/1483/2003). In May 2003, the UNSC voted in favor of resolution 1483 and this resolution gave the UK and the US a formal right to occupy Iraq (Kahn, 2003). Kahn (2003) and Engdahl (2004) argue that the invasion was about oil access or control not about democracy. This claim has a valid point when we consider that resolution 1483/2003, which lifted the economic sanctions, which had been enforced since 1991, allowing international trade with Iraq and control of oil resources was given to the UK and US powers (Kahn 2003). Furthermore, resolution 1483 authorized the US to call all member states to forward humanitarian assistance to the needy Iraq population (UNSC/RES/1483/2003). It should be recalled that the US and the UK pushed for the intervention through the UN and when it failed they went in with a coalition of forces which were largely symbolic. They drove the mission and in the end, they were the beneficiaries of the new arrangement, which came despite the mess that Iraq has continued to be.

8.5 Legality of the Use of Force

The UN Charter adheres to the International Law, which stipulates that states are not allowed to use force against one another (Murphy, 2002). The International Criminal Court of Justice, states that “between independent states respect for territorial sovereignty is an essential foundation of

IR” (Murphy 2002). The UN Charter prohibits the use of force under Article 2 (4) and customary rules on non-intervention (UN Charter 1945). States can only use force when authorized by the UNSC in accordance with Chapter VII of the Charter. In the case of Iraq neither any of the UNSC resolutions authorized the use of force; the action was an absolute breach of the UN charter (UN Charter 1945). There is this provision provided by Article 51 of the Charter, which states that states may use force in pursuit of self-defense:

Nothing in the Charter shall impair the inherent right of individual or collective self-defense “if an armed attack occurs” against a member of the UN, until the SC has taken necessary measures to maintain peace and security. Measures of self-defense taken by member states shall be immediately reported to the SC (UN Charter 1945).

However, in the case of Iraq, none of what Article 51 highlights was adhered to. Iraq had not used force against any state since 1991. The world also witnessed that the UN was not given a platform to play its role in taking necessary measures to maintain peace and security (Murphy 2002). The United States did not allow United Nations inspectors access to some sites and, in any case, they found nothing after they had made their search. Subsequently WMDs were never found after the inspections had been done by the UN. Having passed resolution 1441, the United States should have first consulted with the UNSC to seek further actions to be taken against Iraq. The actions of the US, the UK and their allies fundamentally meant that Iraq was attacked by these states while it was not threatening global peace and security (Murphy 2002). In that sense, then, the invasion could not be justified as self-defense. The United States took a similar action in Afghanistan 2001 following the 11 September 2001 “terrorist attack” (Murphy 2002). The US intelligence established that the September 11, 2001 terrorist attacks related to a terrorist group based in Afghanistan (Al Qaeda led by Osama bin Laden³⁶) (Murphy, 2002). The US demanded that the Taliban hand over the leaders of Al Qaeda to the US government, shut down of all terrorist training camps in Afghanistan and grant the US full access to those camps in order to witness total shut down (Murphy 2002). The Taliban refused to surrender Bin Laden. The US informed the UNSC

³⁶ Osama bin Laden born in Saudi Arabia, in 1957. The founder of Al Qaeda, is believed to be responsible for many acts of terrorism globally including bombings of US embassies in Kenya and Tanzania in 1998 and the September 11, 2001 attacks to the World Trade Centre and the Pentagon. Year 2011 Bin Laden was killed in Pakistan after a long search.

that it was exercising its right of “self-defense” (Murphy 2002). In this situation, the UNSC was also never given an opportunity to conduct its own investigations and other processes to maintain global peace and security (Murphy, 2002). The UNSC, having passed several resolutions urging Iraq to comply and having sent inspectors had hope that after the inspectors had conducted their full investigation then further actions would be taken against Iraq. Drastic measures such as using military action against Iraq were suspended until the UNSC authorized them. The UNSC members such as France, Russia, Germany and Sweden were against the invasion and they requested the UN inspectors to be given access and control of the process and continue their work inside Iraq. The United States and the UK initiated their attack on Al Qaeda³⁷ and Taliban targets side-stepping this UNSC members’ request. The UNSC failed to prevent such unilateral actions or aggression from happening, and, effectively, this meant that the US and the UK bypassed the UNSC (Murphy, 2002).

8.6 Lessons from the Iraqi invasion of 2003

Lessons need to be learned regarding the functioning of the collective security agencies. For instance, these agencies need clear mandates. Resolutions must be precise, clear and straight to the point (Cohn, 2013). The implementation procedure to be followed should be followed during the execution and implementation of resolutions (Cohn, 2013). The UN’s goal was never clear whether it wanted to disarm Iraq or institute regime change or create stability in the Middle East Region. Another vital issue that became integral and problematic to the functioning of the UNSCOM was that the chairman of UNSCOM was appointed by the UN Secretary General (Kofi Annan) and he had to report to the SC. Noticeably, Kofi Anan had different views and clashed with Richard Butler the Chair of UNSCOM on material issues (Cohn, 2013). There was no clear command whether the UNSCOM chair had to report to the Secretary General or the Security Council (Cohn, 2013). The 661sanctions committee was tasked with a long and complex contract under resolution 661 and the committee was under resourced which hindered its capability ineffective (Everest, 2013). In 1998 Operation Desert Fox was executed by the United States-led coalition, President Clinton

³⁷ Al Qaeda was formed in 1988 by Osama bin Laden and he moved his base to Sudan in 1992 after he was banished in Saudi Arabia. United States pressured him to leave Sudan in 1996. Bin Laden left Sudan and then he established a new base in Afghanistan.

told the media that he was the one who mandated the attack on Iraq's targets (Everest, 2013). He added that their purpose was to eliminate threat in the region. Clinton was lying that Iraq did not want to comply with UN inspectors. The fact is that Iraq had cooperated overwhelmingly within six months post the 1991 Gulf war. Iraq's weapons programs were found, confiscated and destroyed. According to the high-level defector, Iraq destroyed most of its WMDs by the late 1990s (Everest 2013). In October 1998, the International Atomic Agency reported that Iraq had produced its final and complete audit of WMDs, and the agency found no evidence of nuclear activities since October 1997 (Everest 1998). Subsequently, the UNSC disarmament panel announced that weapons programmes in Iraq had been removed.

The United Nations Special Commission (UNSCOM) tasked with performing weapons inspections consisted of about 37% of United States personnel, which snoopied on Iraq to such an extent that they compromised the Iraq government and military technology to observe Saddam Hussein's actions (Everest 2013). What the United Nations did was totally against international law; spying on the government of a sovereign state constitutes a breach of international law (Everest 2013). Richard Butler the head of UNSCOM provided a false report to the Security Council suggesting that Iraq had made no progress in terms of destroying WMDs (Everest, 2013). The report only contained about 5 incidents out of 300 inspections. One must adopt the view that the US did not intend to disarm Iraq but their intention was to kill Saddam to obtain regime change. According to the UN weapons inspector, Scott Ritter, the US attacked more than 100 targets, which did not form part of WMDs sites but were sites that had been utilized by Saddam Hussein and his security (Everest, 2013). The United States further compromised intelligence information gathered by the UN inspectors and used that information to their advantage to kill Saddam Hussein (Everest, 2013). The United States aggression and war crimes remained unaccounted for. Meanwhile the United Nations Security Council failed to perform its role as a collective global security mechanism.

8.7 Conclusion

This chapter highlighted the invasion of Iraq in 2003 by the United States, the UK and their allies. This led to the removal of Saddam Hussein from power and created a condition for the total collapse of the Iraqi state and the death of untold millions of the Iraqi people. It should be noted

too that the instability created in Iraq through this intervention has dragged the region into a quagmire and perpetual instability. We have also seen how the UNSC and other UN organs failed to prevent the US and the UK from launching such destructive measures against another independent state in contravention of the UN Charters. The Iraqi intervention was designed and implemented not to achieve international peace and security, but rather was meant to serve the US/UK agenda of controlling the geopolitical order of the oil rich Middle Eastern region. The US policy achieved what it wanted to achieve in the Middle East Region. Stopping Saddam from dominating the region was the primary objective.

According to Copson (2003), Chitlker and Malone (2013), the UN suffered a tragic loss of its personnel after a bomb was detonated in its headquarters in Baghdad. As a consequence of this and growing insecurity, the role of the UNSC and other UN organs to play an active role in Iraq was severely curtailed. Other studies have also established that the single most important initiator of "terrorism" is foreign occupation (Chitlker and Malone, 2013). One can relate to the "occupation of Palestine, Afghanistan and Iraq which, according to former CIA anti-terrorist expert Michael Scheuer, are "completing the radicalization of the Islamic world" (Chitlker and Malone, 2013). According to former US anti-terrorism czar, Richard Clarke, the invasion of Iraq brought to al-Qaida the utmost recruitment propaganda imaginable (Copson, 2003). We also know now that the ISIS emerged from and thrived in this context of instability (Copson, 2003). Iraq has become a training and breeding ground for terrorists and terrorism (Copson, 2003). Debatably, it was one of the most devastating interventions and invasion of a country by other countries in recent times. The war, which the former UN Secretary General Kofi Anan declared illegal, was launched in defiance of the UN while the Geneva Convention and the laws of war were disregarded in the occupation of Iraq and the treatment of prisoners of war (Copson, 2003). The message from Washington was that it was exempt from the rules that applied to others. This Chapter has revealed how the UNSC failed to play its role of maintaining peace and security. It is also clear that the UNSC does not have any punitive mechanism when the transgressors and aggressors are powerful states like the US and the UK. The UNSC was easily sidelined by the United States and the UK. The two countries quickly assembled allies and invaded Iraq without following set procedures and protocols. As such, this institution failed to protect the Iraqi people from being slaughtered by an illegitimate war which was waged under false pretense.

The next and final chapter will pull the dissertation together and make recommendations that would assist future researchers on the same theme that has been discussed thus far.

CHAPTER NINE

Summary, Recommendations, Conclusion

9.1 Summary of the findings

This study has demonstrated that the UN's role globally has been faced with a crisis and stalemate and in many instances, it has fallen short on many of its missions for much of the past 70 years of its existence. The three case studies explored here: Libya, Somalia and Iraq reveal that the UNSC has failed to perform its duties where it mattered the most. The UN remained weak in protecting the civilians from crimes of aggression committed by the interveners in Libya, Iraq and Somalia. For the large part, it failed to stop the most powerful states from breaching the UN Charter. An examination of the UNSC's role in the above cases shows how powerful nations have sought to use this institution to promote their own narrow agendas. The study has revealed the reluctance of these powerful countries to play a constructive role in promoting and enhancing the ideals of this institution [the UNSC] as a global governance mechanism aimed at addressing the most pertinent issues/crisis facing this world.

The study furthers the weakness in the enforcement of UNSC resolutions and lack of proper implementation of peacekeeping strategies to ensure that peace and security is achieved. The Libyan case study revealed that the use of the R2P doctrine has been misappropriated and abused by the Western countries which rushed in to intervene where they have vested interest and justify their actions as protection of human rights. What we have seen is that they tend to hide their agendas behind the UN and its various organs, which they control for the large part. When the UN stands on their way, they have no hesitation to sidestep it and breach its core Charters with no consequences.

Chapter one of this dissertation outlined the foundation on which other parts of this study would be constructed. The second Chapter critically discussed the theoretical and conceptual framework: considering the Realist approaches to peace and security. The study aligned itself with structural realism which sufficiently express the behaviour of states in the international system. The Realist concept of anarchy does not entirely explain why conflicts occur between states. However, the material interests approach explains another element of material interests which lead to conflicts Chapter three undertook an extensive review of the literature on the role of the UN as a global

governance mechanism entrusted with the objectives to maintain global peace and security. The review looked at various concepts. Moreover, the chapter dedicated some time contextualising the veto power and discussing how it has led to delegitimising the UN. The fourth chapter assessed the interventionist role of the UNSC as a global governance institution and its relations with sovereign states. It was discovered that decisions to intervene are taken after consultations, meetings and negotiations meant to see whether a certain conflicting situation warrants intervention or not. Proposals are forwarded to the Security Council to adopt resolutions in order to intervene in situations that are perceived to be threatening international peace and security. It is a challenge to intervene in states whereby the permanent members have stakes. The fifth chapter discussed the application of the responsibility to protect in the case studies utilized by this study such as, Libya, Somalia and Iraq. The chapter discussed how R2P has been incorrectly applied in conflict situations where members of the SC have national gains to secure it. The chapter also revealed reluctance by P5 countries to apply R2P in conflict situations where it matters the most. The sixth chapter evaluated the UNSC conflict resolution mechanism focusing on the interventionist role in the 2011 Libyan conflict. The seventh chapter interrogated the UNSC conflict resolution mechanism, particularly focusing on the Council's role in the Somali conflict which has left the country in a devastating situation. The eighth chapter concluded with an appraisal of UNSC interventionist role in Iraq in the 2003 invasion by the United States and its allies. The ninth chapter (the present one) was dedicated to the key findings and recommendations of this study.

Theoretically, the adoption of the Realist approach assisted in understanding the underpinning reasons behind the behavior of states, more especially the P5 of the Security Council. The aim was to see how material interests have shaped intervention globally. The study revealed the inadequacy of the UNSC to keep global peace and security. It became clear that various challenges affect the effectiveness of the UNSC. For instance, unilateral intervention by the powerful states has doomed the UNSC in various cases such as Afghanistan and Iraq. Peacekeeping has always been very challenging for all actors ever since the existence of the League of Nations; the United Nations inherited those challenges. The intervention of the US in Iraq in 2003 resulted in a high rate of casualties. Nevertheless, NATO's intervention in Libya incurred enormous casualties of innocent civilian population. This marks a complete failure of the UNSC in its primary objective of maintaining global peace and security. In a nutshell, this study has revealed that while it is

important to have international institutions such as the UN and the UNSC, these institutions are not as powerful as they should be. Some member states violate the rules that guide the operation of these institutions but are not subjected to any form of punishment as should be the case. The danger is that when ‘less important’ states commit the same mistakes they would be punished and this would amount to double standards. What is clear from the discussion above is that the US and the UK have colluded to undermine the UNSC. This is a serious concern which creates the impression that some countries are more important than others.

9.2 Recommendations

This study focused on the role of the UN globally, specifically focusing on the UN and the UNSC’s interventionist role globally. The shortfalls and failures were highlighted and pointers given on how to rectify the mistakes of the UN having failed to ensure global peace and security. This calls for urgent changes to ensure that the UN remains relevant and its legitimacy is redeemed. Therefore, the following recommendations are proposed:

1. When it comes to conflict resolution, changes must be put in place. The UNSC must be less dependent on forces from willing coalitions. This calls for more resources and personnel to be availed to the UNSC. The UNSC should recruit its own forces and personnel that will be deployed when there is an urgent need. Funding is key to create a blue beret army. Member states and private donors should be attracted to facilitate the expansion of the UNSC capacity.
2. Reform of the UNSC should be taken into consideration. Proposals that have been forwarded to the UN should be reviewed and the best proposals should be taken into consideration. The UNSC should be as representative as possible; concentration of power to the Europeans while most conflicts occur in Africa and in the Middle East does not make sense. For instance, Africa should be given a permanent seat in the UNSC. Adding a seat for Asian and South American countries should also be taken into consideration in order to make the UNSC more representative globally. Proposals should be drafted by regional organizations which would then nominate a country or two that they wish to represent their

interests as a permanent representative. Such proposals should be forwarded to the UN General Assembly to be discussed.

3. In terms of taking resolutions, countries where conflicts are occurring should be given a chance to make an input before the resolutions are adopted against them. In situations like the Syrian conflict where the veto power prevents consensus, the General Assembly should be able to override the negative vote that has been casted through voting by all member states.
4. UNSC resolution 1973 approved military intervention that ended up killing innocent and defenseless civilians. The criteria of intervention should be established to ensure that interventions are legal. Moreover, everything must be done to ensure that interventions are not in violation of the UN Charter. Discussions must be held and then intervention can be structured to prevent what happened in Libya, Iraq and other countries. Humanity was destroyed in Libya after the no-fly zone was authorized in Libya. Countries, by passing the authority of the UNSC shall be held accountable. A mechanism should be put in place to prevent history from repeating itself. The United States acted illegally in Iraq in 2003 and got away with murder. Such acts should be discouraged and, where necessary, punished accordingly without looking at the country that committed the crime.

9.3 Conclusion

No one can deny the fact that the UN, since it was established in 1945, has pursued its duties aimed to achieve its objectives, i.e. maintaining international peace and security globally. However, it remains elusive to establish whether its existence has produced and benefited the international community at large. Over the years, most member states of the United Nations have not been the beneficiaries, more especially African and Middle East Regions where conflicts are prone. Africa and the Middle Eastern countries have benefited less from diplomatic support and human rights protection, where it matters the most. For instance, the killing of Saddam Hussein was not about justice, but about US profits. Saddam was not executed because of the crimes he committed but rather just because he opposed Wall Street. Iraq had a government owned oil enterprise that

competed with Wall Street oil enterprises and banks. Profits have tended to dominate IR. The US invaded Iraq, Afghanistan, Libya, Yugoslavia, and many other countries. Neither of those interventions brought peace and stability. Instead, they brought further chaos, destruction and suffering to the world's population.

Veto has become a tool that is utilized by powerful states to undermine the UN Charter. The case studies utilized by this study revealed that the P5 of the SC abuse their privilege to further and protect their economic, political and material interests. The Syrian case is the most recent. Russia continues to cast its negative vote against resolutions that could have ended the conflict. People continue to die in Syria and Moscow only cares about its vested interests. Intervention has become more based on military intervention rather than humanitarian intervention. The use of force has not achieved global peace and security. Instead, it exacerbates more violence and turmoil. It causes destruction and raises competition for scarce resources.

UNSC resolutions have been constantly interpreted by the P5 of the SC the way they want to suit their actions. The Libya and Iraq cases revealed incorrect interpretation of UNSC resolutions. Having said that, the UN itself kept quiet and allowed NATO, the US, the UK, France and other actors to use force against these sovereign states. The fact that these attacks violated the UN Charter did not seem to matter. Reluctance of the UN to act in conflict situations is a serious concern. For instance, it took four years for the UN to act in the conflicts mentioned above.

The UN declared the Gulf wars as the acts of Aggression against Iraq people committed by the US in the name of the UN. The 2003 Iraq invasion and occupation by the US and UK led to a great loss of innocent lives.

From the time when the UN was established in 1945, it has been influenced by the 5 permanent to serve their interests. The UNSC has failed to serve the interests of the entire member states. As result, the United Nations was crafted to fail the interests of Libya, Iraq, Somalia and Afghanistan just to name the few.

Noticeably, the UN silently accepted the illegal no-fly zone bombing by the US/UK of Iraq ending in "softening up attacks" (Global Research, 2007). More than twelve years of genocidal UN sanctions constitute an enormous breach of the UN Charter itself (Global Research, 2007). By

these various means, the UN has itself destroyed the basic human rights of the Iraqi people through the willful neglect of Articles 22-28 of the Universal Declaration of Human Rights (Global Research, 2007). The UN failed to protect and safeguard the children and people before and after the 2003 invasion (Global Research, 2007). The UN failed to protect people of Libya from NATO bombing which destroyed lives and the infrastructure of a sovereign country. This constituted massive breach of the UN Charter.

The UNSC peacekeeping, conflict management and conflict resolution strategies have proved to be inadequate in some conflict situation globally. Being sidelined by the most powerful states in some conflict situations calls for the UN to devise its strategies in order to ensure that they are effective and efficient. Everything needs to be done to ensure that the UN plays a dominant role as a supreme authority entrusted with maintaining global peace and security.

One must review the progress of the UN as the global governance mechanism which turned 70 in 2015. According to the Guardian (2015), the White House in the US assumes UN peace keeping as the US national security issue. Islamist insurgences exist in various African countries such as Somalia. The US aims to strengthen peace keeping in 6 African countries. It will deploy forces and resources essential. General Martin Dempsey alluded “It is not enough just to talk about it, actually we have to deliver on the promise, and improving global peacekeeping efforts will require active participation and solid commitment from member states” (Guardian, 2015). From the above statement one can gauge that the US wants to further strengthen its strategy of being a global hegemony. It is for this reason that the US dominates the UN through its participation in all peacekeeping efforts globally, more especially in Africa and in the Middle East. We may not deny that United Nations has evolved and achieved several remarkable positive features however it has failed to remove the balance of power in the international relations arena. Differences in material interests have led to several deaths in various countries. Conflicts which could be solved quickly have dragged due to lack of consensus between P5 members. I believe that the death of people in Syria is in the hands of P5 members. They have made the UNSC seem less relevant and important in the eyes of the world. The legitimacy of the UNSC can only be regained through efficient, effective, responsive and accountable UNSC. The P5 members should be held accountable for their wrong doings. They should not go unnoticed as it happened in Iraq, Libya, Somalia and other countries discussed in this dissertation.

REFRENCES

Primary Sources: Text Books and UNSC Resolutions

Al Qaddafi, M. (1975, 1978 and 1980). "The Green Book: Revolutionary Committees Movement: Parts: I, II and III". Available at: <http://www.zadishefreeman.com/images/Muammar-Qaddafi-Green-Book-Eng.pdf>

Austin, A. (2004). Early Warning and the Field: A Cargo Cult Science in *Berghof Handbook*. Berlin: Berghof Research Center for Constructive Conflict Management.

Bailey, S. D and Daws, S. (1998). *The Procedure of the UN Security Council*, 3rd edition. Oxford: Clarendon Press.

Baylis and Smith (2001.). *The Globalization of World Politics*, 3rd Edition. Oxford: Oxford University Press.

Betts, R.K (2001). The delusion of Impartial Intervention, in Crocker, Hampson and Aall; Washington D.C. United States Institutes of Peace Press.

Boulden, J. (2003). *Dealing with Conflict in Africa: The United Nations and Regional Organizations*. New York: Palgrave Macmillan Publishers.

Brzoska, M. (2001). *Smart Sanctions: The Next Steps; The debate on Arms Embargoes and travel sanctions within the Bonn- Berlin Process*. New Jersey: Blackwell publishers,

Bull, H. (1966). *International Theory: The Case for a Classical Approach*. USA: John Hopkins University Press

Bull, H. (2002). *The Anarchical society: a Study of Order in World Politics*, 3rd Edition. London: Palgrave Publishers.

Burton, J.W. (1984). *Global Conflict: The Domestic Sources of International Crisis*. Brighton, UK: Wheat Sheaf Books.

Burton, J. W. (1990). *A Human Needs Approach to Problems in South Africa*. South Africa: University of Port Elizabeth Press.

Coser, L. (1956). *The Functions of Social Conflict*. Philadelphia: The free Press.

- Crocker, C.A, Hampson, F. & Aall, P. R. (2007). *Leashing the Dogs of War, Conflict Management in a Divided World*. USA: United States Institute of Peace Press.
- Cortright, S and Lopez, G. (2000). *The Sanctions Decade: Assessing UN Strategies in the 1990s*. Place: Lynne Reinner Publishers.
- Deng, F. and Lyons, T. (1998). *African Reckoning: A Quest for Good Governance*. Virginia: Donnelley and Sons.
- Deutsch, M. (1973). *The Resolution of Conflict*. New Haven: Yale University Press.
- Dorn, W. (2004). Early and Late Warning by the UN Secretary-General of Threats to the Peace: Article 99 Revisited in Schnabel and Carment, *Conflict Prevention from Rhetoric to Reality*. Place: Lexington Books.
- Dunne, T. and Schmidt. (2005). Realism, in Baylis and Smith (Ed.). *The Globalization of World Politics*. 3rd Edition. UK Oxford: Oxford University Press.
- Elden, S. (2006). *Terror and Territory: The Spatial Extent of Sovereignty*. Minneapolis: University of Minnesota Press.
- Engdahl, W. (2004). *A Century of War: Anglo-American Oil Politics And the New World Order*. London: Pluto Press.
- Galtung, J. (1992). *The Way is the Goal: Gandhi Today*. Ahmedabad: Peace Research Centre, Gujarat Vidyapith. Ahmadabad City: Peace Research Centre.
- Gause, F. Gregory, III. (2005). "The International Politics of the Gulf". In Louise Fawcett, *International Relations of the Middle East*. Oxford: The University Press. pp. 263–274. ISBN 0-19-926963-71981-2004, Sage publishers.
- Ghali, B.B. (1992). *An Agenda for Peace*. New York: United Nations.
- Golwa, J. (2009). ECOWAS and Conflict Resolution in Africa cited in ECOWAS: Milestones in Regional Integration, Ogwu and Alli (eds).
- Heywood, A. (2007). *Politics*, 3rd edition. Hampshire: Palgrave Macmillan
- Lederach, J. P. (1997). *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington, D.C: United States Institute of Peace Press.

Libya Contact Group Doha meeting (13 April 2011)

Libya Contact Group Rome meeting (5 May 2011)

Libya Contact Group Istanbul meeting 15 July 2011)

Malone, D. (1997). *The UN Security Council in the Post – Cold War World: 1987-97*. UK: Magdalen College, Oxford University.

Malone, D. (2012). *Decision making in the UN Security Council*. UK Oxford: Oxford University Press Publishers.

Maslow, A. (1943). A theory of Motivation, cited in *Future Visions: The Unpublished works of Abraham Maslow* (Ed: Edward Hoffman) CA: Sage Publications, 1996.

McGarry, J. & O’Leary, B. (1993). *The Politics of Ethnic Conflict Regulation*. London: Routledge.

McGowan, P. J. and Nel, P. (2002). *Power, Wealth and Global Equity: An international relations textbook for Africa*, 2nd edition. Cape Town: UCT Press.

Miall, H. (2004): “Conflict Transformation: A Multi-Dimensional Task”, Berghof Handbook of Conflict Transformation, www.berghof-center.org

Miller, C. (2005). *A Glossary of Terms and Concepts in Peace and Conflict Studies*, 2nd Edition. Ethiopia: University for Peace.

Murphy, S.D. (1996). Humanitarian Intervention, the United Nations in an Evolving World Order in *Humanitarian Intervention: Ethical, Legal and Political Dimensions* cited in J. L. Holzgrefe & Roberto Keohane (eds.), 2003.

Neta, C. and Klotz, A. (1999). *How Sanctions Work: Lessons from South Africa*. Place: MacMillan

Nye JR, J. (2003). *International Conflicts: An introduction to theory and history*, 4th Edition. London: Palgrave Macmillan.

Reimann, C. (2004). “Assessing the State-of-the-Art in Conflict Management: handbook.net/articles/reimann_handbook.pdf).

Schraeder, P. (1994). *United States Foreign Policy toward Africa: Incrementalism, Crisis and Change*. Cambridge: Cambridge University Press.

Shank, G. (2002). *Qualitative Research, a personal skills approach*. New Jersey: Merrill Prentice Hall publishers.

Simons, G. (1999). *Imposing Economic Sanctions: Legal Remedy or Genocidal Tool*. London: Pluto Press Publishers.

Snodderly, D. (2011). *Glossary of Terms for Conflict Management and Peace Building*. Washington D.C.: The United States Institute of Peace.

United Nations Security Council Resolution 479 (1980) Adopted by the Security Council at its 2248th meeting, on 28 September 1980.

United Nations Security Council Resolution 598 (1987) Adopted by the Security Council at its 2750th meeting, on 20 July 1987.

United Nations Security Council Resolution 660 (1990) Adopted by the Security Council at its 2932nd meeting, on 2 August 1990.

United Nations Security Council Resolution 661 (1990) Adopted by the Security Council at its 2933rd meeting, on 6 August 1990.

United Nations Security Council Resolution 678 (1990) Adopted by the Security Council at its 2962nd meeting, on 29 November 1990.

United Nations Security Council Resolution 687 (1991) Adopted by the Security Council at its 2981st meeting, on 3 April 1991.

United Nations Security Council Resolution 688 (1991) Adopted by Security Council at its 2982nd meeting on 5 April 1991.

United Nations Security Council Resolution 733 (1992) Adopted by the Security Council at its 3039th meeting, on 23 January 1992.

United Nations Security Council Resolution 746 (1992) Adopted by the Security Council at its 3060th meeting, on 19 March 1992.

United Nations Security Council Resolution 751 (1992) Adopted by the Security Council at its 3069th meeting, on 24 April 1992.

United Nations Security Council Resolution 794 (1992) Adopted by the Security Council at its 3145th meeting, on 26 March 1993.

United Nations Security Council Resolution 814 (1993) Adopted by the Security Council at its 3188th meeting, on 3 December 1992.

United Nations Security Council Resolution 986 (1995) Adopted by the Security Council at its 3519th meeting, on 14 April 1995.

United Nations Security Council Resolution 1275 (1999) Adopted by the Security Council at its 4070th meeting, on 19 November 1999.

United Nations Security Council Resolution 1280 (1999) Adopted by the Security Council at its 4077th meeting, on 3 December 1999.

United Nations Security Council Resolution 1382 (2001) Adopted by the Security Council at its 4431st meeting, on 29 November 2001.

United Nations Security Council Resolution 1409 (2002) Adopted by the Security Council at its 4531st meeting, on 14 May 2002.

United Nations Security Council Resolution 1441 (2002) Adopted by the Security Council at its 4644th meeting, on 8 November 2002.

United Nations Security Council Resolution 1483 (2003) Adopted by the Security Council at its 4761st meeting, on 22 May 2003.

United Nations Security Council Resolution 1970 (2011) Adopted by the Security Council at its 6491st meeting, on 26 February 2011.

United Nations Security Council Resolution 1973 (2011) Adopted by the Security Council at its 6498th meeting, on 17 March 2011.

United Nations Security Council Resolution 2009 (2011) Adopted by the Security Council at its 6620th meeting, on 16 September 2011.

United Nations Security Council Resolution 2016 (2011) Adopted by the Security Council at its 6640th meeting, on 27 October 2011.

United Nations Security Council Resolution 2017 (2011) Adopted by the Security Council at its 6644th meeting, on 31 October 2011.

United Nations Security Council Resolution 2022 (2011) Adopted by the Security Council at its 6673rd meeting, on 2 December 2011.

United Nations Security Council Resolution, 2036. (2012) Adopted by the Security Council at its 6718th meeting, on 22 February 2012.

United Nations Security Council Resolution, 2046. (2012). Adopted by the Security Council at its 6764th meeting, on 2 May 2012.

United Nations Security Council Resolution, 2048. (2012). Adopted by the Security Council at its 6774th meeting, on 18 May 2012.

Wallenstein, P. (2002). *Understanding Conflict Resolution: War, Peace and the Global System* (London; Thousand Oaks, CA; & New Delhi: Sage Publications).

Wortley, B.A. (1957). *The United Nations: The first ten years*, Published by the University of Manchester at the University Press.

Unpublished Theses

Amao, O.B (2012) *Between Afro-Centrism and Citizen Diplomacy, the Dillema of Nigeria's Conflict Resolution Mechanism in Africa: Lessons from Libeira*. UKZN South Africa: Masters, Thesis.

Harvey J.L (2010). *Principles and Guide Lines for UN Peacekeeping Operations*, Peace Operations training Institute.

Shulika, L.S (2013). *Managing the Challenges of Conflict Transformation and Peace Building in South Sudan*. UKZN South Africa: Masters, Thesis.

Thomas. E.C (2013). *United Nations Security Council Resolutions in Africa: the conundrum of state and human insecurity in Libya*, UKZN South Africa: Masters, Thesis.

Journal Publications and Articles

- Abass, A. (2011). Assessing NATO's involvement in Libya.
- Adebajo, A. (2011). *UN Peace keeping in Africa: From the Suez crisis to the Sudan conflicts*. Sunnyside: Fanele, an imprint of Jacana Media.
- Adelman, H. (1998). *Defining Humanitarian Early Warning*“, in S. Schmeidl and H. Adelman (eds), *Early Warning and Early Response, Columbian International Affairs Online*, available on <http://www.ciaonet.org/book/schmeidl/schmeidl01.html>.
- Adriaensens, D. (2013). 2003-2013: Iraq resistance, America's "Dirty War" and the Remaking of the Middle East, *Global Research* 16 March 2013.
- Agada, S. (2008). *The challenges of United Nations Peacekeeping in Africa: case study Somalia* published by Peace Operations and Training Institute.
- Al Azzawi, S.N. (2013). Crimes against Humanity the Destructions of Iraq's, Electricity Infrastructure, the social, economic and environmental impacts. *Global Research*
- Amuwo, A. (2009). *“Capitalist Globalization Role of the International Community in Resource Conflict Africa”*, Council for the Development of Social Science Research in Africa. Vol. 34, pp 227-266.
- Annan, K. (1999). Two concepts of sovereignty, *The Economist* 18 September 1999.
- Azikiwe, A. (2012). LIBYA UNDER PENTAGON-NATO RULE: Corruption, internecine conflict and the "fruits" of imperialist warfare, *Global Research*, 16 May 2012.
- Bain, W. (2010). "The Tyranny of Benevolence: National Security, Human Security, and the Practice of Statecraft" *Global Society* Vol.15, pp. 277 – 294.
- Baldwin, F. (1993). *International Cooperation*, Freidich Ebert Foundation.
- Bassil. Y. (2011). *The 2003 Iraq War: Operations, Causes, and Consequences*.
- Beehner, L. (2012). *The UNs Fossilized Security Council*, Yale University publishers.
- Bellamy, A.J and Williams P.D (2006). *The UN Security Council and the Question of Humanitarian Intervention in Darfur*, Routledge.
- Bellamy, A.J (2008). *The Responsibility to protect and the problem of military intervention*, Blackwell publishing *The Royal Institute of International Affairs* 84:4, pp. 615-639.

- Bellamy, A.J and Williams P.D (2011). *The New Politics of Protection* Cote Dvoire, Libya and the responsibility to protect*, International Affairs.
- Bellamy, A.J (2011). *Libya and the Responsibility to Protect: The Exceptional and the Norm*, published by Ethics and international Affairs.
- Bellamy, A. (2011). *Global politics and the Responsibility to Protect: From words to deeds*. New York: Routledge.
- Benette (2011). “AU Failure in Libya? May be not”. Available at: <http://blogs.cfr.org/patrick/2011/10/21/au-failure-in-libya-maybe-not> Date accessed: 25/0920.
- Bianchi, A. (2006). *Assessing the Effectiveness of the UN Security Council’s Anti-Terrorism Measures: The Quest for Legitimacy and Cohesion*, The European Journal of International Law Vol. 17 no.5.
- Butler, R. (2012). Reform of the United Nations Security Council, *Penn State Journal of Law & International Affairs*.
- Burke, C. (2009): “Replacing the Responsibility to Protect: The Equitable Theory of Humanitarian Intervention”. Available at: <http://ojs.uvu.vu.nl/alf/article/view/64/122>
- Carron, C. (2009): *Humanitarian assistance from the international Community*, Sage Publishers.
- Cavendish, R. (2001): explains how the kingdom of Libya was established on December 24, 1981.
- Ceckayne, J, Mikulaschek, C and Perry C. (2010): *The United Nations Security Council and Civil War: First Insights from new dataset*, published by International Peace Institute.
- Chitalkar, P and Malone, D. M. (2013): *The UN Security Council and Iraq*, United Nations University Working Paper.
- Chossudovsky, M. (1993): *Third world Resurgence and LeMonde diplomatique*.
- Chossudovsky, M. (2011): *Somali: the real causes of famine*, Global Research 21 July 2011.
- Chossudovsky, M, Cunningham, F and Nazemroaya, M.D. (2011): *Libya and “The Arab Spring” Neoliberalim “Regime Change” and NATO’s “Humanitarian Wars”*, Published by Global Research.
- Civins, B. (ND): *Ethiopia’s Intervention in Somalia 2006-2009*, University of Texas.

Clarke, W and Herbst, J. (1996): Somalia and the Future of Humanitarian Intervention.

Copson, R.W. (2003): Iraq War: Background and issues Overview, Congregational Research Service.

Cordesman, A. and Vira, V. (2011): “The Libyan Uprising: An Uncertain Trajectory” Centre for Strategic & International Studies, Draft. Available at: <http://www.csic.org/publication/libyan-uprising-uncertain-trajectory> Date accessed: 8/10/2015.

Cooper, T and Sadik, A. (2003): "Iraqi Invasion of Kuwait; 1990". Air Combat Information Group Journal, archived from the original on 6 October 2014, Retrieved 31 December 2015.

Cohn, M. (2013): Iraq: A war of Aggression No WMD's, No connection to Al Qaeda, *Global Research* 19 March 2013.

Cox, B. (2009). *United Nations Security Council Reform: Collected Proposals and Possible Consequences*, South Carolina Journal of International Law and Business Volume 6 Issue 1 Fall Article 4.

Craner, J.K and Thirell, A.T (ND). Why did the United States Invade Iraq? A survey of International Relations and Foreign Policy scholars.

Dabbashi, I. (2011). The United Nations in Libya.

Damon, D. (2012). Why is Uganda fighting in ‘hellish’ Somalia? BBC World Service, Kampala.

Dewaal, A. (2012). The African Union and the Libya Conflict of 2011.

Edward, A. (2009). “*Human Security and the Rights of Refugees: Transcending territorial and disciplinary borders*” Michigan Journal of International Law, Vol. 30, pp. 763-805.

Erickson, J. L. (2013). Stopping the Legal flow of Weapons Compliance with Arms Embargoes,

Fink, C.F. (1968): Some Conceptual Difficulties in the Theory of Social Conflict, *Journal of Conflict Resolution*, Vol.12, pp.412-460.

Fisher, D. and Biggar, N. (2011). ‘Was Iraq an unjust war? A debate on the Iraq war and reflections on Libya’, *International Affairs*. Volume 87, Issue 3, pp. 687–707

Franco, C. (2013). The EU cooperation with Somalia channels of implementation, International Training Programme for Conflict Management.

Fruchart et al. (2007). United Nations Arms Embargoes: Their impact on arms flows and target behavior, Uppsalla University.

Gallant (1992). A. "Humanitarian Intervention and Security Council Resolution 688: A Reappraisal in Light of a Changing World Order." *American University International Law Review* 7, no. 4, 881-920.

Gifkins, J and Dunno, T. (2011). *Libya and the State of Intervention*, Routledge publishers.

Global Research (2007). America's interests in Somalia: Four major U.S. oil companies are sitting on a prospective fortune in exclusive concessions.

History (ND). General interest; 1986 U.S bombs Libya.

<http://www.raceandhistory.com> 3 January 2007

Global Research (2011). Libyan Invasion planned by NATO since 2007 with the support of M16.

Grancheva, E. (2013). Crisis Resolution: UN is paralyzed as long as the Big 5 disagree.

Guehenno, J. (2008). *United Nations peacekeeping operations: guidelines and principles*, published by United Nations department of peacekeeping operations.

Hahn, L. (1981). *Historical Dictionary of Libya*. London: The Scarecrow Press, Inc.

Haliday, D. (2005). The United Nations and its Conduct during the Invasion and Occupation of Iraq Testimony to the World Tribunal on Iraq.

Hamad, Ahmad, Azem. (2005). "The Reconceptualization of Conflict Management", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, and July 2005, available from <http://www.peacestudiesjournal.org.uk>.

Hannay, D. (2009). Effectiveness and ineffectiveness of the UN Security Council in the last twenty years: A European perspective, *Institute Affari Internazionali* publishers.

Hauben, R. (2011). The role of the UN Security Council in Unleashing an illegal war against Libya, Global Research.

Hegghumnor, M.B. (2003). Libya's nuclear turnaround perspectives from Tripoli.

Hikaru, Y. (ND). The Iraq War, the United Nations Security Council; and the legitimacy of the use of force.

Hinnesbusch, R. (2007). *The US Invasion of Iraq: Explanations and implications*, Routledge.

Hinnesbusch, R. (2007). *The America Invasion of Iraq: Causes and Consequences*, Spring publishers.

Hindy, L. (2008). "Interrogator: Invasion surprised Saddam", *The Boston Globe*, Associated Press.

Hoff, B. (2016). *Hillary Emails Reveal True Motive for Libya Intervention*, January 2016.

Hoffman, S. (2001). *The debate about intervention* in Crocker, Hampson and Aall; Washington D.C. United States Institutes of Peace Press.

Horgan, E.J. (2008). *The United Nations –Beyond Reform? The Collective International System and the Prospects for sustainable Global Peace and Justice*, University of Limerick,

Hzoubir, Y. (2002). *Libya in US Foreign Policy: from rogue start to good follow?*

International Affairs Institute (2007). *Seeking Peace in the Horn of Africa Solutions for Somalia* Duke University Talent Identification Program.

Isike, C. Uzodike, U. and Gilbert, L. (2008). "The United States Africa Command: Enhancing American security or fostering African development? *African Security Review* Vol. 17, pp. 1-19.

Jackson, R. (ND). *Violent Internal Conflict and African state: towards a framework of analysis*.

Jakobsen, T.G. (2009). *Why Did the United States Invade Iraq in 2003?*

Jentleson B. W. (2007). *America's Global Role after Bush*, accessed [UNIVERSITY OF KWAZULU-NATAL] on: 23 September 2014, at: 03:56 Publisher: Routledge.

Jervis, R. (1999). *Realism, Neoliberalism and Cooperation: Understanding the Debate*, Published by the MIT Press.

Jones, B.D. (2011). *Libya and the responsibilities of power*.

Kafala, K. (2011). "The veto and how to use it" Available at: http://news.bbc.co.uk/2/hi/middle_east/2828985.stm

Katzenstein, P. (1996). *The Culture of National Security: Norms and Identity in World Politics*. New York: Columbia University Press.

Kisiangani, E and Noor, H. (2013). *A new solution that brings new problems for Somalia's Jubaland*.

Kiszti, D. (2012). "Responsibility to Protect: A Panacea in Theory Alone". Available at: <http://fordhampoliticalreview.org/?p=285>

Kuziemko, I and Werker, E, (2006). How much is a Seat the Security Council Worth? Foreign Aid and Bribery at the United Nations.

Lalieu, G. (2010). Somalia: How Colonial Power's drove a country into chaos; interview of Mahomed Hassan. Global Research 10 February 2010.

Lavender, L. (2012). In Focus: The Emerging Role of the Arab League: Mediterranean Review.

Lieberfeld, D. (2005). Theories of Conflict and the Iraq war, International Journal of Peace Studies,

Lofland, V.J. (ND). Somalia: U.S. Intervention and Operation Restore Hope.

Lorenz, A. and Koigi, B. (ND). African Union Somalia mission hit by EU funding cut.

Luck, E. (2008). "UN Secretary-General Special Adviser on the Prevention of Genocide, Francis Deng, and Special Adviser on the Responsibility to Protect, Edward Luck, on the Situation in Libya". Available at: http://www.un.org/en/preventgenocide/adviser/country_situations.shtml

Lynch J. (2011). Responsibility to protect after Libya. Routledge.

Macdonald, K.C and Stewart, M. D. (2010). UN Security Council Enlargement and U.S interests, published by the Council of Foreign Relations, New York.

May, N and Pope, C. (1995). The Qualitative and Quantitative data analysis, Published by University of Winsconsin.

Marangio, R. (2012). The Somali Crisis: Failed State and International Interventions, © Istituto Affari Internazionali

Martin, A. and Edwards, J. (1995). The changing Charter: A study in the Reform of The United Nations. London: Sylvan Press.

McGreal. (2015). UN Security Council is failing Syria, Ban Ki-moon admits, Guardian newspaper 7 September 2015.

Mearsheirmer, J. Jand Walt, S. M (2003). *An Unnecessary War*. Foreign Policy.com Pp51-55.

Miall, H, Ramsbothan, O and Woodhouse, J. (ND). Contemporary Conflict Resolution.

Modeme, L. E. (2011). The Libya Humanitarian intervention: is it Lawful in international law.

Monti Belkaoui, and Riahi-Belkaoui. (1996). Qaddafi: The Man and His Policies. Aldershot: Ashgate Publishing Ltd.

Morphet, T. (2011). Humanitarian assistance, Institute of international affairs.

Morris, H and Clark, P. (1999): The United Nations Security Council in the 1990s, Princeton University Press.

Moses J, Bahador B & Wright T. (2011). The Iraq War and the Responsibility to Protect: Uses, Abuses and Consequences for the Future of Humanitarian Intervention, *Journal of Intervention and State building*, 5:4, 347-367, DOI:10.1080/17502977.2011.595606

<http://dx.doi.org/10.1080/17502977.2011.595606>

Mroczkowski, D. (2005). Restoring Hope: In Somalia with the Unified Task Force, 1992 – 1993 U.S. Marines in Humanitarian Operations, U.S. Marine Corps Reserve (Retired) Washington, D.C.

Muhammed, H. (2014). The Role of External Actors in the Somali Conflict: A Post 2000 Study of Kenya and Ethiopia's Involvement in the Conflict of Somalia.

Murphy, S.D. (2002). Terrorism and the concept of "Armed Attack" in Article 51 of the UN Charter vol 4, number 1.

Najyar H.A. (2000). The Gulf War Overreaction and Excessiveness: The 1990s-crisis leading to the Iraq invasion of Kuwait.

Nazemroaya, M.D. (2014). Then and Now: An Overview of NATO's Handiwork, Global Research, November 22, 2014.

Nduwimana, D. (2014). AMISOM in Somalia: A Ray of Hope, the International Peace Support Training Centre, Nairobi, Kenya. Occasional paper series 4.

Obama B, Sarkozy N and Cameron D. (2011). "Libya's pathway to peace". New York Times, 14 April 2011, retrieved January 17, 2012 from <http://www.nytimes.com/2011/04/15/opinion/15iht-edlibya15.html>

O'brien, E and Sinclair, A. (2011). The Libyan War: A Diplomatic History: February-August 2011, New York University, Center on International cooperation.

Office for the Coordination of Humanitarian Affairs. (2015). Humanitarian need overview: Somalia. United Nations Office for the Coordination of Humanitarian Affairs.

O'Connell, M. (2011). The Libyan Intervention: A Victory for War? Available at: <http://peacepolicy.nd.edu/2011/10/05/the-libyan-intervention-a-victory-for-war>.

Office of the President of the General Assembly (2009). "Concept note on responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity". Available at: <http://www.un.org/ga/president/63/interactive/protect/conceptnote.pdf>

Okhovat, S.C. (2011). The UNSC: It's Veto Power and its Reform, University of Sydney,

Pandey, A. (2014). UN Security Council Votes to impose Sanctions on warring Faction in Libya.

Patman, R.G. (1997). Disarming Somalia: The Contrasting Fortunes of United States and Australian Peacekeepers during United Nations Intervention, 1992-1993 Author(s): African Affairs, Vol. 96, No. 385 (Oct., 1997), pp. 509-533 Published by: Oxford University Press on behalf of The Royal African Society Stable URL: <http://www.jstor.org/stable/723817>. Accessed: 16/10/2014 07:43

Peace Operations Training Institute (ND). Peacekeeping and Intervention conflict resolution.

Peter. G. (2013). An Assessment of UN-Led sanctions, published by Peterson Institute for International Economics Washington

Pougala, J. (2011). Why the West Wants the Fall of Gaddafi. Available at: <http://www.rightsmonitoring.org/2011/04/why-the-west-wants-the-fall-of-gaddafi-an-analysis-in-defense-of-the-libyan-rais/>

Pougala, J. (2011). Are those who want to Export Democracy Themselves Democracts? Global Research 16 June 2011.

Rice, X. (2009). Ethiopia and Somalia's occupation.

Rieff, D. (2012). "R2P, R.I.P NYTimes.com". Available at: <http://www.currentintelligence.net/columns/2011/9/27/after-libya-and-syria-can-r2p-survive.html>

Roberts. L et al (2004). Mortality before and after the 2003 invasion of Iraq, Elsevier.

- Rodt, A. (2011). The African Mission in Burundi, the Successful Management of Violent Ethno-Political Conflict? Ethno politics Papers.
- Rose, G. (1998). 'Neoclassical Realism and Theories of Foreign Policy: An important review article that is created with coining the term neoclassical realism' in World Politics, Vol. 51, pp. 144-172. Conflict? Ethno politics Papers
- Roth, J. (2004). A History of Somalia.
<http://www.factmonster.com/atlas/country/somalia.html>
- Rozoff, R. (2011). Escalation of the Conflict: NATO takes command of the war on Libya. Global Research
- Scanlon et al (2007). Africa's Responsibility to Protect: Policy Advisory Group Seminar Report. Available at: http://www.responsibilitytoprotect.org/files/Vol-19_R2P_Report.pdf
- Schirch, L. (2008). Peace building- State of the field, Peace Prints: South Asian Journal of Peace building.
- Slaughter, A.M. (ND). *International Relations Principal Theories*. Published in: Wolfrum, R(Ed) Max Plank Encyclopedia of Public International Law (Oxford University Press, 2011) www.mpepil.com.
- Smith, I and Bowes, L. (1996). The Examination of the Security Council, published by World Peace Foundation.
- Smith, D and Underson, S. (2002). *Analysis of the Veto power*, World Policy journal.
- Stork, J. and Lesch, A. (1990). "Background to the Crisis: Why War?". Middle East Report 167 (November–December): 11–18, JSTOR 3012998.
- Snyman, F. (2006). The evolution of state sovereignty: a historical overview.
- Tardy, T. (2014). Fighting Piracy off the coast of Somalia: Lessons learned from the contact group, European Union Institute of Security Studies.
- Thakur, R. (2008). "R2P, Libya and International Politics as the Struggle for Competing Normative Architectures". Available at: <http://www.e-ir.info/wp-content/uploads/R2P.pdf>
- Themner, L. and Wallenstein, P. (2012). *Armed conflicts, 1946-2011*, Sage publishers.

- Throup, D. (2012): *Kenya's Intervention in Somalia*, Centre for Strategic and International Studies.
- Twinomugisha, W.K. (2013). The African Union's Response to the Libyan Crisis of 2011.
- Uwimana I.N. (2006). *The United Nations Security Council Reform: Myth or Reality? An Africa analysis*.
- Vandewale, D. (2006). *A history of modern Libya*, Cambridge University Press.
- Vidino, L. (2013). *The West and the Muslim Brotherhood after the Arab Spring*, Al Mesbar Studies & Research Centre in collaboration with. The Foreign Policy Research Institute.
- Wahlberg, K. (2007). *War and Occupation in Iraq*, Global Policy Forum.
- Wallis, J. (1994). *The Soul of Politics: A Practical prophetic vision of change*, London.
- Walt, S.M (1998). 'International Relations: One World, Many Theories', *Foreign Policy*, Spring 1998.
- Wilén N, Ambrosetti D and Birantamije G. (2015). *Sending peacekeepers abroad, sharing power at home: Burundi in Somalia*, *Journal of Eastern African Studies*, 9:2, 307-325, DOI: 10.1080/17531055.2015.1018498.
<http://dx.doi.org/10.1080/17531055.2015.1018498>
- Weiss T.G. (2011). *The Responsibility to Protect: challenges and opportunities in light of the Libyan intervention*, *International Relations*.
- Williams, P. (2013). *The African Union Mission in Somalia and Civilian Protection Challenges. Stability: International Journal of Security & Development*, 2(2): 39, pp. 1-17, DOI: <http://dx.doi.org/10.5334/sta.bz>
- Wright, J. (1982). *Libya: A Modern History*. London: Croom Helm.
- Yobo, D. (2009). "The Human Security Paradigm as a Challenge for The African Union In Promoting Peace And Security In Africa: A Case Study Of The Sudan/Darfur Conflict". Available at:
http://researchspace.ukzn.ac.za/xmlui/bitstream/handle/10413/942/DORCAS_ADJELEY_YOBO.pdf?sequence=1.

Newspaper Articles and Other Commissioned Reports

African Report, (February 2012): The Kenyan Military Intervention in Somalia, Report M184.

Alison, S. (2016). AMISOM division threatens Somalia fragile stability, Daily Maverick newspaper.

Aljazeera (2009): Invasion of Kuwait by Iraq changed geopolitical dynamics: Arafat's Costly Gulf War choice, 22 August 2009.

Borger J and Inzaurrealde B. (2015): Russian vetoes are putting UN Security Council's legitimacy at risk, says US. The Guardian Newspaper.

Browne, M. (2003). The United Nations Security Council; Its Role in the Iraq Crisis: A Brief Overview, CRS Report for Congress.

Cable News Network. (2015): PAN Am Flight 103, Fast Facts, CNN Library, 14 December 2015.

Everest L. (2013). Lesson from History: Operation Desert Fox, Iraq, 1998, Revolution Newspaper, 23 September 2013.

Security Council meeting 6620th (2011): Security Council creates United Nations Mission in Libya, Adopting Resolution 2007(2011).

Spencer, R. (2015). How Syria and Bloody conflict has torn the UN Security Council apart: The UNSC is supposed to be the world's guarantee of peace. Over Syria, everyone agrees it has been a disaster, The Guardian newspaper.

Security Council (2013). UN Sanctions, Report Special Research Report November 2013

The Guardian Newspaper (2015). Vetoed: What is wrong with UN Security Council and how it could do better, 23 September 2015.

The Telegraph Newspaper (2015). Role of International Community towards combating the crises, 14 January 2015.

United Nations Charter (1945). San Francisco 26 June 1945.

United Nations Security Council (2012). Report on the Libyan situation: UNSC Report.

UN General Assembly (UNGA). "2005 World Summit Outcome," A/60/L.1, September 15, 2005, paras.

Websites

[Geopolitics World Atlas \(1974\). Available at http://www.geopoliticsworldatlas.com](http://www.geopoliticsworldatlas.com)

[Http://www.AU.Org](http://www.AU.Org)

[Http://www.Iraqanalysis.org](http://www.Iraqanalysis.org) (2003); Institute of Palestine Studies, Vol. 30, No. 2 (Winter 2001), pp. 126-146 Published by: University of California Press on behalf of the Institute for Palestine Studies Stable URL: <http://www.jstor.org/stable/10.1525/jps.2001.30.2.126>. Accessed: 23/09/2014 07:17Your