

The peace paradox

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Military peace-keeping and peace 'enforcement' raise fresh issues for the international community

Human rights embody fundamental rules of behaviour between human beings. Rules that everyone is required to follow, rules that governmental and other authorities must respect, and rules that can never be questioned, although they are unfortunately often broken in practice. The idea that human rights are unquestionable does not mean they cannot be debated. Today the agenda includes the relationship between development, democracy and human rights. In some regions, violations of human rights constitute a growing threat, not only to those directly concerned, but also to international peace and to economic development. The World Conference on Human Rights was timely indeed.

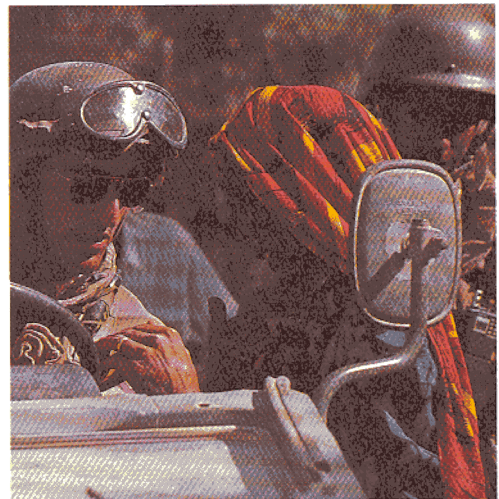
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■ Many States are worried at the encroaching intervention of the UN and the shift from economic and social concerns to military peace-keeping and ultimately 'peace enforcement'. The relevance of the human rights reporter has never been greater. But the paradox is that civil and political human rights reporting is entering a dangerous phase as reports are no longer seized on to score purely rhetorical points in the general debate. Human rights reports may now be at the centre of the intervention debate. Some States are impatient with the 'legal niceties', while others see themselves as the next victims.

Coupled with this development is a renewed interest in preventive diplomacy and early warning. The use of fact-finding missions to Nagorno-Karabakh was an attempt to enter this domain. On the other hand, while the UN is stretched to the limit in other conflicts no real possibilities for action in Nagorno-Karabakh are being countenanced. Interestingly, the pessimistic report of the Secretary-General to the Security Council after Under Secretary-General Marrack Goulding's mission to Bosnia and Hercegovina ruled out the possibility of sending peace-keepers, yet some members of the Security Council insisted that the UN remain involved and continue to consider the possibility of peace-keepers. The UN is faced with a quandary. Fighting such as that in Bosnia cannot be quelled by the presence of a traditional peace-keeping operation – yet the expectation is that the UN should be able to do just that. While the Western European Union and NATO remain ill-equipped to deal with such a situation militarily, the Security Council will be expected to sanction and find humanitarian solutions in the midst of the conflict. However, although the right to humanitarian assistance is constantly being fleshed out on paper, the reality of sending an armed convoy to assure the delivery of humanitarian supplies into such conflicts is more complex.

The current alternative is a multilateral military force, similar to the one assembled for the Gulf war. But there is little enthusiasm for such a step. When Goulding was asked why he thought there could be no such intervention, either under UN auspices or otherwise, he said it would require a force of 50,000 and that the citizens of the



participating member states would not long tolerate their soldiers killing in someone else's war. One might add that the loss of life for the interveners would not be insignificant.

Peace-making

Recent settlements of complex national solutions to civil conflicts have included sophisticated human rights mechanisms at the time of the conflict resolution. There may often be both an international and national dimension to these agreements. The importance of getting such a national agreement and a commitment to national implementing institutions is obviously worth campaigning for. At the international level the UN has sometimes obtained an agreement from the parties that it would have a human rights role in the country.

Peace-keeping and peace-building

The nature of the UN's peace-keeping operations has radically changed over the last four years. Many operations now have a large civilian element charged with police monitoring, electoral assistance, judicial training or human rights work. Each operation has very specific limits on its possibilities and they are all dependent on the will of the country or parties concerned. It is precisely because member states and the parties to a conflict are prepared to allow the UN to go beyond its traditional role of standing between the fighting parties and build a new order within the country that this new aspect of the UN's work has taken off. The UN itself has heralded its own success in operations such as that of Namibia and El Salvador and put a great deal of its energy and direction into this field. This has created the expectation that huge peace-building operations such as the one in Cambodia can be repeated in other situations. Furthermore, there is now a recognition that positioning blue helmets with no commitment to a



While the right to humanitarian assistance is a priority, the reality of sending armed convoys to assure the delivery of humanitarian supplies is more complex. A woman stands amid the ruins of war in former Yugoslavia

On behalf of the Government of the Dominican Republic, I have pleasure in offering our full support to *Human Rights – the new consensus* produced in association with the United Nations High Commissioner for Refugees. After a period of dramatic changes, our people are now enjoying the precious richness of peace, the fruits of the efforts of all our fellow citizens and a high degree of respect for human rights. And so you receive our full backing in the hope that this will contribute to a fairer and freer social and economic order for the inhabitants of this planet.

H.E. Dr Joaquin Balaguer Ricardo
President
Dominican Republic

permanent solution to the crisis is a wasteful way to use the UN's resources.

Both because the resources are limited, and due to a desire to promote regional initiatives and involvement, the UN is now stressing the need to pass the burden onto regional bodies. After an initial burst of activity centred on Yugoslavia and Cambodia the mood is shifting towards the necessity of involving the European Community, the Conference on Security and Cooperation in Europe and the Organization of American States. In the longer term these and other regional organizations may be expected to bear the main costs of such operations.

Moreover, despite the UN's commitment to a human rights component in such settlements there are risks that this dimension gets buried. In Cambodia and El Salvador the human rights dimensions of UN operations are less than fully effective due to the need to concentrate on the disarmament and demilitarization process. Where the political situation is so finely balanced there are obvious difficulties for the UN to aggressively address human rights concerns. Nevertheless operations such as the human rights division within ONUSAL (El Salvador) have taken on a substantive and advisory role in human rights investigation and reporting.

What does this mean generally for human rights? First, there are real opportunities for human rights investigations on the ground by UN personnel. Some plans make provisions for hundreds of police monitors with more than merely supervisory powers. Second, the peace-building aspects may involve incorporating international human rights standards into new national settlements and institutions. Third, the

institutions which are constituted may have a real human rights function. Fourth, the Secretary-General is now committed to including 'human rights monitors' in peace-keeping operations and ensuring that peace-building operations include 'efforts to protect human rights' as well as a recognition that there be a review of arrangements for training of 'peace-keeping personnel – civilian, police, or military – using the varied capabilities of Member State Governments, of non-governmental organizations and the facilities of the secretariat'. This presents a useful opportunity to sensitize the political and military sectors in the UN to the advantages of a human rights approach to aspects of conflict prevention and resolution.

Challenges

There are a number of challenges facing the human rights community in the 1990s.

First, it might be fair to categorize the human rights world as currently caught between the rock of political intervention and the wide open sea of humanitarianism. While humanitarianism looks vulnerable to the wiles of military and political manipulation there may be a case for calling for a defence of the principles of human rights as something separate.

Second, the overt interest of the international financial institutions such as the World Bank, the Paris donors' consortium and the Bank for European Reconstruction and Development in human rights and good governance has repoliticized the role of human rights reporting. In addition, the evolving role of the UN Development Programme has meant that new vistas are now opening up for the UN agencies in the area of human rights.

Third, the commitment to human rights monitors as an integral part of peace-keeping, peace-making and election-monitoring operations presents new opportunities for non-governmental organizations (NGOs) to work with the UN for the protection of human rights.

Fourth, the possibility of UN forces which would enforce the peace will take the UN down new roads and presents NGOs with new tasks in particularly complex situations.

In all these areas the experience and expertise of the human rights NGO community have a vital role to play. As yet the structures for ensuring NGO participation are embryonic, but the opportunity to make a constructive contribution should not be missed.

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