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The University of Kent at Canterbury

The United Nations Secretaryship-General, Peace and Security,
and the Global Political Environment

A Dissertation Submitted to the Department of Politics and
International Relations in the Division of the Social Sciences in
Candidacy for the Degree of the Doctor of Philosophy
International Relations

Edward Newman

Rutherford College
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Abstract

This thesis presents the evolution of the UN Secretaryship-General's peace and security roles in the context of developments and trends in international politics since the early 1970s. Part 1 outlines the historical, political and institutional background to the international civil service since 1919. It traces the accumulation of the Secretaryship-General's roles in conflict prevention, management and settlement, and also outlines the tensions and shortcomings of the classical conception of the international civil service. Part 2 hones down the research by presenting the methodology and identifying the specific activities of the Secretaryship-General which will be examined in greater detail for the remainder of the research. Subsequent chapters examine the incumbencies of Kurt Waldheim, Javier Pérez de Cuéllar and Boutros Boutros-Ghali in the context of the evolving political environment. Particular attention is given to post-Cold War developments in peace and security and the multifaceted - and sometimes paradoxical - implications these have had for the Secretaryship-General. The Office is a focal point of multilateral turbulence as the UN struggles to adapt to evolving circumstances. It has reflected the friction which accompanies such change but it has also been elevated by the burgeoning level of the UN's activities and developments in political-military thinking in the Secretariat and Security Council. The Secretaryship-General is put into the context of a wider conception of peace and security which increasingly blurs the distinction between the international and domestic realms and embraces a far wider agenda than that traditionally accepted. The conclusion questions the extent to which the Secretaryship-General has evolved beyond the traditional conception of the international civil service within this environment.

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Introduction

The aim of this research is to illustrate the dynamics of multilateral change and evolution in the context of developments in international politics. More specifically, this research seeks to demonstrate that the roles and activities of the Office of the UN Secretary-General in conflict prevention, management and settlement can be studied and explained in the context of developments and trends in the wider international environment and the organisational consequences of these. Thus, the evolution of the Office will be located primarily in relation to fluctuating political conditions. In conjunction with the constitutional provisions of the Office and the personal approach of the incumbent, this political backdrop forms the parameters within which the Office exists. The term 'Secretaryship-General' is conceptualised as a bureaucratic entity which accumulates procedural norms and reflects both a development and a contraction of tasks and roles, partly independent from the individual who occupies the Office. The term is also used to imply the fact that not all the activities carried out by the Office are performed by the incumbent.

The thesis of the research will be couched in terms of the development of the international civil service from the formative classical model, against a backdrop of late twentieth century international politics. This model was regarded as an adjunct of conference diplomacy and increasing international cooperation during the early years of international organisation. In contrast, the post-Cold War Secretaryship-General has been at the forefront of practices and issues which have raised fundamental questions concerning the roles of international organisations as the practical and legal bases upon which they were formed has shifted.

The Office is a focal point of post-Cold War multilateral turbulence as the UN struggles to adapt to rapidly evolving circumstances. It has reflected the friction which accompanies such change but has also been elevated by a wider conception of peace and security, the burgeoning level of the UN's activities, and developments in political-military thinking in the Secretariat and the Security Council.

After some fifty years of overarching thinking security has become disaggregated, now focusing on a regional and domestic plane. The 'new' security agenda, increasingly recognised as being wider than the traditional state-centric military conception, now embraces domestic socio-economic factors, human rights and identity politics. Moreover, in an era of multipolarity and an absence of a tangible global project, leadership and support for the UN has wavered. The condition of the Organisation in the peace and security field has consequently been volatile in the 'new era', often reflecting the political and material constraints of multilateral fatigue.

These theoretical and practical trends have been reflected in the multifaceted and sometimes paradoxical trends of the post-Cold War Secretaryship-General. The Office has found new opportunities in conflict settlement and significant political-military advancement. In its activities in areas which were formally considered to be Great Power spheres of influence the Secretaryship-General can be regarded as the vanguard of UN efforts to condition traditional Great Power backyard politics. Moreover, the Secretaryship-General holds an interesting role in the context of domestic transition throughout the globe. There are undoubtedly fewer 'no-go' areas for the Office than ever before, as it appears to be moving beyond the Grotian conception of international society upon which it was founded. Simultaneously, however, it has suffered from grave material shortages and the constraints which are inherent in an Organisation which often reflects the predominance of a narrow group of states. Moreover, the Office is buffeted by the uncertainty of the whole Organisation towards the unfolding peace and security agenda which confronts it as a result of historical shifts of attitudes and the evolution of international politics. Ultimately, the UN is being pulled by forces which are sometimes opposites and sometimes symbiotic. Fragmentation, integration, sovereignty, sub- and trans-state processes, the 'new' security agenda, and concerns about the political-military implications and the cost of it at the UN, are all in evidence. The Secretaryship-General's position is commensurately in flux. It may also be at a critical juncture as the Organisation seeks to address a 'new agenda' with old institutional structures. Can the Secretaryship-General lead the UN into the wider conceptions of peace and security as the Organisation reflects the shifting values and practicalities of sovereignty? Or will it remain largely at the bidding of the leading *status quo* actors? The post-Cold War Secretaryship-General represents a delicate navigation between these two poles.

Part I of this research presents the background, evolution and history of the international secretariat. Its systemic status within the international and organisational framework is outlined and the manner in which the political climate has influenced the development of bureaucratic norms and practices is described in chapter 1. Chapter 2 analyses the Office of Secretary-General historically and conceptually between 1919 and 1972. The variables which help determine the roles and scope of the Office and the parameters within which it operates are identified.

Part II hones down the research to the thesis. Chapter 3 presents the methodology and framework. Methodological issues such as the personality factor and the intangible nature of the influences upon the Secretaryship-General are tackled, and the stage is set for an investigation of the Office from 1972 to the present. Chapter 4, partly drawing upon the preceding chapters, presents

the functions of the Secretaryship-General. It identifies those functions within conflict prevention, management and settlement which will be focused upon for the remainder of the research. The conditions which have a bearing upon the exercise of these functions are also described.

Part III deals in consecutive chapters with the tenures of Kurt Waldheim, Javier Pérez de Cuéllar and Boutros Boutros-Ghali, and the conclusion of each chapter presents an overview. A chronological approach is adopted, within the framework established in the methodological chapter, and standard questions are applied to the Office in a number of cases and issue areas. The emphasis is on identifying cumulative positive developments and contractions in the Office's roles and activities and attempting to present these within the context of trends in international politics. Each chapter thus begins by describing the international political environment and its manifestations at the UN. The Secretaryship-General's activities in a number of cases and issue areas are subsequently presented in relation to this evolving political environment. The chapters focusing on Boutros-Ghali analyse post-Cold War trends in the theory and practice of peace and security, and the burgeoning multifunctional activities of the UN in the peace and security field.

The conclusion recapitulates the results of the key studies of Waldheim, Pérez de Cuéllar and Boutros-Ghali and demonstrates the extent to which the research has fulfilled the objective of approaching the Secretaryship-General in the manner presented here. It also offers some findings regarding trends in the international civil service and international organisation in the context of the 'new' security agenda, evolving ideas of sovereignty, and processes of global governance.

This research has drawn upon contemporary and historical material in the fields of international administration, international organisation, and the United Nations. I have used a number of autobiographies and a great deal of newspaper and other media sources, making much use of the Internet and computer database tools. Official UN documentation has been used extensively and I have conducted a number of interviews with, and received correspondence from, individuals currently or previously involved with the UN. My field work was primarily conducted whilst serving an internship at the UN Department of Political Affairs in New York between May and July 1994, although I have continued to gather primary material until the spring of 1996.

Part I

Chapter 1 The International Secretariat: Evolution, Issues, and Models

If relative cohesion exists in the international structure, if forms of action are better organised, if the international organization is able to resist the assaults of adverse forces from all quarters, this is due to the discreet and persevering work of the international civil servant. He embodies the institutionalization of international cooperation.

G.Langrod¹

The quota system, the control exerted by member states over recruitment and promotion, the external political climate and budgetary strings, the relatively weak position of organizational leaders, and the increasing size and heterogeneity of the staff suggest that the idealized international civil servant is more myth than reality.

T.G.Weiss²

The international secretariat holds an important position in the evolution of international organisation, as an institutional manifestation of a certain depth of cooperation. Simultaneously, however, the theory and reality of various international secretariats are testimony to the problems which may arise as a purportedly international entity in an intergovernmental context. This often inhospitable environment pervades the internal dynamics, the development, and the roles of secretariats. It is true that the secretariat-head may embody the secretariat - and sometimes the organisation - as a whole. For Cox, the quality of such leadership "may prove to be the most critical single determinant of the growth in scope and authority of the international organisation."³ Conversely, the environment within which the international civil service exists - the organisation and the international system - in turn is a critical determinant in the scope and performance of the secretariat. The present chapter seeks to survey the ideas and issues which surround the international civil service, to describe the models which conceptualise this phenomenon, and to illustrate the parallels which exist between trends and patterns in the international system and developments in the international secretariat. Ultimately, this chapter will posit the concept of a post-Cold War

1 G.Langrod, *The International Civil Service. Its origins, its nature, its evolution*, New York, A.W.Sythoff-Leydon, Oceana Publications Inc., 1963, p.294.

2 T.G.Weiss, *International Bureaucracy. An Analysis of the Operation of Functional and Global International Secretariats*, Massachusetts, Lexington Books, 1975, p.75.

3 R.W.Cox, 'The Executive Head: An Essay on Leadership in International Organization', *International Organization*, vol.23, 1969, p.205. This idea has been revived by J.N.Rosenau, *The United Nations in a Turbulent World*, International Peace Academy Occasional Paper, London, Lynne Rienner Publishers, 1992.

secretariat which may develop qualitatively from the past. Subsequent chapters will hone the key areas of importance to the Office of Secretary-General of the United Nations.

An important issue concerns the extent to which the international secretariat has, or could ever, fulfil the classical conception traditionally assigned to it.⁴ This ideal must be seen in the context of an institutionalist and progressive approach to international cooperation, which sees organisation as a reflection of the collective will and the manifestation of an international system and international society. Indeed,

International organization is not so much a contrived deviation from the natural course of international relations as a modern expression of some of the perennial tendencies and requirements of states operating in a multistate system....a part of the political and administrative apparatus of human society...⁵

This conception of international organisation traces a cumulative and positive development of institutionalised cooperation in line with the necessity of increasing interaction, yet always dependent on the predilections of the intergovernmental structure. The fragility of the Congress of Vienna, the prudence of the nineteenth century concert system, the conference diplomacy of the Hague system, and the early twentieth century arms control endeavours all reflected the needs and limitations of the system at a particular time. Deeper organisational experiments in subsequent years represented a greater collective will, resulting in partial acceptance of the principle of the collective whole being greater than the constituent parts. The dividend of this, according to the progressive approach, is invested and manifest in the international secretariat. For Claude

the identity of every organization...tends to be lodged in its professional staff. Members, stockholders, or citizens may control the organization, but they cannot *be* it; the staff, in a fundamental sense, *is* the organization....the invention of the international secretariat may be described as the real beginning of international organization.⁶

Yet the origins of the international civil service, even if it may now embody the spirit of the organisation, were essentially functional. In the formative years, form followed function in the

4 The traditional model has mostly been presented in the form of practitioners' reflections, such as those of Langrod, Loveday, Ranshofen-Wertheimer and Hammarskjold. D.J.Gould and H.C.Kelman have identified genres of research in this field, 'Horizons of Research on the International Civil Service, in S.Mailick ed., 'A Symposium: Toward an International Civil Service', *Public Administration Review*, May/June 1970, pp.206-263.

5 I.L.Claude Jr., *Swords Into Plowshares. The Problems and Progress of International Organization*, 4th ed., New York, Random House, 1984, p.viii and p.5. S.Bailey supports this, *The Secretariat of the United Nations*, Carnegie Endowment, London, Pall Mall Press, 1964. See also P.Taylor and A.J.R.Groom ed., Introduction, in *International Organisation. A Conceptual Approach*, London, Frances Pinter Ltd, 1978, p.11.

6 I.Claude, *op.cit.*, p.191.

Universal Postal Union, the Pan American Union, and earlier in the Danube Commission. Langrod wrote that "[i]t is nowhere possible to *administer* without *administrators*. At every level this remains axiomatic. Theories and ideas are added *afterwards* to a practice already established."⁷

Whether or not the practice of international service was poor in its theoretical basis, the early supporters welcomed Langrod's "new human category", which was held to personify and foreshadow "great change."⁸ One theory, if it is possible to speak in such terms, rests upon the domestic analogy, where the administration not only results from the functional imperative, but embodies community and common interest. For example, "the two needs which in national societies led to the emergence of independent civil services exist today in the relations between nations: the need for unity, as diverse nations seek to harmonize their actions in the attainment of common ends; and the need for administrative continuity, independent of the shifting allegiances of states."⁹ Similarly, the cumulative task spillover of modern life naturally develops towards international administration:

[in] much of the same way that civil servants in national bureaucracies and hierarchies...generally exercise increasing power in an age of specialization and technology and are far more influential now and potentially than their 19th century predecessors...the international civil service, especially in the absence of a sovereign executive power, has gained impressive responsibilities, duties, authority, and power.¹⁰

So for the early supporters the international secretariat was the international community's hope for the peaceful coexistence of states and functional cooperation. This is clearly complemented by an institutionalist conception of international cooperation that sees organisations as more than instruments of leading states, although perhaps not as great a status as actor. A classic definition of actorhood in an organisation is if "the resolutions, recommendations, or orders...compel some or all member governments to act differently from the way in which they would otherwise act."¹¹ This criterion is not difficult to fulfil, although it does not tell one a great deal about the nature of actorhood. Claude's definition inclines towards the secretariat: "an international organisation is most

7 G.Langrod, *op.cit.*, p.46. F.R.Scott concurs, 'The World's Work', *International Conciliation*, January 1954, p.298; and L.C.Green, 'The Status of the International Civil Service', *Current Legal Problems*, vol.7, 1954, p.192.

8 G.Langrod, *op.cit.*, pp.24-25.

9 S.D.Bailey, *op.cit.*, p.16.

10 S.Mailick, Introduction, 'A Symposium: Towards an International Civil Service', p.207.

11 A.Wolfers, *Discord and Collaboration*, Baltimore, John Hopkins, 1962, p.24.

clearly an actor when it is most distinctly an 'it', an entity distinguishable from its member states."¹² One must make further analyses regarding the status of *autonomous* actorhood, although this often rests ultimately on subjective judgements.¹³

Clearly, if one steadfastly supports the orthodoxy of the 'ultimate authority' thesis then any international organisation, irrespective of structure or authority, is a product of and therefore subservient to its creators and members, and thus the inter-state system. However it is the intention here to judge the changing scope of organisations according to the evolving exigencies of the international system, in relation to a number of political or systemic variables. The alignment of such variables - which are founded upon the power differentials of the particular organisation and the international system - is what one may identify as contributing to the role of the secretariat and secretary general. Here, this role is considered to be in flux with potential room for manoeuvre, a view which contrasts with the realist scepticism of institutionalism.¹⁴ Of course there are the formal roles of organisations and international civil servants, although these do not present a faithful picture of the changing types of influence and shifting power differentials within the organisation and the political climate. These depend largely upon issue-area, the pervading international political leadership, and which actors have an interest in the issue area.

Thus, although the international secretariat of an organisation will always have its framework and its limitations, its scope is not static. This has become more pronounced in the post-Cold War era. Some years ago Cox and Jacobson observed that "once international organizations are established, in many instances they evolve in ways that could not have been foreseen by their founders....organizations take on a life of their own and develop their own inner dynamics."¹⁵ They further suggested that in terms of intra-organisational power differentials, shifting influence should not only be considered on a chronological basis, but in terms of different and sometimes

12 I.L.Claude, *op.cit.*, p.13. For C.Pentland actorhood is "some emergent property which...represents something greater than the sum of the members. That property is best, although by no means exclusively, represented in the institutions of the organization, especially the administrative arm, or secretariat." 'International organisations and their roles', in R.Little and M.Smith ed., *Perspectives on World Politics*, London, Routledge, 1991, p.247. C.Archer's threefold typology of roles presents the instrument, the arena, and the actor, *International Organizations*, London, Routledge, 1992, pp.135-153.

13 See A.James, 'International Institutions: Independent Actors?', in A.Shlaim ed., *International Organisations in World Politics*, Yearbook 1975, London, Croom Helm, 1976.

14 For example, G.Schwarzenberger describes the UN in terms of 'power politics in disguise', *Power Politics: a Study of World Society*, London, Stevens, 1964; also J.J.Mearsheimer, 'The False Promise of Institutions', *International Security*, vol.19, no.3, Winter 1994/95.

15 R.W.Cox and H.K.Jacobson, *Anatomy of Influence. Decision Making in International Organization*, London, Yale University Press, 1974, pp.6-7.

simultaneous circumstances. Therefore, "[n]o actors are likely to be influential to the same extent in all spheres, and thus the pattern of influence is likely to differ by issue-area."¹⁶ The potential for influence, aside from constitutional or political power, is interesting.

It is difficult to identify the variables in the international system whose alignment determines the scope for performance of the international secretariat, because of the complexity and definitional problems of the 'international system'. Similarly it requires a certain intimacy with the organisation in question.¹⁷ However, it is possible to trace junctures in the evolution of the international civil service with international political trends, and perhaps structural changes, if the impact of decolonization, the Cold War, and the end of the Cold War can be regarded as such. Such influences are anomalous to the classical ideal of the international secretariat.

Is international administration a norm? Has it ever been the case that "[an] international civil service has been recognized as a global imperative. It has become an established fact"?¹⁸ Would "mankind...be threatened with chaos if it ceased to exist"?¹⁹ Or has the classical model of Langrod and Hammarskjöld gone astray?

Whilst nineteenth century efforts were important functional antecedents, the true international civil service was founded in the League of Nations under Eric Drummond in 1919. This was almost by chance, for Maurice Hankey, the distinguished British cabinet administrator and the man also offered the post of Secretary-General, favoured the continuation of the national system of secondment and patronage. Instead, as Drummond explained,

[the] old system had not given altogether satisfactory results, and when the members of a committee set up by the Plenary Peace Conference met to consider the matter of organization, I strongly urged that the second plan be adopted..., we maintained that the execution of decisions should be entrusted to people who, being servants of all the states members of the League, could be relied upon to carry them out with complete freedom from national bias.²⁰

The simplicity of this is quaint. Nevertheless, the classical model was thus 'created' in the service

16 *Ibid.*, p.4.

17 See R.I.McLaren, *Civil Servants and Public Policy. A comparative study of international secretariats*, Ontario, Wilfred Laurier University Press, 1980, p.130.

18 J.W.Macy Jr., 'Towards an International Civil Service' in S.Mailick ed., 'A Symposium: Towards an International Civil Service' p.259. Also, F.R.Scott, "It is now accepted that to do the world's work, the processes of diplomacy are not enough. There must be an international civil service, attached to world institutions." 'The World's Work', p.260. A.A.Evans concurred, 'Characteristics of an International Organisation' *Public Administration*, vol.23, no.1, Spring 1945, p.38.

19 G.Langrod, *op.cit.*, p.324.

20 From 'The World Today', March 1924, cited by N.L.Hill, 'The Personnel of International Administration', *American Political Science Review*, vol.23, no.4, 1929, p.981.

of the League of Nations: a supposedly international staff loyal to the aspirations of the international community and theoretically independent from national influence. Traditional thinking in this area was unhesitatingly supportive of this. For Walters, "[t]he creation of a secretariat international alike in its structure, its spirit, and its personnel, was without doubt one of the most important events in the history of international politics - important not only in itself, but as the indisputable proof of possibilities which had hitherto been confidently denied."²¹ Elsewhere it was recorded as "surely one of the most important and promising developments of the twentieth century"²², and referred to as the "revolutionary concept of an international civil service."²³ One commentator has ascribed to the attempt of the League to create an international loyalty as "one of the most important innovations in the history of humanity."²⁴

On the basis of administrative support, the pioneering international civil service was a genuine, though unashamedly Anglo-French, attempt to embellish international cooperation with permanence, continuity, and identity. The League covenant was not specific regarding the roles of the bureaucracy, and the evolution followed unique, though conservative, functional lines of development. After Drummond's initial structure was established, based upon independence, anonymity and integrity, Balfour's famous report of 19 May 1920 affirmed that "...the members of the Secretariat once appointed are no longer the servants of the country which they are citizens, but become for the time being servants only of the League of Nations. Their duties are not national, but international...Nothing should be done to weaken the sense of their international allegiance..."²⁵ The early success of the international model, and the progression from the support of conference administration to an organ which was to represent the collective interest, derived from the necessities of stability and continuity, and the dedication and qualities of the pioneers in Geneva. In addition it paralleled the increase in general public administration as a manifestation of the modern social condition and a steadily increasing willingness on behalf of states and peoples to recognise an

21 F.P.Walters, *A History of the League of Nations*, London, Oxford University Press, 1960, p.76. Earlier, E.F.Ranshofen-Wertheimer recalled the 'choice': "[t]here is...hardly any disagreement regarding the wisdom of Sir Eric's momentous decision, and it is extremely unlikely that any future international agency would revert to the system of national representation." See 'International Administration: Lessons from the Experience of the League of Nations', *American Political Science Review*, vol.37, 1943, p.875.

22 T.Lie, *In the Cause of Peace: seven years with the United Nations*, New York, Macmillan, p.41.

23 D.Owen, 'Reflections of an International Civil Servant', in S.Mailick ed., 'A Symposium: Toward an International Civil Service', p.208.

24 T.Young, 'The International Civil Service Reexamined', in S.Mailick ed., 'A Symposium: Towards an International Civil Service', p.217.

25 Cited by G.Langrod, *op.cit.*, p.51.

international agenda and the need for its embodiment. Following the Balfour Report, the Noblemaire Report of 1921 sustained the international structure and character of the secretariat. However, it was distinctly conservative in its insistence on the organ's principal task being the collection of documents and preparing the ground for decisions "without suggesting what these decisions should be."²⁶ Further milestones were represented by the Committee of 13 in 1930 and 1931 - a historic juncture - and the Bruce Report of August 1939 on International Cooperation in Economic and Social Affairs.²⁷

The hope and expectation of those who supported the secretariat were that it would reach the peak of efficiency and competence. In fact the Weberian bureaucratic ideal has been drawn upon as the objective, although the idea that any international secretariat has ever achieved this has few supporters. Within such a system, division of work, channels of authority and communication are clear, and individuals ignore personal inclinations, applying policy with detachment.²⁸ Another theory of decision making in the execution of policy, supposedly in the absence of extraneous environmental pressures and human failings, is the 'rational actor' model. Whilst not altogether analogous to the structure of international administration, this does provide the ideal of centrally coordinated purposive acts of individuals with clear goals and a shared objective.²⁹ According to these models there are no structural systemic problems - those imposed by the international system, and its derivative, the intergovernmental organisation - or a human dimension. Where these are addressed in the classical conception of the international secretariat, they are not seen to be insurmountable problems.

For the League supporters, there was no contradiction between international loyalty and national identity and the British and French traditions which were transposed upon Geneva were felt at first hardly to need codification.³⁰ Of course, the relative homogeneity which existed at first encouraged this, although it was also at odds with the hope of heterogeneity. However this contentment did give way, with the wider membership, to the need to establish structural and legal safeguards. For loyalty

26 E.F.Ranshofen-Wertheimer, *The International Secretariat: A Great Experiment in International Administration*, Washington, Carnegie Endowment, 1945, p.18.

27 *Ibid.*, pp.25-30.

28 M.Weber, 'Bureaucracy', in J.A.Litterer, *Organizations: Structure and Behavior*, New York, John Wiley and Sons, 1969.

29 See G.T.Allison, *Essence of Decision. Explaining the Cuban Missile Crisis*, Boston, Little Brown and Company, 1971, p.29.

30 See R.S.Jordan, 'The Influence of the British Secretariat Tradition on the Formation of the League of Nations', in R.S.Jordan ed., *International Administration: Its Evolution and Contemporary Applications*, London, Oxford University Press, 1971, p.viii.

to exist there must be individual protection, amenable conditions, and security: a career civil service. The League Administrative Tribunal, rather belatedly established, was a part of this. Furthermore, it was in these pioneering years that the historical administrative struggles took place, pitting temporary service against permanent, secondment against career, and geographical representation against merit in recruitment and promotion. Initially, however, the *esprit de corps*, the pioneer spirit, and the relative homogeneity worked well, under the reservedly scrupulous Drummond.

The League was geographically restricted, so the geographical distribution of staff did not predominate as it began to do so from the 1950s. However, the growth of nationalism in the inter-war period did have repercussions in the administration. While the international civil service must always be seen in the context of the inter-state structure, extremes of nationalism or statism reflect most pointedly and destructively. At Geneva, "[t]his process of decline began with the Italians, took possession of the Germans, and finally extended to the Japanese. It ate like a cancer into the living flesh of the entire international body."³¹

These same classical commentators have, however, recorded that the core of the League staff struggled to preserve their international duties despite the incursions from the outside world.³² Nevertheless, it was time to assess whether the structure of the secretariat was anomalous to the nature of the international system. Thus, the Committee of Thirteen conducted an inquiry and was a further milestone in the Secretariat's evolution; an affirmation of Drummond's 'decision' and Balfour's sentiments. The ideas of a genuine and independent career service were contrasted with a return to the national-supported system, in a dispute which had its parallels with the later 1960-1 'Troika' debates.³³ The international model, which still seemed within the grasp of the League, won majority support. Henceforth from 1932, Secretariat staff would have to swear an oath of allegiance upon taking office.

The International Labour Organisation provided an endorsement of the concept of the international civil service in this pioneer period. The presence of Albert Thomas was inseparable not only from the ILO secretariat but the organisation itself. However, the triumph of the early ILO secretariat initiative must be seen in the context of the functional-welfare basis of the organisation.

31 E.F.Ranshofen-Wertheimer, *The International Secretariat: A Great Experiment in International Administration*, p.xi. Also G.Langrod, *op.cit.*, "from 1929 onwards international relations were suffering from a latent political crisis, and the growing tension could not fail to have direct repercussions on the Secretariat." p.116. Also F.Honig, 'The International Civil Service. Basic Problems and Contemporary Difficulties', *International Affairs*, vol.30, 1954, pp.175-185.

32 For example E.F.Ranshofen-Wertheimer, 'International Administration', p.887.

33 G.Langrod, *op.cit.*, pp.116-127.

Comparisons between Drummond and Thomas are tempting, but one cannot detach these individuals from their organisations, and the different environments within which they worked. Indeed, Drummond was himself sure that "[it] is quite, quite certain that Albert Thomas in my job would have been forced to resign."³⁴ Still, the Thomas experience is an important contribution to the discussion on the leadership dimension.

The judgement of the formative secretariat writers was generally that the experience of the ILO and League "had proved that international administration is feasible, that it can be efficient, and that the concept of international civil service is practical."³⁵ The main elements of the international civil service, at least before the deterioration of international politics in the 1930s, had indeed found a testing ground in the League: the continuity of cooperation, the embodiment of organisational identity, international loyalty, and perhaps traces of normative progress. However, the League Secretariat had not experienced the intense security dilemma, the problems of decolonization and an attempt at heterogeneity, and the normative challenges which were to come after the Second World War.

The United Nations

The details of the meetings at Dumbarton Oaks and San Francisco need not be recounted in detail here. The negotiations raised issues common to the earlier administrative 'experiment' and according to Claude, "[t]he San Francisco Conference clearly leaned toward the Thomas conception of the international secretariat."³⁶ The Preparatory Commission of the UN, at times mirroring the 1930 Committee of Thirteen debates, supported and enhanced the League model. This is reflected in the status of the Secretariat as one of the principal organs by Article 7 of the Charter, the explicit commitment to independence and internationalism in Articles 100 and 101, and the political role inherent in Article 99. The recommendations of the Preparatory Commission were based upon the fundamental principle that "[t]he degree in which the objectives of the Charter can be realized will be largely determined by the manner in which the Secretariat performs its task."³⁷

34 Cited by I.L.Claude, *op.cit.*, p.210. See also O.Schachter, 'Some Reflections on International Officialdom', in J.E.Fawcett and R.Higgins ed., *International Organisation*, Royal Institute for International Affairs, London, Oxford University Press, 1974, p.60.

35 E.F.Ranshofen-Wertheimer, *The International Secretariat*, p.390; G.Langrod, concurred, *op.cit.*, p.134.

36 I.L.Claude, *op.cit.*, p.206.

37 Report of the Preparatory Commission of the United Nations, 1945, Chapter VIII, Section A(i). The Report also highlighted the centrality of the Secretary-General.

There have subsequently been numerous attempts to identify the roles of the Secretariat, though the weakness of most of these is that they are static. They ignore the organic link between the secretariat and the political environment, and the structural and political trends which occur in this environment, so fail to capture the possibility of an evolving international civil service with changing roles. Peace-keeping is just one issue-area which shows an organisational innovation developing in close association with, and perhaps through, the international secretariat.

Nicholas generalises the functions of the United Nations Secretariat thus: parliamentary clerk, provider of information, executive in the sense of administering resources and tasks, administration, and the diplomatic or political role.³⁸ An earlier assessment identified three broad roles, as: secretariat work 'proper' in terms of preparing for meetings and keeping records; work which requires expert knowledge; and the function of negotiating.³⁹ A development upon this envisaged five areas of activity: service; intercommunication in the sense of collating facts and attitudes and retransmitting their essence to the outside world; synthesizing incoming ideas and stimuli; negotiating agreement between states or between states and the organisation; and keeper of the collective conscience.⁴⁰ Whichever typology one favours, central tenets are international loyalty, independence, and the security of a career service.

Most of the considerations presented thus far refer in a general sense to the 'international secretariat'. However, the secretariats of such organisations and programmes as the International Labour Organisation, the UN Conference on Trade and Development, and the World Health Organisation have their particular objectives, environments, and thus particular scope for performance. In aiming for particular objectives, such secretariats embody the aspirations of the membership in a stronger sense than a secretariat such as that of the United Nations, which seeks to encompass a more general agenda, in an apolitical manner. An issue-oriented secretariat does, however, run the risk of jeopardizing its credibility as a pure bureaucratic entity. For Weiss, "[o]verly concerned about respecting the desires and sensitivities of the governments of developing countries, the UNCTAD secretariat has compromised itself as a serious analyst of trade and

38 H.G.Nicholas, *The United Nations as a Political Institution*, London, Oxford University Press, 1975, pp.168-175.

39 J.V.Wilson, 'Problems of an International Secretariat', *International Affairs*, vol.xx, 1944, pp.542-554.

40 A.Winslow, 'Functions of an International Secretariat', in S.Mailick ed., 'A Symposium: Towards an International Secretariat', p.211-216.

development."⁴¹ In general, the dynamics of a secretariat are therefore a reflection of the nature of the organisation it embodies in addition to the exigencies of the international environment.

These are the broad ideas and functions of the international civil service. However, there are practical and theoretical problems with the traditional model. Throughout the Cold War to the "contemporary world crisis"⁴² which culminated in the downturn of multilateralism in the 1980s, the integrity of Article 101 and the staff regulations have been widely questioned. This deterioration in the traditional model has occurred in the context of post-war superpower politics, the politicization of international organisations, and budgetary dependence. Could the classical model ever totally overcome the structural constraints of the international system and human nature?

The main manifestations of these structural and human problems will be illustrated around the areas of administrative shortcomings, political pressures in relation to staff in office, and political pressures in relation to recruitment and promotion. The latter two areas present the most tangible illustrations of structural interference.

Administrative and individual shortcomings

Individual shortcomings are rarely focused upon in the traditional literature because of the belief that the staff and the secretariat could work effectively if given the freedom and resources to do so. However, it is possible to question the dual identity thesis, and in turn the Weberian bureaucratic ideal. The principle of dual identity with one's national background and the international community has been strongly supported, especially amongst the formative writers. Indeed, for L.C.Green, "[there] is no fundamental reason why an official's national allegiance should clash with duties incumbent upon him as a servant of an international institution."⁴³

41 T.G.Weiss, 'International Secretariat or Servant of the G77?: A Portrait of UNCTAD', in T.G.Weiss and D.Pitt ed., *The Nature of United Nations Bureaucracies*, London, Croom Helm, 1986. Also V.Y.Ghebali, 'The Politicization of UN Specialized Agencies: the UNESCO Syndrome', in the same work.

42 D.Pitt, 'Power in the UN Superbureaucracy: A New Byzantium?', in T.G.Weiss and D.Pitt, *op.cit.*, p.24. See also T.G.Weiss, *International Bureaucracy*, especially chapter 3; R.S.Jordan, 'What Has Happened to Our International Civil Service? The Case of the United Nations', *Public Administrative Review*, 41(2), March-April 1981, pp.236-245; R.S.Jordan, '"Truly" International Bureaucracies: Real or Imagined?' from L.S.Finkelstein ed., *Politics in the United Nations System*, Durham (US), Duke University Press, 1988, p.441; S.M.Finger and N.Hanan, 'The United Nations Secretariat Revisited', *Orbis*, Spring 1981, pp.197-208.

43 L.C.Green, 'The International Civil Service. His Employer and his State', *Grotius Transactions*, vol.40, 1954, p.148. Also H.B.Butler, 'Some Problems of an International Civil Service', *Public Administration*, London, vol.10, 1932, p.378; D.Hammarskjold, 1953, cited by W.Foote, *The Servant of Peace. A selection of the speeches and statements of Dag Hammarskjold*, London, The Bodley Head, 1962, p.35;

However, according to some, the international civil service should be the symbol and vanguard of an international transformation of some description and thus global loyalties may be different from, or even irreconcilable to, the international structure as it stands.⁴⁴ Yet within an intergovernmental organisation most staff will only strive for the aims of the Charter within the framework of international cooperation and their personal predilections. D.Pitt presented an almost conspiratorial account of unaccountable elites, personal aggrandizement, bureaucratic processes with a momentum of their own, a lack of cohesion, and mythical goals.⁴⁵ Clearly these opinions would suggest a model which inclined - whether for reasons of human shortcomings, intra-organisational inefficiencies, or political interference - more to the *bureaucratic politics model* of institutional confusion and competition.⁴⁶

Political pressures: staff in office

In the League some countries managed, after initial resistance on the part of the staff, to organise their citizens into national cells. As Langrod recalled, "[w]hat happened at Geneva was not accidental; the major political developments could not fail to reflect themselves in the Geneva looking glass."⁴⁷ A similar process was at work in the 1950s. The McCarthy episode involved Trygve Lie secretly colluding with the US FBI to identify 'subversives' amongst US staff in an atmosphere of anti-communist pressure. Eventually a number of staff were dismissed on the basis of suspicion - with Lie's acquiescence - as the witch-hunt reached a peak in 1951.⁴⁸ Lie had capitulated to political pressure by cooperating with the United States, yet the strictest adherence to Articles 100 and 101 could have risked the loss of the confidence of the United States, and thus jeopardized the Organisation itself. The price he paid was the loss of confidence and the morale of

H.G.Nicholas, *The United Nations as a Political Institution*, p.174.

44 There is a strong element of this in T.G.Weiss, *International Bureaucracy*, especially chapters three and six.

45 D.Pitt, 'Power in the UN Superbureaucracy: A New Byzantium?', in T.G.Weiss and D.Pitt, *op.cit.*, pp.28 and 31. Also S.Hazard, *Defeat of an Ideal. A Study of the Self Destruction of the United Nations*, Boston, Little Brown and Company, 1973, p.88; P.Streeten, 'The United Nations: Unhappy Family', in T.G.Weiss and D.Pitt ed., *op.cit.*, p.192; and A.Chowdhury and J.Griffin ed., *UN Blues. 50 Years of the United Nations*, London, The Guardian in association with Channel 4, 1995.

46 G.T.Allison, *op.cit.*, p.162.

47 G.Langrod, *op.cit.*, p.253.

48 A good contemporary account on the legal side is S.M.Schwebel, 'The International Character of the Secretariat of the United Nations'; also K.G., 'International Officials. A Question of Loyalties', *The World Today*, vol.10, no.11, November 1954, p.491.

many of his staff; the Secretariat reached a "melancholy nadir".⁴⁹

The early 1950s represented an acute manifestation of structural, or environmental, political dynamics. As L.C.Green observed, "[u]ntil the cold war terminates, international institutions and the civil servants they employ must attune themselves to the realisation that a truly independent international civil service remains a somewhat idealistic objective."⁵⁰ Many countries - most visibly, but not exclusively, non-liberal ones - have used staff as national policy instruments.⁵¹ Whether the end to the Cold War has reduced security sensitivities enough to allow governments to feel sufficiently confident in regard to an independent international civil service, or if political interference is a structural inevitability of the state system, is yet to be resolved.

Political pressure: recruitment and promotion

The manner in which geography and politics is such a central issue in the recruitment and promotion process illustrates developments in international relations. It may also illustrate that efforts to maintain an independent and international civil service, in circumstances quite different from the early Geneva years, have floundered in a sea of state sovereignty. In the League there was a predominant political ethos but it was that of the Allied Great Powers who had established the system, so their preponderance was to be expected rather than forced. Drummond certainly accepted that as inevitable.⁵² At that time of relative homogeneity the issue was simple: geographic representation and merit were two "almost irreconcilable principles....it is only possible to treat each case on its merits, and to do what is best in the circumstances. No hard and fast rule can be laid down."⁵³ With the universalism of the UN Charter a firmer stance was required. Article 101(3) thus reads,

The paramount considerations in the employment of the staff and in the determination of the

49 R.R.James, 'The Evolving Concept of the International Civil Service', in R.S.Jordan ed., *International Administration*. He continues that many employees "...were dismayed by what appeared to them to be an unheroic abandonment of the concept that an international civil servant's duty lies solely to his organisation." p.63.

50 L.C.Green, 'The International Civil Servant. His Employer and His State', p.174.

51 See J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', *Global Governance*, vol.1, no.2, 1995, p.154; A.Shevchenko, *Breaking with Moscow*, London, Cape, 1985; T.G.Weiss, *International Bureaucracy*, pp.62-68; S.Hazard, *op.cit.*; S.M.Finger and N.Hanan, 'The United Nations Secretariat Revisited', p.199.

52 E.Drummond, 'The Secretariat of the League of Nations', *Public Administration*, vol.9, no.2, 1931, p.229.

53 *Ibid.*, p.234.

conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Much effort has been expended on interpreting this Article, even though 'paramount importance' must weigh heavier than 'due regard' according to any definition.⁵⁴ However, the formative writers did not fully foresee the impact of decolonisation and the increasing number of members upon the Secretariat. Staff recruitment, already subject to the 'exclusive preserves'⁵⁵ of the leading members at the top echelon of the service, became politicised further from the 1950s and 1960s with the demands of sovereign equality from the proliferating Southern countries, and an emerging Southern agenda.

Initially the United Nations Secretariat and leading Western Powers resisted a mathematical formula for recruitment quotas and there was pressure to form the administration quickly with available talent. However, the "relative tranquillity" came to an end,⁵⁶ and the flexible approach favoured by the traditionalists became an anachronism. The Secretary-General's report, presented and accepted in 1962, suggested a system of quotas on the basis of membership, contributions and regional representation.⁵⁷ These 'desirable ranges' have been maintained and the mathematical basis is now entrenched, unavoidably so. Ranshofen-Wertheimer was either naive or myopic in 1945 when he proclaimed that "[t]he principle of mathematical distribution of nationalities must be rejected, and there must be no direct link between the material contributions of a country and its share in staff appointments."⁵⁸

As a consequence of the intergovernmental complexion of the United Nations family, representation along statist or regional bases has dominated thought, even though this statist definition is only one means of categorising the world. This is, however, consistent with the classical

54 For example H.G.Nicholas, *The United Nations as a Political Institution*, p.173; E.Luard, *The United Nations: How it Works and What it Does*, London, Macmillan, 1979, p.102; S.Bailey, *The Secretariat of the United Nations*, p.77; G.Langrod, *op.cit.*, pp.166-168; D.Hammarskjold, Oxford Lecture 1961, in W.Foote, *op.cit.*, p.337; T.Meron, *The United Nations Secretariat*, Massachusetts, Lexington Books, 1977, p.7; and the Preparatory Commission Report.

55 See T.Meron, 'Exclusive Preserves' and the New Soviet Policy toward the UN Secretariat', *American Journal of International Law*, vol.85, no.2, April 1991. The practice was condemned by General Assembly Resolution 31/261, 1976.

56 N.A.Graham and R.S.Jordan, *The International Civil Service. Changing Role and Concepts*, UNITAR, Oxford, Pergamon Press, 1980, p.12.

57 *Ibid.*, p.116.

58 E.F.Ranshofen-Wertheimer, *The International Secretariat: A Great Experiment in International Administration*, p.437.

secretariat model. This must be seen in the context of the ethos of the United Nations system and the traditional concept of the international civil service: Western administrative rationality, modernity, international society and values of standardization.⁵⁹ Gender, class, and intellectual misrepresentation have equally been a part of this.⁶⁰ The reality of the international civil service seems consistent with the international system which created it. What potential is there for an international secretariat to be something more?

Models

As we have seen, the traditional model of the international civil service is that which entails impartial administrative duties in an international capacity on behalf of the common good; in the case of the United Nations, this is the Charter. The reality has clearly been conditioned by the political structure of its environment. In attempting to have international action on behalf of an intergovernmental organisation, and independence combined with a national identity, the international civil service has *not* quite been the revolution it was proclaimed to be. Rather it has been a development of international cooperation, in a sense that has not detached itself from the Grotian conception of international society which spawned the advent and evolution of international organisation.⁶¹ So the essence of the traditional model of the international civil service could be interpreted as a development from this normative international theory of order, society, and modernity. However, it chiefly represents international action on behalf of an international, not human or global, system, despite the words in the Charter's preamble. In light of the structural constraints which result from this, it is likely that the predominant political trends in international relations will be reflected in the internal dynamics and performance of the secretariat, especially in times of international tension. The question which can be addressed concerns the potential, perhaps in the post-Cold War context, for governments to allow the international civil service to expand its

59 For example W.Balk and J.J.Heaphey, 'Centralization of the International Civil Service: A Critique', in S.Mailick ed., 'A Symposium: Towards an International Civil Service', p.254.

60 J.Galtung, 'On the Anthropology of the United Nations System', in T.G.Weiss and D.Pitt ed., *op.cit.*, p.13. C.Wells also draws attention to socialised attitudes in recruitment: 'The UNESCO Secretariat 'Decolonised'? Geographical Distribution of the Staff, 1972-84', in the same edited work.

61 A.Roberts and B.Kingsbury, *Hugo Grotius and International Relations*, London, Oxford University Press, 1990. H.Bull, *The Anarchical Society*, London, Macmillan, 1977; of course Bull dismissed international organisations as 'pseudo-institutions', secondary in importance to such structural restraints as the balance of power, p.xiv. Perhaps I.Claude is a better example, although not an 'international society' thinker in the 'English School' sense.

scope, albeit within the same environment.

It is possible to view the evolving role of the international civil service as progressive, and indeed expansive. The case of peace-keeping is one such area where the United Nations Secretariat has developed from almost nothing to practically the spearhead of operations. The international secretariat has a natural role to play in this area as an impartial third party acting in the interests of the international community and local actors, especially when facilitating negotiation or face-saving mechanisms. The evolution of the UN Secretariat in this area is also a testament to intra-organisational shifts which can be seen in the historical context.

In terms of progressive international organisation, Weiss was "convinced that threats to human survival and demands to improve the quality of human life must be met through supranational institutions."⁶² In the 1970s he forwarded the international civil service as the potential supranational vanguard of planetary welfare and justice, as a part of world order models thinking. A central point of this thesis envisaged the pursuit of functional welfare objectives by a supranational secretariat, and the recognition that the world community has interests which are separate from the narrow interests of states.

Could the international secretariat be the vanguard of emerging supranationalism as states increasingly recognised the need to cede sovereignty in key areas of policy? The problem is that the exigencies of the environment have not resulted in a notable secession of sovereignty in institutional terms; that superpower concert has been the closest thing to world governance; and the intergovernmental nature of organisation has been more regulatory than that of governance. In this sense Weiss echoes earlier hopes which were not fulfilled.⁶³

A number of issues have been raised in the preceding sections, leading us to a critical question in relation to the contemporary international civil service. Thus, in the context of the 'ultimate authority' argument, the structure of intergovernmentalism, the budgetary dependence, and the pervading political influences, can one conceive of an international civil service as anything more than a manifestation of mainstream trends of international society?

62 T.G.Weiss, *International Bureaucracy*, p.xiii. He associated his thinking with R.Falk and the Institute for World Order. More recently see R.Falk, S.S.Kim and S.H.Mendlovitz, *The United Nations and a Just World Order*, US, Westview Press, 1991.

63 For example A.A.Evans: "The ultimate solution must surely lie in international government, presumably on a federal basis, and when that is brought about, the task of the federal administration will be of the greatest importance. May the International Civil Service now to be set up prepare the way!" 'Characteristics of an International Organisation', *op.cit.*, Spring 1945, p.38.

A post-Cold War secretariat?

The end to a certain pattern of international politics - the Cold War - has given rise to a great deal of speculation regarding the present state of international relations and the implications for the future. If the Cold War could be regarded as imposing a pattern or structure of some description upon the interaction of actors, then the decline of this bipolar structure could be regarded as a change in a particular - albeit not all encompassing - pattern of international politics. If this transpires to be a long-term dealignment, then this could be interpreted as a change in the international system. The advent of this has been greeted both as an omen of new opportunities, and of new dangers. The triumph of economic and political liberalism - the 'end' of ideological history⁶⁴ - has been proclaimed and in institutional terms there was talk of "an opportunity regained" and "the start of a new phase in the history of the [UN] Organisation."⁶⁵

The "changing context"⁶⁶ has, however, also brought an air of sombre poignancy. The 'global agenda' has returned to the limelight, although it may be too early to make conclusions regarding institutional implications, for interpretations of the 'new era' are still confused and sometimes contradictory. What is clear is that there may be an increased opportunity to address global problems - among them ethnic strife, the management of weapons of mass destruction, environmental and population problems - in an institutional sense, and a growing acceptance of a wider conception of peace and security. There has simultaneously been a broadening of attitudes regarding the unit of analysis in international politics and a growing movement in favour of the enfranchisement of non-state actors.

If one were to view the growing discourse on the global agenda in the light of the post-Cold War opportunities for cooperation, could one envisage a qualitatively new direction for international organisation, and a new model for the international civil service as the zenith of such endeavours?

64 F.Fukuyama, *The End of History and the Last Man*, London, Hamish Hamilton, 1992.

65 B.Boutros-Ghali, 'Report on the Work of the Organization', New York, September 1992. The end of the bipolar era represents a "new chapter in history....Clearly, it is in our power to bring about a renaissance - to create a new United Nations for a new international era." pp.1-2; also B.Boutros-Ghali, 'Empowering the United Nations', *Foreign Affairs*, Winter 1992/93, p.89; B.Boutros-Ghali, *Building Peace and Development*, the Report on the Work of the Organization, New York, 1995, and Boutros-Ghali's 'UN peace-keeping in a new era: a new chance for peace', *The World Today*, April 1993, pp.66-69.

66 B.Boutros-Ghali, *An Agenda for Peace. Preventive Diplomacy, Peacemaking and Peace-keeping*, Report adopted by the Summit Meeting of the Security Council 31 January, 1992, United Nations, New York, p.5.

Certainly some anticipate an expanded role for the United Nations and link it with the Secretariat.⁶⁷ It may not be inconceivable to imagine a functional, gradual, supranationalism emerging in the international civil service in response to particular problems and functional needs. Yet how might such supranationalism come about given the attitude of governments? If there is not a redistribution of power, indeed a change in the international system, could functional logic alone carry forward the international civil service? If the future conforms to the predominately statist context, then Jordan presents the important questions well:

can a formally Charter-inspired denationalized cadre of international civil servants, formed into an international bureaucracy...focus on global issues, yet work to achieve them in an international political system constrained by the value of nationalism in order to protect the primacy of the national interest?⁶⁸

In the right circumstances functional impetuses could result in an enhanced, even supranational, international civil service for certain issue-areas. But the paradox is that, whilst there has been some progress, functional development and global discourse have tended to be in an inhospitable environment at the United Nations. Nevertheless, internal administrative trends, and governmental attitudes towards recruitment, promotion, 'national preserves', and political control, should provide an indication of the potential of the future Secretariat to become the post-Cold War model. Alternatively the 'new era' will transpire to be a superficial shift of power, and the international civil service will continue to be a manifestation - and at the mercy - of the international system. Whatever the case, we have seen how the international civil service has evolved in the context of international political trends.

67 B.Urquhart and E.Childers, *A World in Need of Leadership: Tomorrow's United Nations*, Uppsala, Dag Hammarskjold Foundation, 1990, pp.11-12; J.N.Rosenau, *The United Nations in a Turbulent World*; and B.Boutros-Ghali, 'Global Leadership After the Cold War', *Foreign Affairs*, vol.75, no.2, 1996.

68 R.S.Jordan, 'Truly' International Bureaucracies: Real or Imagined?, p.43. He poses a key question relating to the contextual restraints of international organisation: "Institutionally, can we speak of globalism?"

Chapter 2

The Office of Secretary-General: developments, continuities, and issues, 1919-1972

The progressive view of international organisation holds that international interactions are malleable and susceptible to the development of procedural norms. As the potential embodiment of this liberal internationalism stands the entity of the Secretary-General. Pérez de Cuéllar expressed this progressivism in picturing the Secretaryship-General in the wider context: "[t]o understand correctly the role of the Secretary-General is to appreciate the whole mission of the United Nations. And that, in turn, is central to the way international life is organised."¹ Years ago Schwebel wrote that "[i]t is apparent that the future, if there is to be one, belongs to international organization; that the primary international organization of the present is the United Nations; and that the chief permanent officer of that organization necessarily occupies a unique and strategic position..."² Cox even suggested that "the executive head may be the explanatory key to the emergence of a new kind of autonomous actor in the international system. If we want to answer the question 'Are international organizations merely the instruments of national foreign policies or do they influence world politics in their own right?' then we must take a closer look at the executive head."³

However, there is little agreement concerning the Office of Secretary-General - or a specific Secretary-General - as a measurable quantity. One recalls the words of one commentator, bemoaning the absence of a systemic explanation of the behaviour of the Office and calling for "conceptual tools for empirical analysis."⁴ Yet the extent to which it is possible to devise a thorough-going formula in regard to the role and influence of the executive head of an international organisation is doubtful, for it surely alludes to a subjective methodological debate.

Instead, it is the objective of the remainder of this research to identify the main factors which determine the role of the United Nation's Secretaryship-General, and to identify changes in this role in relation to major political trends in international relations. This will help to illustrate the variety

1 J.Pérez de Cuéllar, 'The Role of the UN Secretary General', Cyril Foster Lecture, Oxford, 13 May 1986, in A.Roberts and B.Kingsbury ed., *United Nations, Divided World. The UN's Roles in International Relations*, Oxford, Clarendon Press, 1993, p.125.

2 S.M.Schwebel, *The Secretary-General of the United Nations: His Political Powers and Practice*, New York, Greenwood Press, 1952, p.vii.

3 R.W.Cox, 'The Executive Head: An Essay on Leadership in International Organization', *International Organization*, vol.23, no.2, 1969, p.206.

4 J.Knight, 'On the Influence of the Secretary-General: Can We Know What It Is?', *International Organization*, vol.24, 1970, pp. 594 and 597.

of variables which can have a bearing on the Office.

The concept of the Secretary-General is often avoided by scholars of international organisation because it is not easy to employ the established organisational theories and in recent years the individual has not been a popular focus of historians or political scientists. The personality factor is a complication, sometimes an intangible consideration, and always an unknown quantity. On methodological grounds does the personality factor not render meaningless an attempt to associate the performance of the Secretaryship-General with trends in international politics? If one were attempting such a task in a 'scientific' vein then the answer to this question would have to be in the positive. However, if one begins by accepting the methodological limitations which exist in this subject, the personality factor becomes just one factor amongst many which requires intuitive reasoning, disciplined by evidence. To attempt to put the personality into perspective will at least help to avoid some of the worst confusion.

A further preliminary point concerns the use of secondary sources. Much analysis of executive heads, as with international organisation in the wider sense, is written in the context of the authors' attitudes towards the nature of international relations rather than on the basis purely of empirical observation. For example a realist might conclude that "[t]he belief in a politically active Secretary-General...appears to rest on a form of escapism. It is fundamentally an attempt to circumvent the fact that most important decisions in international organization and in the international community are in the last analysis made by states and especially the great powers..."⁵

Finally, a preliminary note should be made of themes which will recur and which are implicit in the idea that the development of the Office of Secretary-General can be seen in the context of trends in international politics. Most significant is that one can think in terms of a 'development' of the Secretaryship-General - either during one tenure or from one office holder to the next - as an entity with expanding and contracting influence or scope for performance. One can convey an impression of this by tracing a chronological overview since 1919: the main theme will be the development, in terms of expansion or contraction, of the Secretaryship-General's role in the area of peace and security.

5 J.Barros, *Betrayal From Within. Joseph Avenol, Secretary-General of the League of Nations, 1933-1940*, New Haven, Yale University Press, 1969, p.264. Also A.James, 'The Secretary-General: a Comparative Analysis', in A.Jennings and G.R.Berridge, *Diplomacy at the UN*, Basingstoke, Macmillan, 1985, p.47; A.Mango, 'The Role of the Secretariats of International Institutions', in P.Taylor and A.J.R.Groom ed., *International Institutions at Work*, London, Pinter Publishers, 1988.

The Interwar Years

The League of Nations had a strong element of experimentation behind it. It was also fatally embroiled in the miscalculation and lack of will of its sponsors, and undermined by the struggle between revisionist and *status quo* forces which characterised the deterioration of international relations in this period. These traits ran through the experiences of the Secretaries-General, and for a number of historians the whole Organisation was a symbolic and insignificant contribution to the 'illusion of peace'.⁶

The internationalist appraisal of the creation of the League held that "the time had come to commence the construction of a rational and ethical world order in which relationships among states would be influenced and shaped, if not governed, by cooperative international institutions."⁷ Certainly, the League represented the culmination of a growth and tide of internationalist thought and practice, and latterly a reaction to the tragedy of the Great War. For some, it represented "international social progress".⁸ The Secretary-General, however, along with the whole Secretariat, was the product of compromise and varying aspirations; the discussions in France and England preceding the Peace Conference, the Conference itself, the Nobelmaire Report, and the divisions of the Committee of Thirteen in 1930, testify to this. Indeed, Lord Robert Cecil, a member of the British delegation to the Conference, had initially wanted a 'Chancellor' as the administrative head, an eminent leader with political influence and position. According to Barros, "Cecil's proposal of the Chancellor was idealistic in the extreme, based as it was on the assumption that a single individual acting on his own initiative and possessing no real power could merely by his personality and prestige affect the course of international relations."⁹ The Secretaryship-General came about in rather shaky circumstances, as a choice was made between a passive administrative model and a more active office, as Drummond recalled in 1951.¹⁰

6 For example S.Marks, *The Illusion of Peace. International Relations in Europe 1918-1933*, London, Macmillan Press, 1976, p.15. Also G.Martel ed., *The Origins of the Second World War Reconsidered*, London, Allen and Unwin, 1986.

7 A.W.Rovine, *The First Fifty Years. The Secretary-General in World Politics 1920-1970*, Leydon, A.W.Sijthoff, 1970, p.17.

8 G.A.Johnston, *International Social Progress. The Work of the International Labour Organisation of the League of Nations*, London, George Allen and Unwin, 1924.

9 J.Barros, *Office Without Power. Secretary-General Sir Eric Drummond 1919-1933*, New York, Oxford University Press, 1979, p.2.

10 Cited by S.M.Schwebel from an interview in February 1951, in *The Secretary-General of the United Nations: His Political Powers and Practice*, New York, Greenwood Press, 1952, p.4.

The office of Chancellor was 'downgraded', and the search switched from a political figure to a civil servant. After the refusal of Maurice Hankey, the position went to Eric Drummond. It appears that the initial expansive model of Lord Cecil was not purely in the ethos of liberal internationalism.¹¹ In addition, in such pioneering times, the Secretaryship-General would have to find its position largely in practice. Indeed, the Covenant provided only the barest of details, so that it was left to Drummond to impose his impression upon the development of the office in accordance with what was feasible in the pervading political environment. This impression was one of quiet, behind-the-scenes service. The question of whether a different personality would have altered the course of events is mere speculation, although one must observe that whatever the personality, an executive head works primarily within constitutional and political limitations. Whilst the framework varies, there is a limit to how far any individual can extend the boundaries; thus, the Office is moulded by personal, constitutional, and environmental factors.

Many observers feel that Drummond did not exploit the opportunities which were at his disposal. He has often been branded as the epitome of the passive, administrative, bureaucratic model of his Office. This is exacerbated by the existence of the colourful and energetic Albert Thomas, establishing a practice of comparison between the two and often emphasising personal factors at the expense of organisational and political realities. In a typical comparison with the ILO, Alexandrowicz suggested that everything depended on the personality of the first Secretary-General and that "...Thomas appeared as an international statesman and as a spokesman of world interests and there is room to suppose that, had he been Secretary-General of the League of Nations, he would have acted in a statesmanlike manner to the dramatic events leading to the outbreak of World War II."¹²

11 According to J.Barros, *Office Without Power. Secretary-General Sir Eric Drummond*, p.3 and p.383: Lord Cecil's idea of a Chancellor was "really an attempt to deal with President Wilson through the charismatic and pro-British Greek Prime Minister, Eleftherios Venizelos...". Barros substantiates this with private archival material.

12 C.H.Alexandrowicz, 'The Secretary-General of the United Nations', *The International and Comparative Law Quarterly*, vol.11, part 4, October 1962, pp.1110 and 1111. For S.M.Schwebel "[t]he success of that [ILO] leadership may be said to be the positive lesson for the future of international administration, as the League experience is in some ways a negative lesson of the past....His [Thomas'] record stands as a spectacular example of international leadership, of constructive statesmanship, sharply contrasting with the publicly cautious approach of the Secretaries General of the League." *The Secretary-General of the United Nations*, pp.11 and 13. However Drummond was probably more realistic: "[i]t is quite, quite certain that Albert Thomas in my job would have been forced to resign....He would have tried and failed. The 'Chancellor' wouldn't have been successful", interview with S.M.Schwebel, *op.cit.*, p.3. See also L.Gordenker, *The UN Secretary-General and the Maintenance of Peace*, New York, Columbia University Press, 1967, p.15; G.Langrod observed that "[a]ttempts have been made to compare Sir Eric and Albert Thomas, but the comparison is hardly valid, because the work and purpose of their two organizations was

This approach to leadership and administrative influence is an inadequate analysis of the nature of executive behaviour in international organisations. It fails to appreciate that influence is largely determined by organisational-political circumstances, and the political circumstances of the wider environment, and that public activity on the part of an administrative head does not necessarily equate with power or influence. The ILO and the League were different organisations and the contrasting images of their administrative heads was commensurate with this, even if Drummond and Thomas had also obviously different personalities. Moreover, Barros rejects the image of the League Secretaries-General as little more than administrators; for him, they were "as politically active behind the scenes as their United Nations counterparts."¹³ Gordenker similarly appreciated the difference between public and private activity.¹⁴ Further evidence can be found in Langrod's personal observation that despite his effacement and discretion Drummond won the confidence of delegates on political questions.¹⁵

However, the impression still remains that "the Covenant granted the Secretary-General too little general power and...subsequent practice did little to enlarge his powers by precedent or usage."¹⁶ The question is: was it the dual environment of the organisation and the international system, and the political and constitutional limitations imposed therein upon the League Secretaries-General, or

so different." *The International Civil Service. Its origins, its nature, its evolution*, New York, A.W.Sythoff-Leydon, Oceana Publications Inc., 1963, p.312. R.R.James made the same point, 'The Evolving Concept of the International Civil Service', in R.S.Jordan ed., *International Administration: Its Evolution and Contemporary Applications*, London, Oxford University Press, 1971. R.W.Cox also takes a balanced approach to the question of comparison and personality, *op.cit.*, p.205.

13 J.Barros, *Betrayal From Within. Joseph Avenol*, p.vii. Elsewhere he wrote of Drummond's "immense behind-the-scenes political activities throughout his tenure as Secretary-General", 'The Importance of Secretaries General of the United Nations', in R.S.Jordan ed., *Dag Hammarskjold Revisited. The UN Secretary-General as a Force in World Politics*, Durham, North Carolina, Carolina Academic Press, 1983, p.37. Rovine agrees that, despite the contrary impression, "there can be no question that Drummond did indeed carve out for himself and the Office of Secretary General a vital political role in the series of issues confronting the League between 1920 and his resignation in 1933." A.Rovine, *op.cit.*, p.51.

14 L.Gordenker, *op.cit.*, p.9.

15 G.Langrod, *op.cit.*, p.310.

16 E.F.Ranshofen-Wertheimer, 'The Position of the Executive and Administrative Heads', p.324. Elsewhere he has written that "[w]hile lacking in imagination, he...was prepared to take risks while essentially remaining a British civil servant. He was not an inspiring leader of men, but he was certainly more than an able administrator and organizer." 'International Administration: Lessons from the Experience of the League of Nations', *American Political Science Review*, vol.xxxvi, 1943, p.876; and elsewhere still that "...apart from human factors, causes inherent in the structure of the ILO with its mixed official and non-official representation gave the Director of the ILO a position and responsibilities different from those of the [League] Secretary-General." *The International Secretariat: A Great Experiment in International Administration*, Washington, Carnegie Endowment, 1945, p.385. S.M.Schwebel appears to concur, 'The Origins and Development of Article 99 of the Charter', *The British Yearbook of International Law*, vol.28, 1951, p.372.

their personalities, which was the dominant factor in determining the role of the Office? How can one attempt to evaluate the relative weight of these factors?

Clearly Drummond's personality and civil service background, together with the downgrading of the Office, furnished a cautious approach. Drummond appeared to fulfil his administrative functions admirably, he never made public political statements, he rarely if at all addressed the Assembly or made substantive interventions in the Council, and invariably confined himself to 'behind the scenes' activity. Yet the absence of public political activity is deceptive, for "[t]hough he might perhaps rationalize his actions and moves on constitutional or administrative grounds he was nevertheless involved in what were essentially political acts. The very nature of the office was unavoidably political."¹⁷

The participation of Drummond in 1920 in the dispute between Sweden and Finland over the Aaland Islands established the Secretaryship-General as a focus for confidential communication between parties and constructive advice. Indeed, "Sir Eric had created the precedent of an active political role for the Office of Secretary-General even before he had won firm acceptance of his plans for an international civil service."¹⁸ In the *Bolivia v Paraguay* issues of 1928 and 1933, and the *Columbia v Peru* dispute in 1933, Drummond likewise made his presence known. The Sino-Japanese conflict 1931-1933 typified the inability of the League to halt the degeneration of international relations into violence. Nevertheless, Drummond took part in negotiations, made recommendations of substance and procedure, and served as an important liaison.¹⁹ All this, of course, privately and tactfully.

Drummond's role should not be seen just in the context of his personality, his constitutional limitations, and the political limitations inherent in an intergovernmental organisation. Indeed, the various political machinations and lack of collective will on the part of League members caused a degeneration in the Office of Secretary-General as well as the Organisation itself. Thus, the failure of the chief League sponsors to put effective pressure upon Germany, Italy, and Japan in the 1930s ran through every organ of the Organisation; Drummond realised this and could do little. Even with regard to the nationalistic infiltration of the Secretariat Drummond was powerless in the face of appeasement.

Did Drummond set a good precedent for the political role of the Secretary-General? Increasingly

17 J.Barros, *Office Without Power*, p.385.

18 A.W.Rovine, *op.cit.*, p.60.

19 *Ibid.*, pp.78-79; J.Barros, *Office Without Power*, chapter 7.

he attracted the respect and confidence of others, in a cumulative manner. However, it is likewise said that he entrenched a rather cautious model of his Office. With reference to Drummond and his successor Joseph Avenol, Ranshofen-Wertheimer regretted that "[t]he two Secretaries-General kept scrupulously, even over-scrupulously, within the constitutional limits and did not even avail themselves as fully as they could have done of the marginal possibilities for action and influence open to them."²⁰ Whilst Drummond was valuable behind the scenes politically, he could perhaps have been somewhat more visible without undermining his position. Yet his service must be viewed in the shadow of great-Power machinations or outright aggression; in historical terms, he was a fairly insignificant factor in a sea of change.

Albert Thomas embodied the leadership model of international administration. In a classic and endearing work Edward Phelan recorded that Thomas was "much more to the International Labour Office than its successful manager. He came, in fact, to be identified with it to a degree which made it difficult for many people to distinguish between the institution and its Director...".²¹ This politician, trade unionist, and social reformer was certainly able to instil a certain amount of dynamism and verve into the ILO, although it must be remembered that the welfare organisation was amenable to such a style. The status of Thomas must be evaluated in terms of the organisational parameters constituted by his political environment.

The League Secretaryship-General from 1933 to the Second World War was tied both to the demise of the Organisation in a spiral of appeasement and aggression, and the personal predilections of Joseph Avenol, a man, according to Barros, who "...could, without stretching the point, be categorized as a person of the extreme right."²² The Office was drowned by the tide of history; Sean Lester, a man of integrity, could fare no better during the war.

The United Nations

Various models for the Secretaryship-General emerged during the war-time United States State Department discussions, the academic research in Britain and America within such bodies as the Carnegie Endowment and the Royal Institute for International Affairs, the Dumbarton Oaks Great Power negotiations, the San Francisco Conference on International Organisation, the Preparatory

20 E.F.Ranshofen-Wertheimer, *The International Secretariat: A Great Experiment in International Administration*, p.38.

21 E.J.Phelan, *Yes and Albert Thomas*, London, The Cresset Press Ltd, 1936, p.ix.

22 J.Barros, *Betrayal From Within*, p.18.

Commission proceedings, and the discussions which established the Rules of Procedure for the UN organs. From the outset, however, the majority opinion was that a stronger Office than that of the League should exist within the new world Organisation. In fact the State Department discussions - which produced a draft constitution in 1943 - had earlier included the idea of having a president or political chief, alongside an administrative chief.

There was not a great deal of discussion on the Secretary-General's Office at the various stages. However, the main issues concerned the type of person who should occupy the position, the balance between administrative and political duties, the role of the senior tier of the Secretariat, the country of origin of the Secretary-General, the term of Office and the method of appointment, the implications of Article 99, and the various rules of procedure governing the relationship between the Secretary-General and the organs of the new Organisation.²³ Such debate invariably centred around compromises between different interests: mostly between small and large states, and states with divergent attitudes toward the status of international administration. Most significantly, there was a debate between the 'minimalist' administrative model of the international civil servant - the so-called 'Drummond model' - and the creative, political model: the "...promoter, inspirer, living expression of international cooperation, continuous symbol of the international outlook...".²⁴ The motives of the parties who espoused such ideas varied, depending on their own administrative experience and tradition, and their political outlook. A number of factors encouraged either internationalist or parochial attitudes.

Pragmatic considerations were strongly in evidence in the fora which established the constitutional framework for the UN Secretariat, and in the formative years which moulded the practice. Moreover, the power configuration of the whole Organisation pervaded the Secretaryship-General, despite the intentions of Article 100. The appointment of the Secretary-General - by the General Assembly upon the recommendation of the Security Council, and hence subject to veto - is just one trait of this. Several smaller states proposed reserving to the Assembly the entire task of choosing a Secretary-General. Conversely, some Great Power interests had suggested that the Office-holder be elected for a tenure of just two years which would have further reduced the

23 See L.Goodrich, E.Hambro, and A.P.Simons, *The Charter of the United Nations. Commentary and Documents*, New York, Columbia University Press, 1969, pp.572-609; G.Langrod, *op.cit.*, chapter 7; L.Gordenker, *The UN Secretary-General and the Maintenance of Peace*, pp.3-64; S.M.Schwebel, 'The Origins and Development of Article 99 of the Charter', and his *The Secretary-General of the United Nations*, chapter 1.

24 G.Langrod, *op.cit.*, p.202.

independence of the Office and the control of the Assembly.²⁵ Eventually, the first General Assembly set the precedent for a five-year term of office. Thus, alongside the Permanent Security Council member control of the appointment there was a small and Great Power trade-off, a combination of representation and political reality.²⁶

The Charter

The Articles of the Charter relating directly to the Secretary-General are 7 and 97 to 101 inclusive. The Office may derive specified or unspecified authority from a combination of these and in relation to other Articles, such as Article 33 and 96 relating to peaceful settlement and the International Court respectively.²⁷ Article 7 states that the Secretariat, and *inter alia*, the Secretary-General, is a principal organ of the United Nations. Some commentators have assumed that this implies equality with the other principal organs. Certainly practice has attached authority to the Secretaryship-General from this Article; at the least it implies a responsibility on the part of the Office to uphold the aims and purposes of the Charter. Thus, the Secretaries-General have acquired a certain independence from the deliberative organs when circumstances have required and allowed it. Such a practice has in the past been manifested in the field of the peaceful settlement of disputes when deadlock may have paralysed the mandating organs or when these organs are perceived by a party to a dispute to be partial.²⁸

Article 97 relates to the appointment of the Secretary-General and his administrative status. It was politically necessary for a Security Council veto on the appointment process, but what has occurred, according to many commentators, has been a dubious political and geographic Great Power trade-off where practical qualifications are of secondary concern. Years of experience led Brian Urquhart to lament that "political differences dictate a search for a candidate who will not exert any troubling degree of leadership, commitment, originality, or independence."²⁹ With a reduction of the sensitivities of the earlier years, perhaps one might hope for improvements in this

25 L.Gordenker, *The UN Secretary-General and the Maintenance of Peace*, p.21.

26 S.M.Schwebel, *The Secretary-General of the United Nations*, p.36.

27 See appendices.

28 Pérez de Cuéllar referred to the Secretary General's "independent responsibilities of 'a principal organ'", in 'The Role of the Secretary General', p.63.

29 B.Urquhart, *A Life in Peace and War*, New York, Harper and Row Publishers, 1987, pp.227-228.

process henceforth, and there have certainly been recommendations for reform.³⁰

The substantive elements of Article 98 hold that the Secretary-General must perform functions that are entrusted to him by the General Assembly, Security Council, or other principal organs, and that the Office-holder will make an annual report on the work of the Organisation. The former has been a significant instrument for delegating authority and tasks to the Secretaryship-General; either routine requests for reports or the most sensitive delegations of responsibility.³¹ The area of international peace and security has indicated how the practice of delegation can transform the Secretary-General from the periphery to the heart of decision-making, in the past sometimes through Council inaction or institutional wrangling. To cite a classic example, "UNEF was the first UN peace-keeping operation to be directed from the outset by the Secretary-General rather than under the umbrella of a special *ad hoc* political commission composed of UN member states specially designated for the job by a UN political organ."³² It is even said of Hammarskjold that "in the Suez crisis of 1956 his position was truly dominating."³³ In this case the Uniting for Peace procedure, where the General Assembly can undertake decision-making where the Security Council is not fulfilling its primary duty in peace and security, was an important demonstration of how delegation reflected UN institutional shifts in the context of Cold War political dynamics. The practice of delegating responsibility is an important source of the Secretary-General's authority. It is also important for the main theme of this chapter: the development - in terms either of expansion or contraction - of the Secretaryship-General's role. There are trends in the nature of delegation which may be put into the context of historical developments which are reflected in institutional shifts of activity and power. Changing institutional relationships have had a strong bearing on the status of the Secretaryship-General, in particular regarding the shift away from collective security, and in periods when the UN has been peripheral to major political issues.

The annual report is likewise a fluctuating instrument for the development of the Secretaryship-

30 For example B.Urquhart, 'Selecting the World's CEO. Remembering the Secretaries-General', *Foreign Affairs*, vol.74, no.3, 1995.

31 Referring to Article 98 - "such other functions as are entrusted to him" - L.Goodrich, E.Hambro and A.P.Simons wrote that "[t]hese words, inclusive in purpose, do not exclude functions of a secretarial nature, but they do go beyond these and provide the basis for the Secretary-General's being entrusted with responsibilities involving the exercise of considerable discretion and political judgment." *op.cit.*, p.585.

32 L.L.Fabian, 'The International Administration of Peace-keeping Operations', in R.S.Jordan ed., *International Administration: Its Evolution and Contemporary Applications*, p.127.

33 J.L.Kunz, 'The Secretary-General on the Role of the United Nations', *The American Journal of International Law*, vol.52, no.2, April 1958, p.301; also E.Stein, 'Mr Hammarskjold, the Charter Law and the Future Role of the United Nations Secretary General', *The American Journal of International Law*, vol.56, no.1, January 1962, p.22.

General's role. The annual reports of the League Secretaries-General were not framed as a major instrument of policy. Under Drummond, the reports were predictably little more than a factual account of the work of the Organisation. The opposite was the case of Albert Thomas, who sought to produce a 'living report' which would initiate discussion and provide a platform for progress. Phelan recorded that "[h]is greatest individual contribution to the material work of the Office was the Director's Report to the Conference. He had to fight first of all for the right to present it at all and consent was only wrung from a reluctant Governing Body after much argument and persuasion."³⁴

With the United Nations the practice of presenting an expressive and creative Introduction to the Annual Report was almost immediately established although the incumbent rarely writes the document personally. Some are classic: a number of Hammarskjöld's, and especially the 1960/1 treatise which outlined his conception of the 'choice' which faced the Organisation, hold a special place in UN history. Likewise, the first report of Pérez de Cuéllar, outlining the crisis of multilateralism, the need to overhaul various aspects of the Organisation, and asserting the need for a greater preventive role for the Secretary-General, should be seen as a watershed for the Office after the caution and restraint imposed after the Hammarskjöld era.³⁵

The Annual Report can be regarded as a tool of influence, as Thomas had foreseen, for placing issues on the agenda; it is in itself a form of intervention in the immediate term and a means of legitimising ideas or forming norms in the longer term. In the view of one commentator "...the Secretary-General's Introduction to the Annual Report may serve as a key factor in the transformation of current practice into future institutional norms."³⁶ What is more clear is that the Report can be seen to both reflect, and to an extent facilitate, the development of the Office of Secretary-General.

Article 99 states that the Secretary-General "may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security". According to Hammarskjöld this "was considered by the drafters of the Charter to have transformed

34 E.J.Phelan, *op.cit.*, p.124.

35 Pérez de Cuéllar wrote that the annual report can be a means of initiating debate; it "is not meant to be, and should never become, a mere rapporteur's job: 'the work of the organization' is a broad term." *op.cit.*, p.65. L.Gordenker labelled Hammarskjöld's 1961 report as his 'political testament': "[i]n its dignity, succinctness, and breadth, it serves as a fitting monument to a Secretary-General who did so much to create a doctrinal framework for his office." *The UN Secretary-General and the Maintenance of Peace*, p.83.

36 R.Rieber, 'Public Information and Political Leadership in International Organisation: The United Nations Secretary-General', *The Yearbook of World Affairs*, 1976, p.55.

the Secretary-General of the United Nations from a purely administrative official to one with an explicit political responsibility.³⁷ Article 99, forms the basis for a great deal of the Secretary-General's political status and activities. The Preparatory Commission Report is invariably cited in this context for presenting the now famous opinion that under Article 99 "he has been given a quite special right which goes beyond any power previously accorded to the head of an international organization."³⁸ Nicholas goes as far as to suggest that, by this Article, "in matters of the highest importance for the UN the Secretary-General is given a status equivalent to that of a member state...".³⁹ The extent to which this is the case is questionable, for the restraint which must be employed in its official invocation has rendered Article 99 useful only in exceptional circumstances.

The drafting of Article 99 involved debates which reflected the different attitudes towards the role and status of the Secretaryship-General. In the early US Department of State drafts, before Dumbarton Oaks, the executive-head represented an entity of real significance and potential power, with the equivalent of Article 99 being correspondingly strong. The more modest ideas at Dumbarton Oaks, and then at San Francisco, debated whether Article 99 should be an obligation or a right, whether the right should also be applied to the Secretary-General's relationship with the General Assembly as well as the Council, and whether it should empower the Office holder to draw to the attention of the Organisation matters which constitute a violation of the Charter.⁴⁰ The latter point would have given the Secretary-General so much 'power' as to undermine him; subsequent practice has shown that the Office is at its most influential when employing more discreet or subtle methods. The eventual Article retains a great deal of discretion on the part of the Secretary-General, providing that the Office holder *may* bring to the Security Council *any matter* which *in his opinion may* threaten the maintenance of international peace and security.

The real influence of this Article has not so much derived from its formal invocation - apparently

37 D.Hammarskjöld, 'The International Civil Servant in Law and in Fact', Oxford Lecture, 30 May 1961, in W.Foote ed., *op.cit.*, p.335.

38 Report of the Preparatory Commission, paragraph 16. See S.M.Schwebel, 'The Origins and Development of Article 99 of the Charter', pp.371-372; J.L.Kunz, 'The Legal Position of the Secretary General of the United Nations', *The American Journal of International Law*, vol.40, 1946, p.792.

39 H.G.Nicholas, *The UN as a Political Institution*, London, Oxford University Press, 1975, p.176; L.Gordenker concurs, *The UN Secretary-General and the Maintenance of Peace*, p.147. Pérez de Cuéllar has written that "[t]he Secretary General is thus given a reservoir of authority, a wide margin of discretion, which requires the most careful political judgement and is limited only by prudence." 'The Role of the UN Secretary General', p.66.

40 See S.M.Schwebel, 'The Origins and Development of Article 99 of the Charter', generally and pp.372-376. In fact Uruguay proposed this latter clause, which has been reported to have failed by only three votes: "[t]he significant degree of support which such an extreme proposal mustered illustrates the desire widespread at San Francisco to invest the Secretary-General with substantial political authority." p.376

only in 1950, 1960 and 1979 - but from the legal implications that derive from it and the political aura that it stamps upon the Secretaryship-General. A number of Secretaries-General have observed that this Article can give, in the words of Hammarskjöld, "by necessary implication, a broad discretion to conduct inquiries and to engage in informal diplomatic activity in regard to matters which may threaten the maintenance of international peace and security."⁴¹ In this sense a liberal interpretation of Article 99 can endow the Secretary-General with a wide responsibility for activity and initiative in the field of preventive diplomacy and early warning, whether or not as a direct precursor to the actual invocation. Boutros-Ghali has stated that "[t]he Charter recognizes, through Article 99, that preventive diplomacy is a particular responsibility of the Secretary-General. Early warning, fact-finding, confidence-building measures, personal contacts, and good offices, all are instruments of this."⁴²

A number of commentators have drawn a distinction between the formal invocation of Article 99 and its inferences. Schwebel observed the 'shadow' of this Article and the difference between 'invoking' and 'employing' it;⁴³ Gordenker wrote of 'overt invocation' and 'use by implication'.⁴⁴ The extent to which a Secretary-General has been able to apply a liberal interpretation has clearly depended upon a number of circumstances. Overuse or ill-timing, either in the formal or informal use of Article 99, can prove counterproductive and result in the contraction of the status of the Secretaryship-General. Cautionary observations have been made.⁴⁵

Nevertheless, Pérez de Cuéllar lost no time in presenting a forthright and progressive interpretation within the field of preventive diplomacy.⁴⁶ One of the most liberal interpretations of Article 99, in the context of the progression in international organisation since the late 1980s, appears to that of Thomas Boudreau, for whom:

[m]atters such as economic recession, social unrest, or even environmental degradation that creates vast refugee flows - as well as international tensions - can contribute to threats to the peace. Hence, the phrase 'any matter' must have an expansive meaning that includes a wide

41 D.Hammarskjöld, 'The International Civil Servant in Law and in Fact', in W.Foote ed., *op.cit.*, p.335.

42 B.Boutros-Ghali, 'An Agenda for Peace: One Year Later', *Orbis: A Journal of World Affairs*, vol.37, no.3, Summer 1993, p.324.

43 S.M.Schwebel, *The Secretary General of the United Nations*, pp.84 and 87.

44 L.Gordenker, *The UN Secretary-General and the Maintenance of Peace*, pp.139 and 143.

45 J.Barros, 'The Importance of Secretaries-General of the United Nations', in R.S.Jordan ed., *Dag Hammarskjöld Revisited*, p.32. U Thant likewise felt strongly against high-profile political interventions, see L.Gordenker, 'U Thant and the Office of UN Secretary General' *International Journal*, 22(1), Winter 1966-67, pp.1-16.

46 Annual Report on the Work of the Organisation, September 1982.

variety of political, economic, social, humanitarian, and environmental factors.⁴⁷

This must be seen within the evolving conceptions of security in the post-Cold War world; whether the Secretaryship-General has developed to this extent remains to be seen.

Article 100, which seeks to ensure the independence and impartiality of the Secretary-General should be seen to underpin the political basis of the Office. As Hammarskjold observed, "Article 98, as well as 99, would be unthinkable without the complement of Article 100 strictly observed both in letter and spirit."⁴⁸

The constitutional basis was merely a platform - in fact a compromise - upon which the development of the Secretaryship-General could occur in practice. The constitutional provisions - the Rules of Procedure, the Charter, and to a lesser degree the Report of the Preparatory Commission - were a framework within which a contraction or cumulative development can occur, depending on a number of personal, political, and indeed intangible, variables. A flexible room for manoeuvre exists. Whilst one might not be entirely happy with the sentiment that "[t]he secretary-general of the United Nations has a constitutional license to be as big a man as he can"⁴⁹ it may be possible to state that a certain alignment of variables or circumstances may allow a considerable expansion of the bounds within which the Office works. This is the basis of the idea of the development or contraction of the Office in the context of the political environment.

Trygve Lie

The literature on Lie's incumbency indicates a man who established a number of important practices and represented a positive although precarious development of his Office.⁵⁰ The development of the Office might have been more had his style been less robust, for he left in his wake the desire

47 T.E.Boudreau, *Sheathing the Sword. The U.N. Secretary-General and the Prevention of International Conflict*, New York, Greenwood Press, 1991, p.11, and chapter 1.

48 D.Hammarskjold, 'The International Civil Servant in Law and in Fact', in W.Foote ed., *op.cit.*, pp.337-338.

49 I.Claude, *Swords Into Plowshares. The Problems and Progress of International Organization*, 4th ed., New York, Random House, 1984, p.211.

50 The literature also suggests that he was rather an unsavoury man. See B.Urquhart, *A Life in Peace and War*, New York, Harper and Row Publishers, 1987, chapter 8; J.Barros, *Trygve Lie and the Cold War*, North Illinois, Illinois University Press, 1989, writes of Lie's 'administrative inefficiency', 'slipshod diplomatic methods', and 'self defeating ego', p.350. S.M.Schwebel, however, wrote of Lie as "a warm figure and impressive in his sincerity", *The Secretary-General of the UN*, p.181. Almost 40 years later he was still reasonably positive about Lie, in a review of Barros' biography, in *The American Journal of International Law*, vol.85, 1991, pp.209-212.

on the part of the permanent members of the Security Council for a more passive successor. Lie felt that his office should be active in pursuit of the interests of the Organisation despite the constraints imposed by the Cold War environment. Debate, however, continues regarding the extent to which his assertive style was positive for the Secretaryship-General or not. Perhaps his approach left something to be desired, whilst the practices themselves are a lasting legacy.

Lie had been the first choice of the US and the Soviet Union for the first president of the General Assembly before Paul-Henri Spaak took that position.⁵¹ Lester Pearson had in turn been the first choice of Washington for Secretary-General. This was unacceptable to the Soviet Union, and Lie, apparently the first choice of no major party, was appointed as the compromise candidate.⁵² Nevertheless, Lie soon entered the political fray in the Security Council by explicitly asserting the Secretary-General's investigatory and preventive responsibilities. In September 1946, the United States Representative Herschel Johnson had proposed a resolution which would instruct the Secretary-General to appoint a small team to investigate the frontier problems in Greece. Lie said:

Should the proposal of the United States not be carried, I hope that the Council will understand that the Secretary-General must reserve the right to make such enquiries or interventions as he may think necessary, in order to determine whether or not he should consider bringing any aspect of this matter to the attention of the Council under the provisions of the Charter.⁵³

The Iranian issue represented a further development in the political and procedural prerogatives of the Secretaryship-General, establishing as it did the practice of intervention into Security Council affairs. Soviet troops had remained in Iran after the war in violation of treaty obligations to withdraw by March 1946.⁵⁴ In fact Gromyko had given assurances that withdrawal would occur, yet the United States still wanted the issue to be retained on the Council agenda, for propaganda reasons, even when Iran had dropped its complaint. At this point Lie intervened by way of the first

51 T.Lie, *In the Cause of Peace. Seven Years with the United Nations*, New York, Macmillan, 1954, pp.15-17.

52 A.W.Rovine, *op.cit.*, pp.209-210.

53 Cited by S.M.Schwebel, *The Secretary-General of the United Nations*, p.90; Lie often said, at press conferences, that he was ready to use Article 99 if necessary, p.91. T.J.Hamilton, however, presents an uncommon picture of Lie as not intervening a great deal in Security Council proceedings: "his interventions on Iran and Korea are the principal exceptions to his usual habit." 'The UN and Trygve Lie', *Foreign Affairs*, vol.29, October 1950, p.73.

54 See A.W.Rovine, *op.cit.*, pp.213-217.

of a number of legal memoranda.⁵⁵ This supported in essence the Soviet position that the issue be dropped from the agenda as this was the wish of both parties; the USSR supported the substance of Lie's memo *and*, significantly, his right to intervene into Council proceedings in this manner, although clearly because it suited them at the time. The United States was not happy, along with eight other members of the Council.⁵⁶

The issue was submitted to the Council's Committee of experts and a period of historic legal wrangling ensued, concerning the procedural rights of the Secretary-General in respect of the deliberative bodies.⁵⁷ Lie's "bitter fight" to gain rights of communication in the Assembly and Council⁵⁸ was gradually establishing prerogatives and norms for the Office. The cost of his activism was the risk of appearing partisan in the Cold War context.

The practice of the Secretary-General expressing forthright political opinions was firmly established in Lie's public and private pronouncements on the issues of Chinese representation, his ten-point peace plan and mission, the concept of a UN standing military force, the Annual Reports, and the issue of regional organisations and particularly NATO. On the first of these, Lie felt strongly that the United Nations should seek to represent the maximum number of people.⁵⁹ His vocal support of communist Chinese representation, in the face of United States opposition, put Lie in the centre of the East-West diplomatic and political war. However, his main concern lay with the optimum performance of the United Nations and a rather optimistic belief that Cold War intransigency could be overcome, or allayed, through cooperation within this Organisation. Lie was also concerned that the Organisation was in danger of losing the participation of major actors and thus becoming peripheral to state's interests. The public approach put the Office qualitatively in a

55 He also employed this tactic concerning the powers of the Security Council and the Trieste Statute, 1947, the enforcement of the Palestine partition in 1948, regarding the question of representation - especially Chinese - at the UN, 1950, and concerning the competence of the Council to deal with the Korean invasion, 1950. See S.M.Schwebel, *The Secretary-General of the United Nations*, pp.92-103.

56 A.W.Rovine, *op.cit.*, pp.214-215; L.M.Gordenker, *The United Nations Secretary-General and the Maintenance of Peace*, p.148.

57 See *The New York Times*, 2-4 April 1946; later, Lie wrote a letter to the Council asserting his interpretation of the prerogatives of his office, *The Times*, 17 April 1946, p.4.

58 S.M.Schwebel, *The Secretary-General of the United Nations*, p.86. Lie had 'opened the door' in the Iran case, T.E.Boudreau, pp.27-28. The right was confirmed some months later when he submitted a memorandum regarding the Trieste Statute: "[n]othing was said of the propriety or the impropriety of the Secretary-General's submitting of a statement - it seemed to be taken for granted." S.M.Schwebel, *The Secretary-General of the United Nations*, p.96. Regarding the case of Chinese representation Schwebel recorded that "[t]he representation memorandum brings the Secretary-General's activity in expressing legal opinions to a peak of vitality that will not easily be surpassed." p.101.

59 T.Lie, *op.cit.*, chapter 15.

different mould to its League counterpart, and completely beyond the bureaucratic model. Under Lie, the Office was used to embody the principles of the United Nations Charter and the international community; he adopted, despite the blundering style, a prescriptive and assertive interpretation of this concept, endowed with inherent political initiative.

This was likewise illustrated in Lie's ten-point peace plan and the peace mission designed to promote it: the "Twenty-Year Program for Achieving Peace Through the United Nations".⁶⁰ For six months Lie attempted to bridge East-West differences in a bold gesture which sought to show that his Office could make an impact upon an environment which was fraught with deep antagonism. Whatever the outcome, the project was an explicit demonstration of Lie's cumulative development of the Office's rights to assert normative and political opinions.⁶¹ He negotiated this plan at the Big Four capitals, despite the mixed and sometimes cool reception.

With regard to Lie's response to political issues, such as Iran and Greece, he gave impetus to a twofold process: firstly, a rather precarious development of the political role of his Office; secondly, the accumulation of the ill-will of those parties whom he antagonised. It was Lie's stance towards the Korean issue which won him the hostility of the Soviet Union, without whose support his position became untenable.⁶² From the outset Lie was at the vanguard of those who condemned the invasion, later claiming that he had invoked Article 99.⁶³ In fact most commentators believe that this is not the case as the United States initially brought the issue to the Council, although it is true that Lie made his position clear.⁶⁴ Whatever the circumstances, Lie was strongly behind enforcement, encouraging troop contributions and attempting to organise a semblance of UN control in what was clearly a US operation under MacArthur.⁶⁵ Was it necessary for Lie to take such an active stance when the United States was clearly inclined towards enforcement action and the Soviet boycott of the Council facilitated such a course of action? Lie's defence was that he could not be neutral in respect to Charter principles, yet Rovine believes that he was in an impossible position, having to either support the US and attract Soviet ostracism, or

60 *Ibid.*, p.277.

61 A.W.Rovine, *op.cit.*, pp.232-234; S.M.Schwebel, *The Secretary-General of the United Nations*, p.156.

62 For A.W.Rovine, *op.cit.*, "given the experience of Dag Hammarskjold and U Thant, Lie's Korean War role may reasonably be judged to have commenced the period of serious Soviet disenchantment and distrust of an international executive of any capacity in world politics." p.249.

63 T.Lie, *op.cit.*, pp.323 and 328.

64 Interview with a United States official present at the Security Council meeting in question, New York, 7 June 1994.

65 T.Lie, *op.cit.*, chapter 18; A.Rovine, *op.cit.*, pp.237-249.

remain quiet and incite American hostility.⁶⁶ Lie, in turn, seems to have been willing to sacrifice his personal position in pursuit of the principles of the Organisation. However, most commentators now argue that Lie's behaviour was rather harmful. Clearly, with Lie effectively forced to resign in 1953 through Soviet ostracism and the Security Council's evident wish for a more passive successor, there is an important point to be made. Political activity, initiatives, and acceptable procedural innovations are positive for the Secretary-General: however, this development must be founded within the exigencies of the political environment - and this includes the attitudes of the leading states - otherwise the opposite will be the case. Lie's stance on Korea did not represent a procedural innovation upon those which had already been established, and the Secretaryship-General is not served by attracting the hostility of a major power.

In conclusion, Lie established a number of important practices for the Office in the realm of creative administration; the Office had accumulated, in rather shaky fashion, a political tradition. He adopted a liberal interpretation of his constitutional duties, and he sought to put his Office in the forefront of UN efforts to maintain peace and security.⁶⁷

Dag Hammarskjold

Hammarskjold is almost a legend amongst those who support a progressive and creative international civil service. However, it is necessary to evaluate his undoubtedly positive contribution to the development of the Secretaryship-General in the context of the political environment. This will serve to put into perspective two streams of thought surrounding this man. Some have associated with Hammarskjold an almost mystical quality, attributing most of his successes to his personality and style. Others hasten to caution against misinterpreting the successes, basing them upon fortuitous circumstances. Yet clearly Hammarskjold was a pioneer of sorts,⁶⁸ and he took his Office to new heights.

Most statesmen - and certainly the Permanent Members of the Security Council - had expected and hoped that Hammarskjold would pursue a conservative approach to the Office after Lie.

66 A.W.Rovine, *op.cit.*, p.241.

67 J.Barros, who is not generally positive towards Lie, presents a reasonable survey, *Lie and the Cold War*, p.349.

68 W.Lippmann remarked that "[o]ver the years I have often wondered whether Dag Hammarskjold belonged to an age that is passing, or to one that is being born." 'Dag Hammarskjold, United Nations Pioneer', *International Organization*, 15, Fall 1961, p.547.

However, whilst he was, at least initially, "as subtle in his processes as his predecessor was crude,"⁶⁹ Hammarskjöld's demeanour did not obscure his activism for long. He is remembered as a creative, brilliant and spiritual man; "the very embodiment of the international civil servant..."⁷⁰ However, Urquhart put such praise into perspective. The impression that Hammarskjöld was widely liked and supported, especially in the West, is mistaken. In fact most states, and certainly the great powers, became wary of Hammarskjöld's conception of his role; he was "too high minded for their taste and doggedly ahead of his time."⁷¹ Yet this was often disguised when states' natural aversion to international or supranational concepts was compromised in the name of political expediency. Thus, states were guardedly cooperative or even grateful when Hammarskjöld sought a course of action which would harmlessly take an issue out of the paralysis of the Security Council, provide a face-saving mechanism - such as in Suez - or even benefit them against a rival. In the West, states were in general keen to endorse Hammarskjöld as an officer of the UN as long as it did not run counter to their interests.

The development of the Office of Secretary-General under Hammarskjöld derived from his skill, his aspirations for the international civil service and the Organisation, and the circumstances of the time. Regarding the Organisation, he envisaged "a foundation and framework for arduous and time-consuming attempts to find forms in which an extra-national - or perhaps even supranational - influence may be brought to bear in the prevention of future conflict."⁷² Moreover, he imparted a doctrine to the active model of the Secretariat and Secretaryship-General. Indeed, he ventured the opinion that "it has rightly been said that the United Nations is what the Member nations make it. But it might likewise be said that...much depends on what the Secretariat makes it"; moreover "the Secretariat is a living thing...It has creative capacity. It can introduce new ideas. It can in proper forms take initiatives."⁷³ He would later put this into effect in the practices of his good offices,

69 H.G.Nicholas, *The UN as a Political Institution*, p.179.

70 US Spokesman Adlai Stevenson, two days after Hammarskjöld's death. Cited by H.P.Van Dusen, *Dag Hammarskjöld. A Bibliographical Interpretation of 'Markings'*, London, Faber and Faber, 1967, p.3.

71 B.Urquhart, 'International Peace and Security: Thoughts on the Twentieth Anniversary of Dag Hammarskjöld's Death', *Foreign Affairs*, 60, 1981-82, p.1. Also B.Urquhart, *Hammarskjöld*, London, The Bodley Head, 1972, pp.23 and 32.

72 D.Hammarskjöld, 'Address before the Students' Association', Copenhagen, Denmark, 2 May 1959, in W.Foote ed., *op.cit.*, p.211.

73 D.Hammarskjöld, 'Address at the University of California, UN Convocation', Berkeley, 25 June 1955, in W.Foote ed., *op.cit.*, p.3. He was more reserved on other occasions, and upon taking the post he had observed that "the public servant is there in order to assist, so to say, from the inside, those who take decisions which frame history....But he is active as an instrument, a catalyst, perhaps an inspirer - he serves." Statement to the press, 9 April 1953, New York, in W.Foote ed., *op.cit.*, p.27.

preventive diplomacy, and the 'Peking Formula'.

The first issue that displayed Hammarskjold's diplomatic skills and indicated a further procedural development of the Office concerned the American prisoners of war in China. The General Assembly, in December 1954, asked the Secretary-General to make "continuing and unremitting efforts" to secure the release of the airmen "by the means most appropriate in his judgement."⁷⁴ Clearly this put Hammarskjold in a rather shaky position, asking China to recognize the United Nations Secretary-General and a mandate from a UN organ when it was itself barred from membership. Hammarskjold's approach, which eventually contributed to the release of the Americans, was the 'Peking Formula': discussions were not held on the basis of the Assembly resolution but on the authority the Secretary-General could derive from the Charter, as a representative of the international community, in the knowledge that China sought recognition. He made a distinction between his responsibilities as an agent of the Assembly and Security Council under Article 98, and his status as an officer of the Organisation under Article 7: this engendered a margin of independence. The extent to which his approach led to the release of the airmen has been questioned, yet this should not detract from this distinction and the measure of autonomy that it creates for the Secretaryship-General.⁷⁵

The 'Peking Formula' also involved the Office filling the vacuum left by members' disagreement and the vagueness of some of the deliberative organs' mandates, so that freedom of action could be assumed by the Secretary-General if not explicitly prohibited. Of course, this is only possible if an active approach was desirable - or at least not objectionable - to major interested parties.

In the Middle East, after the 1949 Armistice Agreements had failed to bring peace, the development of this role faced complications which placed Hammarskjold closer to contention. The delicacy and intransigency of the situation resulted in the unanimous resolution of the 4th April 1954, requesting "the Secretary-General to arrange with the parties for the adoption of any measures which...he considers would reduce existing tensions along the armistice demarcation line."⁷⁶ Thus, as a consequence of Council deadlock - the failure of collective security - the situation was 'given

74 General Assembly Resolution 906(9), 10 December 1954, paragraph 4.

75 For example according to L.S.Trachtenberg, "[w]hat influence Hammarskjold was able to exert stemmed ultimately from the mandate he had implicitly received from the United States, and China...and not, as he preferred to believe, from any other sources, that is, the Charter." 'Dag Hammarskjold as leader: a problem of definition', *International Journal*, vol.32, no.4, Autumn 1982, p.623.

76 Security Council Resolution 113, 4 April 1956, paragraph 3.

to Dag'.⁷⁷ Hammarskjold was determined to minimize the dangerous influence of extraneous parties and Cold War implications, especially as Britain and France seemed more eager for an interventionist approach in defence of the status quo in the area *vis-à-vis* Israel and their declining regional position, reflected in the Tripartite Declaration of 1950. On accepting his mandate Hammarskjold also indicated that, in addition to being an agent of the Council with this specific task, as Secretary-General he had an obligation under the Charter to raise any matter which threatened international peace and security. Following a course of 'quiet diplomacy', Hammarskjold achieved fragile agreements between the parties involved, upon an 'inherent authority', although the effort was essentially flawed by mistrust, not least that of Israel towards the United Nations.⁷⁸ Yet still the 'Peking Formula' was applied.

The Suez war involved most of the elements of the Middle East situation: a chapter in the Arab-Israeli conflict, the struggle between Arab nationalism and post-colonial hegemony, and an episode in the Cold War. Hammarskjold's scope was seemingly weak as the differences of the parties were particularly entrenched, and the European interests were strong. There were a multitude of complications when Nasser announced the nationalisation of the canal company. An important step for Hammarskjold was his initiative - with the support of US Secretary of State Dulles - to call together the Foreign Ministers of France, Britain and Egypt.⁷⁹ Hammarskjold's efforts were undermined by the infamous collusion between Britain, France and Israel, and subsequently the latter attacked Egypt on 29 October 1956. The Anglo-French veto of a cease-fire resolution, and their attack upon Egypt, made their complicity in the affair obvious.

Hammarskjold, shocked at the behaviour of these states, took the opportunity of rebuking them at the same time as presenting an assertion of the Secretary-General's authority in the form of an ultimatum:

A Secretary General cannot serve on any other assumption than that...all Member nations honor

77 J.P.Lash suggested that this was a case of expediency, a last resort perhaps: "[a] resolution 'giving it to Dag' might get by the Soviet Union where a more specific directive might not....And if the mission failed, the blame would be on Hammarskjold rather than on them." *Dag Hammarskjold*, p.68. According to M.B.Oren, "[t]o insulate their peace initiative from the ill-effects of the border dispute, and preclude a war which the Soviets could exploit for further encroachment, the powers turned to Hammarskjold." 'Ambivalent Adversaries: David Ben-Gurion and Israel vs. the United Nations and Dag Hammarskjold, 1956-57', *Journal of Contemporary History*, vol.27, no.1, 1992, p.93.

78 J.P.Lash, *Dag Hammarskjold*, p.72. For S.D.Bailey, "...the Council's resolution 113(S/3575) of 4 April 1956 on the Middle East initiated a new era, with a new concept of the role of the Secretary-General." *The Procedure of the UN Security Council*, 2nd ed., New York, Oxford University Press, 1988, p.83.

79 B.Urquhart, *Hammarskjold*, p.165. The US feared the prospect of British and French aggression and the danger of Egypt running into the protective arms of the Soviet Union.

their pledge to observe all articles of the Charter...Were the Members to consider that another view of the duties of the Secretary General than the one here stated would better serve the interests of the Organization, it is their obvious right to act accordingly.⁸⁰

This ploy was met with statements of support by the representatives of the Great Powers⁸¹ and after the issue was lifted from the deadlock of the Security Council to the Assembly through the 'Uniting for Peace' mechanism, a cease-fire draft was presented. The unexpected compliance of Israel brought a halt in the fighting closer.

Hammaraskjold's skill and authority were given greater scope - and the Office developed correspondingly - by a mandate to act. Canadian Lester Pearson was the first to suggest a United Nations force, and on 4 November the Emergency Session of the General Assembly requested the Secretary-General to "submit to it within forty-eight hours a plan for the setting up...of an emergency international United Nations Force to secure and supervise the cessation of hostilities..."⁸² Hammaraskjold was subsequently invited "to take such administrative measures as may be necessary for the prompt execution of the actions envisaged in the present resolution," namely, to facilitate the cessation of fighting and the withdrawal of troops.⁸³ The creation of the United Nations Emergency Force was important for securing and maintaining a cease-fire. Hammaraskjold's report for the establishment of the force - "a conceptual masterpiece in a completely new field"⁸⁴ - and his subsequent administration represented a landmark in UN history and the development of the Secretaryship-General. Again, Hammaraskjold had approached the situation both under a mandate, and under the developing inherent responsibilities of his Office: the organisation and employment of peace-keeping would henceforth develop as a special preserve of the Secretary-General. Indeed, "UNEF was the first UN peace-keeping operation to be directed from the outset by the Secretary-General."⁸⁵ It was also of great importance for the development of the Secretaryship-General in the wider sense in that Hammaraskjold's tenure "...underlined the changing institutional relationships and the growing centrality of an independent Secretariat that accompanied

80 Cited by W.Foote ed., *op.cit.*, p.124.

81 J.P.Lash, *Dag Hammaraskjold*, p.82.

82 General Assembly Resolution 998(1956), 4 November 1956.

83 General Assembly Resolution 1000(1956), ES-1. According to Indar Jit Rikhye, Hammaraskjold "concerned himself with every detail and supervised every discussion in deciding their [UNEF and ONUC] organization and operations." 'Hammaraskjold and Peacekeeping', in R.S.Jordan ed., *Dag Hammaraskjold Revisited*, p.78.

84 B.Urquhart, *A Life in Peace and War*, p.133.

85 L.L.Fabian, 'The International Administration of Peace-Keeping Operations', in R.S.Jordan ed., *International Administration. Its Evolution and Contemporary Applications*, p.127.

the UN's transition from collective security to peace-keeping concerns."⁸⁶

The Secretaryship-General was ripe for expansion, albeit more from Security Council deadlock at a time of almost impromptu invention subsequent to the failure of collective security, rather than an express intention to endow the Office with such a role. Moreover Hammarskjold's freedom for initiative and success derived largely from the fact that the Great Power configuration - although reluctantly on the part of Britain and France - was amenable to his approach. Indeed, a comparison with the case of the Soviet intervention into Hungary in the same year puts the Suez case into perspective: the Soviet Union did not have the pressures on it that Britain, France, and perhaps Israel had, and Hungary was within the Soviet 'sphere of influence'. Subsequently, Hammarskjold's words and efforts were futile in regard to the latter.

The rest of Hammarskjold's tenure represented a development and consolidation of the use of creative administration, preventive diplomacy, and the use of the 'Peking Formula'. The Lebanon crisis was not dissimilar to that of Suez in providing a role for the Secretary-General to facilitate the withdrawal of Great Power intervention in a volatile Cold War context. The internal problems of Lebanon escalated to global proportions when its pro-Western president, Chamoun, asked for United States defence against the alleged intervention of the United Arab Republic of Egypt and Syria.⁸⁷ The Soviet Union warned against Western involvement. The observer group in Lebanon, UNOGIL, was based upon a Security Council mandate which authorised Hammarskjold to "dispatch urgently an observation group...to Lebanon so as to ensure that there is no illegal infiltration of personnel or supply of arms or other material" across the border.⁸⁸ UNOGIL sought to investigate the infiltration claims whilst preventing extraneous, especially Western, involvement; in Hammarskjold's words, it was "a classical case of preventive diplomacy."⁸⁹ Hammarskjold again negotiated with Nasser before having some success in allaying the fears of Chamoun; it was said at the time "...here is the quiet diplomat *par excellence*."⁹⁰

However, the overthrow of Nuri es Said in Iraq on 14 July 1958 caused the West's anxieties to boil over. Fearing a communist-inspired Arab takeover of the region, the United States intervened in Lebanon and Britain in Jordan at King Hussein's request, both provoking threatening Soviet

86 *Ibid.*, p.159, and a personal correspondence from Sir Brian Urquhart, 11 March 1994.

87 B.Urquhart, *Hammarskjold*, p.265.

88 Security Council Resolution 128, 11 June 1958, paragraph 2.

89 Cited by B.Urquhart, *Hammarskjold*, p.265.

90 A.James, 'The Role of the Secretary-General of the United Nations in International Relations', *International Relations*, vol.1, no.2, October 1959, p.627.

signals. Preventive action was thus essential "to forestall developments which might draw the specific conflict, openly or actively, into the sphere of power bloc differences," as Hammarskjold explained later.⁹¹ When the reality of the Iraqi coup emerged - that it was not a Nasserite or Soviet takeover - a strengthened UNOGIL was essential to facilitate a face-saving withdrawal by the United States. In the absence of a Council resolution enabling this Hammarskjold was prominent in the diplomatic manoeuvres in the General Assembly which expanded the observer group.⁹² The Secretary-General encouraged the Arab leaders to work towards a solution indigenous to the region and the Arab 'good neighbour' resolution was adopted; the United States withdrew in October 1958 and the British in November.

So Hammarskjold had made a successful application of assumed responsibility and preventive diplomacy. Whilst he was sure that he must act on the basis of the Charter or the wishes of the deliberative organs:

I [also] believe that it is in keeping with the philosophy of the Charter that the Secretary-General should be expected to act also without such guidance, should this appear to him necessary in order to help in filling any vacuum which may appear in the systems which the Charter and traditional diplomacy provide for the safeguard of peace and security.⁹³

A further case which is important to this subject concerns the troubles in Laos, to which the United Nations turned in 1959. Laos, after French withdrawal, represented another typical Cold War pawn, split internally between allegiances to Thailand and North Vietnam, who in turn had their own superpower guardians. In early 1959 Hammarskjold was asked by Laos for informal advice, and later it made an allegation of North Vietnamese aggression. The United States, as a global power, found itself to be an interested party, and unilateral intervention was not out of the question. The Soviets, again, warned against any such Western involvement. In November 1959 Hammarskjold announced his acceptance of the Laotian request to visit; a visit not sanctioned by the Council, but based on the unspecified investigatory rights implicit in Article 99. That is, "a broad discretion to

91 D.Hammarskjold, 'Introduction to the Annual Report', 31 August 1960, in W.Foote ed., *op.cit.*, p.303. S.D.Bailey remarked that "[h]ere was a vacuum *par excellence*, and Mr.Hammarskjold had no hesitation in acting." 'The Secretary-General of the United Nations', *The World Today*, January 1961, p.8.

92 See L.M.Gordenker, *The United Nations Secretary-General and the Maintenance of Peace*, pp.215-222.

93 Statement on reappointment, General Assembly 26 September 1957, in W.Foote ed., *op.cit.*, p.150. A.James observed that "the United Nations Secretary General is playing a part in international relations which would have been inconceivable fifty, and improbable twenty-five, years ago." 'The Role of the Secretary General of the United Nations in International Relations', p.620. *The Times* noted that "...his efforts have led over the years to a certain transformation of the office." Thursday, 18 December, 1958, p.11. However Brian Urquhart felt that in the Middle East Hammarskjold had "pushed his powers of independent initiative to a new limit...leaving behind a vacuum of constitutional authorization." *Hammarskjold*, p.287.

conduct inquiries and engage in informal diplomatic activity in regard to matters which may threaten the maintenance of international peace and security."⁹⁴ He subsequently appointed a representative. Hammarskjold was treading a path of shaky constitutionality in his determination to keep Laos out of the Cold War arena as far as was possible.⁹⁵

Events in the Congo have been interpreted as being both significant to the political development of the Secretaryship-General,⁹⁶ yet also almost disastrous to that Office. Hammarskjold and the Secretaryship-General became embroiled in questions regarding the manner in which UN peace-keeping had developed, and the role of the Secretariat in this case and in the wider sense. For Gordenker, "[i]f Hammarskjold defended his stance in the Congo, he also defended the role Secretary-General as leader."⁹⁷ Hammarskjold exercised a high degree of responsibility. However, this led to a questioning of his authority which would remain long after his demise, and something of a conservative reaction against the Office reflected in the experiences of U Thant and Kurt Waldheim.⁹⁸ Indeed many commentators view the Congo as Hammarskjold's ruin, the undoing of the internationalist project of international administration. A popular theme holds that "he went too far, coming up very rudely against the limitations of his job."⁹⁹

The Congo operation concerned many issues of great importance to Hammarskjold: the Cold War, Africa, and preventive diplomacy in particular.¹⁰⁰ The obvious vulnerability of the Congo, upon hurried independence - when "the great colonial structure lapsed almost overnight into anarchy

94 D.Hammarskjold, 'The International Civil Servant in Law and in Fact', in W.Foote ed., *op.cit.*, p.335.

95 Soviet delegate A.Roshchin at the 1960 General Assembly indicated the Soviet disquiet with this liberal interpretation of Article 99, in J.P.Lash, 'Dag Hammarskjold's Conception of His Office', *International Organization*, vol.16, 1962, p.555. According to one report, Laos was "...the most ambitious expression yet of the philosophy which Mr. Hammarskjold has quietly but firmly developed since his renewal of office two years ago." *The Economist*, 2 January 1960, p.12.

96 A.W.Rovine, *op.cit.*, p.434.

97 L.Gordenker, 'The Secretary General', in J.Barros, *The UN. Past, Present, and Future*, New York, Free Press, 1972, p.109. For J.P.Lash, "[t]he U.N. was on trial in Africa." *Dag Hammarskjold*, p.262.

98 For example R.S.Jordan, Introduction to his edited work, *Dag Hammarskjold Revisited*, pp.8-9; also L.M.Goodrich, 'Hammarskjold, the United Nations, and the Office of Secretary General', *International Organisation*, vol.28, no.1, 1974, p.470.

99 A.James, 'The Secretary General: A Comparative Analysis', p.39. Such sentiments often imply that Hammarskjold was in control of his position. This belittles the argument that the Congo *dâbaclé* was partly the result - perhaps the culmination - of a somewhat precarious institutional shift towards the Secretariat in the wake of a vacuum of decision making in the Security Council.

100 The Secretary-General had a vision of "African solidarity within the framework of the United Nations," and a understanding of the problems that such fledgling countries as the Congo were experiencing, D.Hammarskjold, Introduction to the Annual Report, 31 August 1960, in W.Foote ed., *op.cit.*, p.295.

and confusion"¹⁰¹ - presented the greatest challenge to Hammarskjold's deepest convictions. Almost immediately after independence there were military mutinies, the subsequent entry of Belgian airborne troops, and Tshombé's announcement of Katangan secession, supported materially and diplomatically by Belgian mining interests and various other Western governments and parties.¹⁰² Hammarskjold took the reins on 13 July 1960 in calling a Council meeting under Article 99, the first time this had been officially and technically invoked. With the pro-Western tendencies of Tshombé, in contrast to the African militancy of Prime Minister Lumumba, the Soviet determination to counter Western involvement, and the economic value of Katanga, there were sensitive issues involved. An active approach by the Secretary-General would be ambitious and hazardous.

An elaborate recital of the complex events of the Congo case will not be provided here; details are covered only as far as is necessary for the purposes of the development of the Secretaryship-General. A Security Council Resolution of 14 June 1960 called upon Belgium to withdraw its troops and requested that the Secretary-General "take the necessary steps, in consultation with the Republic of the Congo, to provide the Government with such military assistance as may be necessary until...the national security forces may be able...to meet fully their tasks."¹⁰³ Thus, along the 1956 model, Hammarskjold was given the task of forming ONUC; the urgency of the situation, the wide mandate, and the fact that peace-keeping was still not governed by a comprehensive institutional framework, gave him greater freedom than might normally have been the case. Regarding the mandate, for instance, it is significant that early resolutions did not mention Katanga - clearly most of the West favoured, if not supported, secession¹⁰⁴ - so Hammarskjold had to judge whether the execution of UN policy implied action which might assist or hamper Tshombé, whilst maintaining that ONUC was not there to interfere with the internal politics of the area. His position was clarified

101 B.Urquhart, *Hammarskjold*, p.390, and interview in New York, 25 May 1994. In the words of P.O'Donovan, "[i]t represented an inviting sort of vacuum of an almost Victorian sort - a marvellous entry port for the Cold War into Africa." 'The Precedent of the Congo', *International Affairs*, 37(2), April 1961, p.184.

102 Interview with Sir Brian Urquhart, New York, 25 May 1994.

103 Security Council Resolution 143, 14 July 1960, paragraph 2. B.Urquhart recalled that "[t]o put it briefly, the U.N. operation was to fill a vacuum that would probably otherwise be filled by the conflicting forces and influences of East and West, and by a variety of racial, economic, ideological, political, and tribal conflicts as well." *Hammarskjold*, p.402.

104 For an insightful account of Tshombé's support, especially by Western mining interests, and a remarkable picture of clandestine big business manipulation which points to Hammarskjold's death at the hands of such parties, see D.N.Gibbs, 'Dag Hammarskjold, the United Nations, and the Congo Crisis of 1960-1: a Reinterpretation', *The Journal of Modern African Studies*, 31, 1, 1993, pp.163-174.

slightly on 9 August,¹⁰⁵ but the appearance of impartiality was difficult to sustain. The Secretary-General took a bold step forward in announcing that "I have the right to expect guidance...but it should be obvious that if the Security Council says nothing I have no other choice than to follow my conviction."¹⁰⁶

With no detailed brief toward Katanga, Hammarskjold attempted to stick to what he believed was the most impartial approach towards Congolese politics, and the most decisive against extraneous influence. However, this satisfied none of the extraneous influences - Hammarskjold's 'impartiality' involved expelling military support for Katanga, thus quelling secession - and the situation worsened when there was a serious rift between the Prime Minister Lumumba and President Kasavubu. This further complicated the relationship between ONUC and the host nation - now constitutionally in turmoil - and contributed to the breakdown of the flimsy consensus which had existed between the superpowers. How could the UN be offering assistance "in consultation with the government of the Republic of the Congo" when the government was split? ONUC, and Hammarskjold, were on shaky legal and political ground. The death of Lumumba, who had strayed from UN protection, was perhaps the final straw in the eyes of the Soviet Union.

The strongest resolution during Hammarskjold's tenure, of 21 February 1961, urged that ONUC "take immediately all appropriate measures to prevent the occurrence of civil war in the Congo, including arrangements for cease-fires, the halting of all military operations, the prevention of clashes, and the use of force, if necessary, in the last resort."¹⁰⁷ Hammarskjold's duties were not clarified, and acrimony continued to surround what many perceived as the Secretary-General overstepping his mark and the UN become entrenched in an operation of great cost which had escalated beyond the circumstances which had initially prompted intervention. The situation in the Congo had progressed ahead of the piecemeal institutional authority that was designed to substantiate such policy, and the Secretary-General was forced into positions where almost any decision would attract criticism.¹⁰⁸ The Office had left a constitutional vacuum in its wake. Subsequently, many contemporaries, and certainly those desirous of some form of Troika reorganisation, felt that the Secretary-General should therefore not be permitted to 'go out on a limb'

105 The Resolution again called upon Belgium to withdraw, this time specifically from Katanga, under "speedy modalities determined by the Secretary General." Security Council Resolution 146, 9 August 1960, paragraph 2.

106 D.Hammarskjold, Security Council, 21 August 1960, cited by B.Urquhart, *Hammarskjold*, p.435.

107 Security Council Resolution 181, 21 February 1961, paragraph 1. However, the Secretary-General was not named; for B.Urquhart, "once again the Council had passed the buck to him." *Hammarskjold*, p.509.

108 Hammarskjold observed this in the Council, 7 December 1960, in W.Foote ed., *op.cit.*, pp.325-6.

to such an extent in future.

It is widely believed that had Hammarskjold's sad death not occurred in September 1961, his position would have been impossible, despite his faith in the smaller powers and the fact that his "standing offer of resignation" before the Assembly was met by substantial intimations of confidence.¹⁰⁹ Was Hammarskjold's undoing the result of structural developments which inevitably placed him in a precarious position, or the result of personal ambition, or both? Urquhart appears to incline towards a personal explanation, suggesting that, "[i]n the end he carried this implicit challenge to national sovereignty further than some of the more powerful states were prepared to tolerate."¹¹⁰ Whatever is the case, it may put previous cases into a more realistic perspective, suggesting that a large element of Hammarskjold's success was indeed fortuitous and dependent upon a certain alignment of circumstances. Trachtenberg felt that "with only a few exceptions, Hammarskjold's initiatives, however independent and daring they may have seemed, were accomplished either through the positive support of the great powers or because of the lack of interest on their part."¹¹¹ There is undoubtedly much truth in this. Yet while it may be the case that Hammarskjold's reputation has been slightly inflated, it does not detract from the significance of Hammarskjold's tenure for the political development of his Office and the thesis that the parameters within which the Secretary-General acts can be paralleled to trends in international politics. The remarkable personality of Hammarskjold complicates this, but it is possible to view his behaviour in the context of the institutional changes of the United Nations. This was a reflection of the need for a mechanism of peaceful settlement and face-saving in the face of the paralysis of collective security and an environment of Cold War and conflicts over decolonization.

The manner in which Hammarskjold defended the actual concept of the Secretaryship-General epitomises the political status to which he had taken the Office. In the context of the African experiment the Soviet Union spearheaded a reform of the Secretary-General's Office on the basis that "whilst there are neutral countries, there are no neutral men."¹¹² Accordingly, a single executive officer could not hope to represent the divisions of the world; the Troika proposal for the Secretariat, representing East, West, and neutral countries, would ensure that this was possible.

109 General Assembly, 5 April 1961, cited by H.G.Nicholas, *op.cit.*, p.191.

110 B.Urquhart, *Hammarskjold*, p.596.

111 L.Trachtenberg, *op.cit.*, p.623. For Alan James, "[i]nstead of an exemplar, he is perhaps being seen, correctly, as the exception rather than the rule, a brilliant man who took advantage of an unusual hour." 'Why Dag's Name No Longer Casts a Spell', *The Times*, 14 September 1981, p.14.

112 Statement by Premier Khrushchev to Walter Lippmann, *New York Herald Tribune* (European edition), 17 April 1961.

However, whilst Hammarskjold never stated that the international civil servant should dissociate himself from his country, he did believe that it is possible to approach issues without partiality to national or ideological interests. Even in politically controversial cases the Secretary-General can seek to take action "on an international basis and, thus, without departing from the basic law of 'neutrality'."¹¹³ This is achieved by following the basic law of the Charter and customary international law, backed up by a further body of legal doctrine, such as the resolutions of UN organs. The margin of personal judgment can be reduced.

The Troika proposals - and similar ideas - were aimed at eliminating all such discretion.¹¹⁴ The questioning of the Secretaryship-General itself - not only by the Soviet Union - was negative for the political development of the Office. Bailey made a perceptive remark at the time: "Hammarskjold's tragedy was that in an honest and high-minded effort to achieve a result in the Congo consistent with the purposes and principles of the Charter, he failed to receive the support of member governments with the result that the Organization and his office were greatly weakened - instead of strengthened as he had hoped."¹¹⁵ However, his personal difficulties did not result in the majority of members wishing to enfeeble the Office to which Hammarskjold had contributed so much: the development of the Office as a political and independent organ, although ultimately somewhat stunted, still stood.

Thus, the practices of the Peking Formula, preventive diplomacy, and quiet diplomacy in the cause of peaceful settlement survived as prerogatives of the Office. Likewise Hammarskjold had maintained the practice of being spokesperson of the international community, regarding various disputes and such issues as the peaceful uses of nuclear energy and economic development. A consideration of Hammarskjold's public statements leaves little doubt of this. A popular feeling is that, overall, "Hammarskjold provided the most dynamic leadership that any Secretary-General of the League or the United Nations has ever provided."¹¹⁶

However, the development of the Secretaryship-General was certainly hindered and there were numerous expressions of concern regarding independent initiatives, especially when it was based

113 D.Hammarskjold, 'The International Civil Servant in Law and in Fact', in W.Foote ed., *op.cit.*, p.337.

114 The Troika would in effect have introduced the veto throughout the Secretariat. A.James, 'The Soviet Troika Proposals,' *The World Today*, September 1961, p.372; L.M.Goodrich, 'The Political Role of the Secretary-General' in D.A.Kay ed., *The United Nations Political System*, New York, John Wiley and Sons, 1967, p.141. The proposals made by the Soviets were not the only suggestions regarding a reorganisation of the Secretariat, B.Urquhart, *Hammarskjold*, p.462.

115 S.D.Bailey, 'The Secretary General of the UN', *The World Today*, January 1961, p.48.

116 L.M.Goodrich 'Hammarskjold, the UN, and the Office of Secretary General', p.482.

on a constitutional vacuum and liberal interpretations of the Charter.¹¹⁷ Other commentators urged greater accountability and even a mechanism for removing the Secretary-General.¹¹⁸ This was a manifestation of an attitude of conservatism - both East and West - which was to befall the Secretaryship-General after Hammarskjold. The restraints within which U Thant and Waldheim worked, and a certain feeling that the status of the Office was in decline, were partly a result of this. Above all, Hammarskjold should be seen in the context of institutional shifts which were in turn a reflection of systemic trends.

U Thant

U Thant's style, his placid personality, his handling of certain issues, and an environment which did not allow a great deal of flexibility after Hammarskjold and Lie, have resulted in a reputation far from positive. The quagmire of paralysis and disillusionment at the United Nations, with powerful states putting UN fora increasingly at the periphery of their foreign policy, was to engulf the Organisation intermittently from the early 1960s and more persistently from the early 1970s, until the latter half of the 1980s. In the context, the Secretaries-General could work only within severe restraints, and the result has been, for Brian Urquhart, that "U Thant has, in the West at any rate, been virtually written out of history."¹¹⁹ U Thant certainly headed the Secretariat during numerous international crises over which the UN had little influence - Vietnam, the Six Day war, Rhodesia, Nigeria, Cyprus, and India-Pakistan in 1971 are a few - and during a general deterioration of the Organisation. However, it is necessary to evaluate the structural constraints within which U Thant worked, and, according to Urquhart at least, the manner in which he was made a scapegoat for inadequacies elsewhere.

U Thant's incumbency has been described as representing a downturn, or levelling-off, of the

117 E.Stein, 'Mr.Hammarskjold, the Charter Law and the Future Role of the United Nations Secretary General', p.31. Also H.F.Armstrong, 'UN on Trial', *Foreign Affairs*, vol.39, no.3, April 1961, pp.388-415.

118 For example H.H.Lentner, 'The Political Responsibility and Accountability of the United Nations Secretary General', *Journal of Politics*, vol.27, no.4, September 1965, "...a mechanism for turning a particular Secretary General out of office would help to preserve the office and the international character of the Secretariat. This advantage would accrue because it would allow formal objections to the *policies* of a person rather than objections to the *person* holding the office and to the *office* itself." pp.357-858.

119 B.Urquhart, *A Life in Peace and War*, p.189. Urquhart reflected upon U Thant's reputation, which he sees as a great injustice, in an interview, New York, May 1994. See also A.James, 'U Thant and his Critics', *The Year Book of World Affairs*, vol.26, 1972, p.46.

political status of the Secretaryship-General.¹²⁰ Whilst it is wrong to claim that he was politically lame,¹²¹ for reasons mostly beyond his control he did not expand the procedural prerogatives of his Office in the sense that Lie and Hammarskjold had done. However, it could be argued that he represented a coherent constituency in the Third World and he *maintained*, as far as possible, the practices of those he succeeded.¹²²

Upon taking Office U Thant took an anti-Katangan - and characteristically anti-imperialist - line in the Congo, and although he distanced himself from the situation more than Hammarskjold, he can be associated with the crackdown which ended the secession.¹²³ Of greater significance to the Office was U Thant's often underrated role in the Cuban Missile Crisis of 1962. The Secretary-General, in the Council, called for urgent negotiations between the US and Soviet Union and made public statements: "[i]n this most dangerous of international crises, U Thant provided an impartial central point of reference to which both sides could respond positively without the appearance of weakness or surrender."¹²⁴ Rikhye has recalled that, to prevent escalation, U Thant started the process of reaching an understanding between the parties on basic issues regarding the search for a solution; he worked out a formula which found credibility amongst the protagonists; and he succeeded in bringing the two sides together in his conference room where negotiations could take place in private.¹²⁵ However, when U Thant was not able to secure a UN inspection of the missiles due to Castro's stubbornness the American public were angry and disappointed. Thus, "[h]is reward for his quiet diplomacy in helping the superpowers avert a war, perhaps a nuclear war, was to be forgotten despite the very important role he played."¹²⁶

120 For example see W.D.Jackson, 'The Political Role of the Secretary-General under U Thant and Kurt Waldheim: development or decline?', *World Affairs*, vol.140, no.3, Winter 1978.

121 A.W.Rovine, *op.cit.*, pp.410-413. He suggests that "in the context of public pronouncements and attitude formation, Thant has gone further than either Lie or Hammarskjold." p.413. This finds support in the material in L.Gordenker 'U Thant and the Office of UN Secretary-General', *International Journal*, vol.22, no.1, Winter 1966-67, pp.1-16.

122 L.Gordenker supported the idea that whilst there was not much development of the Office under U Thant, "[c]ertainly Hammarskjold's successor proved ready to claim that he would base his work on the concepts spelled out during the eight years before he took office." *The UN Secretary-General and the Maintenance of Peace*, p.85. See also T.E.Boudreau, *Sheathing the Sword. The U.N. Secretary General and the Prevention of International Conflict*, p.70.

123 A.James recorded that "under U Thant, the United Nations moved to strong action against the Tshombé government." 'U Thant and his Critics', p.56.

124 B.Urquhart, *A Life in Peace and War*, p.193; interview, New York, 25 May 1994.

125 I.J.Rikhye, 'Critical Elements in Determining the suitability of Conflict Settlement Efforts by the United Nations Secretary General', in L.Kriesberg and S.J.Thorson ed., *Timing the De-escalation of International Conflicts*, New York, Syracuse University Press, 1991, pp.72-80.

126 *Ibid.*, p.80. Also T.E.Boudreau, *op.cit.*, pp.63-64.

Criticisms of U Thant's style also exist in cases where people feel that he may have spoken out more than he did, even within the constraints which existed. The withdrawal of the UN Emergency Force between Israel and Egypt in 1967, for example, has been judged to have been too compliant with Nasser's wishes and directly linked to the Six Day war that ensued. Yet the basis of UNEF under international law and the emerging principles of peace-keeping necessitated compliance with the host state. The practical and political realities - the Security Council was unwilling to censure Egypt, and if UNEF had remained in place it would have been overrun - made such compliance essential. As one observer commented, the contributing states would not have wanted their forces in UNEF if the host nation had withdrawn consent, U Thant would have risked lives and the very concept of peace-keeping had he reneged on the principles which established UNEF, and when he asked if he could put troops on the Israeli side of the border, his request was turned down: "his withdrawal of UNEF was eminently justified by the situation with which he was confronted."¹²⁷ In fact U Thant did make efforts to maintain UNEF - such as his contact with Israel and his visit to Cairo - and there is a plausible argument that he realised that he could not appeal to the Council because they would have been unwilling to set such a precedent as refusing to withdraw a peace-keeping force. Thus "[t]hey knew all too well that nothing could be done and therefore wished to take no responsibility."¹²⁸ Subsequently, U Thant proved to be something of a scapegoat in a conflict which in a wider sense could hardly be blamed on him.

U Thant is sometimes associated with the international community's inadequate response in 1971 to the war between Pakistan and what would become Bangladesh, with the involvement of India. Why had the Secretary-General not invoked Article 99 during the ominous months prior to full-scale conflict? For Bailey "[t]he situation in the summer of 1971 was the kind of situation which the drafters of the Charter had had in mind when they decided to include Article 99...when all members of the Council are inhibited from taking an initiative because of their relationship to one or other of the parties it is in such situations that Article 99 attains its full importance."¹²⁹ More bluntly Boudreau concluded that U Thant "tended to minimize, or disregard, his preventive responsibilities under Article 99 in two key instances: UNEF in 1967 and the Indian-Pakistani problem in 1971."¹³⁰

127 A.James, 'U Thant and his Critics', p.61.

128 B.Urquhart, *A Life in Peace and War*, p.212. Also A.James, *ibid.*, p.61.

129 S.D.Bailey, *The Procedure of the UN Security Council*, pp.75-76.

130 T.E.Boudreau, *op.cit.*, p.75.

However, whilst it is possible that the Secretary-General might have achieved something by forcing the issue to the top of the agenda, these complaints rest on the presumption that public political initiatives have the highest chance of success. U Thant took the opposite view: that such manoeuvres, if against the grain of a single key state or the general attitude of the Security Council, can be counterproductive for the case in question and for the usefulness of the Secretaryship-General. A prominent academic advocate of this view was James Barros; his common theme is that "the United Nations secretaries-general have very often by their public political initiatives undermined their political usefulness" and that "[t]o a certain extent the desire for a Secretary-General who takes public initiatives is an escape from reality."¹³¹ What one should note is that U Thant's approach must be seen in the context of what was possible at the time and in light of the restrictions imposed by insufficient data from the researcher's point of view. By necessity much of U Thant's work was in private, and if he determined that a more robust approach, perhaps including the invocation of Article 99, may have been appropriate, the observer cannot be sure that U Thant would not have employed it. In the case of Pakistan in 1971, the Security Council appeared incapable of acting, even after fighting had begun.¹³² One cannot blame U Thant for the restrictions within which he worked.

A further case in point concerns the Soviet Union's intervention into Czechoslovakia in 1968. As with Hungary in 1956, this country was well within the Soviet Union's sphere of influence, essentially untouchable by the United Nations in the framework of the tacit 'rules of the game'. Yet for Urquhart, "[t]he Soviet invasion of Czechoslovakia in August 1968 brought out once again the world's need of a scapegoat and U Thant's preeminent availability for this role."¹³³

One is led to the judgement that the Secretaryship-General did not develop notably under U Thant. However, he did maintain and to an extent routinise a number of practices. Moreover U Thant could be said to have taken an assertive, perhaps creative, approach to many of the issues he encountered. His identification with the Third World and development issues went some way to creating a constituency of support, thus developing a tendency started tentatively by Hammarskjöld.

131 J.Barros, *Office Without Power. Secretary-General Sir Eric Drummond 1919-1933*, pp.399 and 402. A similar theme can be found in the conclusion to his *Betrayal From Within. Joseph Avenol*, pp.263-264, in his *T.Lie and the Cold War*, pp.350-353 in 'The Importance of Secretaries-General of the United Nations', in R.S.Jordan ed, *Dag Hammarskjöld Revisited*, especially pp.31-35 and in his contribution to a Round-table chaired by S.M.Schwebel, 'A More Powerful Secretary-General for the United Nations?', *The American Journal of International Law: Proceedings*, vol.66, no.4, September 1972.

132 B.Urquhart, *A Life in Peace and War*, pp.221-222.

133 *Ibid.*, p.220.

It is telling that Thant once said that "[e]conomic problems, ultimately, if there are not solutions, are more explosive than the political problems."¹³⁴ Surely his promotion of development and social issues - the Development Decade is an example - aligned the Secretary-General to a political movement. This could be associated with Rovine's categorization of one of the Office's functions in terms of the articulation and aggregation of interests.¹³⁵ Inevitably, whilst this may have represented an element of political development in the Secretaryship-General, it brought with it something of a 'particularist' image - rough comparisons could be made with Albert Thomas and Prebisch - which may have influenced U Thant's status amongst the international community. It would appear that many statesmen, and academics, were conscious of U Thant's partiality to certain causes.¹³⁶ Nevertheless, this was still an expression of the political development of the Office, in the environment of emerging development politics.

U Thant's statements concerning the Vietnam war, even though he was allowed no role in the cessation of hostilities, likewise illustrated a public political role, positioning his Office in opposition to a superpower commitment.¹³⁷ Such a stance - of obvious annoyance to the United States - in the context of his anti-imperialist, anti-racist, and some might say anti-Western tendencies, did not put the Secretary-General on the best of terms with a number of Western capitals.

A further political stance by U Thant, with obvious parallels to his predecessor's declarations regarding his Office, occurred upon his reappointment in December 1966. This reappointment occurred, according to Bailey, "after an uneasy period of uncertainty in which Thant had been increasingly outspoken in criticizing actions which seemed to him to violate Charter principles."¹³⁸ It is worth citing U Thant at length:

I do not subscribe to the view that the Secretary-General should be just a chief administrative

134 U Thant, press conference 6 July 1966, cited by L.Gordenker, 'U Thant and the Office of U.N. Secretary-General', p.3. For Urquhart, "U Thant's moral sense overrode his political sense and caused him to do what he believed right, even if it was politically disadvantageous to him. His stewardship had none of the flair or high personal style of Hammarskjold, but his undertakings were just as courageous." *A Life in Peace and War*, p.190.

135 A.W.Rovine, *op.cit.*, pp.444-445. He suggested that "Thant may utilize his embryonic 'constituency' as a base of authority and influence, assuming a continued competition for power by Moscow and Washington in the Afro-Asian world." p.432.

136 For J.Barros, U Thant's "undisguised partialities and conception of the United Nations were formulated largely from the vantage point of the Afro-Asian world." *Trygve Lie and the Cold War*, p.347.

137 At a press conference in early 1965, for instance, he is reported to have said: "I am sure that the great American people, if only they know the true facts and the background to the development in South Vietnam, will agree with me that further bloodshed is unnecessary." S.D.Bailey, *The Procedure of the Security Council*, p.89.

138 S.D.Bailey, *ibid.*, p.291.

officer, or, in other words, that the Secretary-General should be a glorified clerk....[B]esides the functions of administration, the Secretary-General must take the necessary initiatives in the political and diplomatic fields. These political and diplomatic initiatives, in my view, are an essential part of the functions of the Secretary-General.¹³⁹

To continue in office after such an assertion, one might argue, indicates that U Thant had developed his role to the extent that his political or creative prerogative was accepted, perhaps to the extent of that of Hammarskjold. Less positively, it could also be suggested that either the major powers felt that Thant's words would not be matched with actions, or that they were simply uninterested in the United Nations as a foreign policy instrument and therefore unconcerned with U Thant's statements regarding his Office unless they obstructed directly their objectives. Yet even if this was the case, one can still see U Thant's assertions in the context of the Secretaryship-General's development, for a major ingredient in this evolution - especially during Hammarskjold's tenure - has been the acquiescence of major states on significant occasions to that development.

However, the most substantive development of the Office occurs when states genuinely employ the skill of the Secretary-General to help solve a political dispute. The case of Bahrain was the culmination of peacefully negotiated action by the Secretary-General and the Security Council. Iran contended that Bahrain was part of its territory, whilst Britain maintained that the territory should have complete self-governance upon independence. Iran and Bahrain were able to agree early in 1969 to discuss a plan to have the Secretary-General mediate. Eventually, U Thant took the initiative of sending a personal representative and mission to Bahrain to ascertain the feelings of the inhabitants for their future; Bahrain and Iran agreed in advance to accept the outcome.¹⁴⁰ Whilst this is not remarkable in itself - Iran had hinted that Bahrain was not a vital interest - what is interesting is the approach of U Thant, widening his role to derive inherent authority in his Office for the prevention of international conflict, in the face of those states who held a conservative conception of the Secretary-General's role. An unsolicited statement to the Security Council outlining the Secretary-General's now 'customary' role in "relieving and preventing tension by a quiet approach" resulted in the objection of the Soviet delegate and a response by the French that the Council should have been involved earlier. Jensen presented U Thant's motivation thus:

He did not believe that an explicit mandate from, for example, the Security Council was necessary before responding to the request of a government for his help, provided he informed

139 Press conference, 19 September 1966, cited by L.Gordenker, 'U Thant and the Office of UN Secretary-General', p.10.

140 E.Jensen was on that mission: see 'The Secretary-General's Use of Good Offices and the Question of Bahrain', *Millennium: Journal of International Studies*, vol.14, no.3, Winter 1985.

the Council as soon as it was prudent to do so. Early involvement of the Council inevitably entailed a degree of publicity incompatible with the exercise of good offices. Since Article 33 of the...Charter specifically entreats parties to a dispute to seek first a solution by negotiation, inquiry or mediation, the governments had every right to approach the Secretary-General who had every reason to respond to such requests.¹⁴¹

Although there was nothing innovative about this - especially in comparison with Hammarskjöld's tenure - U Thant was significant in maintaining momentum and sustaining the existing and developing prerogatives of his Office. Had it not been for an environment, and a number of cases uncondusive to productive intervention by the Secretary-General, U Thant's record may well have been more positive. As it is, his passive personality has often been held responsible for the inability of United Nations activity which would be better associated with Council ill-will and structural sources of conflict.

This was the development of the Secretaryship-General between 1919 and 1972 in the context of developments in world politics and the personalities of the incumbents. A number of practices had become routinised in the prevention, management and settlement of conflict. The roles and activities of the Office were subject both to expansion and contraction, and there was a pattern to this evolution in the context of the political environment and organisational shifts and balances. The organisational dynamics were in turn a reflection of the historical backdrop to international political trends.

141 *Ibid.*, p.346.

Part II

Chapter 3 Methodology and Framework

It is possible to regard the Office of Secretary-General as an institutional entity with a constitutional, political, and accumulated status partly independent from whoever occupies the position. This research aims to demonstrate that the procedural development of the Secretaryship-General can be presented in the context of international political trends and the organisational consequences of these. As a corollary of this, and emphasis will be placed upon the fluctuating constraints and opportunities of the post-Cold War world. The present chapter seeks to present the methodological framework.

One theme underlying this research is that it is possible to regard the Secretaryship-General as an Office which has developed, or evolved, in terms of its procedural and political status over a number of years. This development may not always be positive or measurable, but it is perceptible, and it can in some manner be paralleled to developments in its organisational and international environments. The corollary of the idea of development is that there is an element of continuity in the Office's role and prerogatives, either within one term of Office, or over a number of Office-holders.¹ Thus, it is possible to think in terms of procedural development and task expansion, or a contrary trend; of course "it seems clear that the culmination of influence constitutes no irreversible process..."² The Secretaryship-General, both personally and institutionally, has a history, and there will be few occasions when an Office-holder addresses a case, or an issue in a case, completely afresh. Whether in a positive or negative sense, a Secretary-General acts with a personal reputation and an accumulation of procedural norms behind him.

The accumulation of practices and the political stature of the Office as an institutional entity is reflected in the literature. Zacher observed that whilst U Thant may not have had the capabilities of his predecessor he did manage to maintain many of the practices Hammarskjöld had established:

1 See, for example, A.W.Rovine, *The First Fifty Years. The Secretary-General in World Politics 1920-1970*, Leydon, Allen and Unwin, 1970, who regards the Office as a steady entity through the League of Nations and UN years; "[a] review of the Secretary-General's activities in world politics during the first fifty years of international organization reveals a gradual development of his role in the international system." p.415. T.E.Boudreau looks upon the Office in terms of a struggle to acquire rights to be actively engaged in the prevention of conflict, *Sheathing the Sword. The UN Secretary-General and the Prevention of International Conflict*, New York, Greenwood Press, 1991.

2 L.Gordenker, *The UN Secretary-General and the Maintenance of Peace*, New York, Columbia University Press, 1967, p.327.

"the activities of one rather brilliant and innovative man can significantly mould the expectations regarding the office that he held and...subsequent holders of that office can benefit from his work."³ This had earlier parallels: Gordenker observed that "Drummond's resignation in 1932 and Thomas' death in 1932 produced no great upheavals, indicating that the patterns had been well established."⁴

In the United Nations, one might recall the procedural practices established by Lie concerning the rights of the Secretary-General to communicate with and address the Security Council, and to make prescriptive political statements.⁵ Hammarskjöld's tenure laid the bedrock of a number of practices which were inherent in his 'Peking Formula', quiet diplomacy and preventive diplomacy. Less tangibly, numerous incidents and political stands by Secretaries-General could be seen to have contributed to the accumulation of procedural norms and practices.

Most commentators would agree that the development and continuity of the Secretaryship-General is evident more in certain areas of activity than in others. Clearly the employment of the Secretary-General's good offices is one significant area, especially in the years when the peaceful settlement of disputes was the primary basis of activity in the absence of collective security.⁶ In the field of peace-keeping the Secretaryship-General has been closely tied to the evolution of arrangements, terms and status of forces which have become custom.⁷ Some observers also see the

3 M.W.Zacher, 'The Secretary-General and the United Nations Function of Peaceful Settlement', *International Organization*, vol.20, 1966, p.733. H.G.Nicholas added that after Hammarskjöld, "the only possible policy for any Secretary-General was, while keeping the Hammarskjöldian precedents intact, to be circumspect in his political initiatives." *The UN as a Political Institution*, p.195. R.S.Jordan concurred, 'The Legacy which Dag Hammarskjöld Inherited and his Imprint on it', in R.S.Jordan ed., *Dag Hammarskjöld Revisited. The Secretary-General as a Force in World Politics*, North Carolina, Carolina Academic Press, 1983, pp.8-9.

4 L.Gordenker, 'The Secretary-General' in J.Barros ed., *The United Nations. Past, Present, and Future*, New York, Free Press, 1972, p.112.

5 Regarding Lie's openly political approach Rovine suggested that "this very significant departure from League practice obviously helped politicize the Office, legitimate its political functions, and combined with Lie's active role as negotiator and mediator in several disputes, constituted a substantial enlargement of the Secretaryship-General." *The First Fifty Years*, p.257.

6 For example see B.Urquhart, 'The Role of the United Nations in the Iraq-Kuwait conflict in 1990', *SIPRI Yearbook 1991: World Armaments and Disarmament*, Stockholm, p.621. L.Gordenker wrote that, with the paralysis of the Council, "[t]his development eventually provided the secretary-general with opportunities to improvise and then make permanent a number of practices which increased his political leverage." 'The Secretary-General', p.115. Also K.Skjelsbaek, 'The UN Secretary-General and the Mediation of International Disputes', *Journal of Peace Research*, vol.28, no.1, 1991; Pérez de Cuéllar, 'The Role of the UN Secretary-General', in A.Roberts and B.Kingsbury ed., *United Nations, Divided World. The UN's Roles in International Relations*, Oxford, Clarendon Press, 1993.

7 For example L.L.Fabian, 'The International Administration of Peace-keeping', in R.S.Jordan, *International Administration. Its Evolution and Contemporary Applications*, London, Oxford University Press, 1971; "[t]he politico-military apparatus is simply one part of those sections of the Secretariat into which political affairs have been progressively concentrated as the political responsibilities of Secretaries-General have

'special role' of the Secretary-General extending to the protection of human rights and alleviating humanitarian crises.⁸

Whilst it is possible to illustrate that a development of the customary duties and rights of the Secretary-General has occurred, the task of detecting determinants of influence, and their relative weight, is far more illusive. Can one construct a formula? Methodologically there are great problems with such an endeavour, because this involves unquantifiable and even intangible variables, and moreover one cannot be in possession of all the facts or know the exact motivations of the Secretaries-General.

It is, however, possible to present a framework which goes some way towards indicating the variables and contingencies upon which a Secretary-General's influence relies. The personality and style of the Secretary-General, the circumstances of each issue, the parties involved, and a host of other political and organisational factors are of key importance. Underlying these, the historical and long-term environment provides a backdrop which is reflected in institutional political dynamics and patterns in the activities of the UN and the Secretaryship-General. A number of commentators have made tentative attempts to evaluate the determinants of influence in international organisation. Gordenker's proposition, for example, is that "the Secretary-General can act within narrow but undefined and shifting limits, and his independent actions influence the course of international politics but never at a constant level. The configuration of international politics always modulates his actions and his influence. So do his character, energy, intelligence, and style."⁹ Indeed, he identifies as conditions of influence the view of governments towards the Secretary-General; the configuration of world politics; the nature of the actors involved; the support or acquiescence of Great Powers and the majority support of the others; states must be willing to deal with the Secretary-General; and there must be a broad consensus which either positively favours him or abstains from opposition.¹⁰

A similar exercise is attempted by Cox and Jacobson, who also present a fluctuating level of

expanded over the years." p.155.

8 See T.E.Boudreau, *op.cit.*, p.75, and B.G.Ramcharan, 'The Good Offices of the United Nations Secretary-General in the Field of Human Rights', *The American Journal of International Law*, vol.76, 1982.

9 L.Gordenker, *The UN Secretary-General and the Maintenance of Peace*, p.xiii. See Chapter XIII on the expansion and limitation of influence: "[t]he influence of the Secretary-General in [for instance] matters of peace and security is a fluctuating and rather unpredictable factor in the policy processes of the United Nations. But a factor it is, capable of development and decline, sometimes strong and sometimes weak." p.320.

10 *Ibid.*, pp.322-324.

influence, as an implication of the idea that: "[p]ower may be converted into influence, but it is not necessarily so converted either at all or to its full extent. Although those who possess the greatest power may also exercise the greatest influence, this is not logically necessary....An actor with relatively limited resources but greater intensity of concern may achieve greater influence in a particular area than another who has greater resources but less immediate concern."¹¹ The exercise of influence "depends upon the total context of decision making, the way in which the particular political system under examination works, the patterns of interaction that are characteristic of it."¹² They even present a mathematical formula to clarify the parameters within which the Secretary-General - or any individual actor - may exert influence.¹³

It would certainly appear possible to identify the prominent variables whose alignment determines the status of the Secretary-General in a particular issue. Clearly, the Secretary-General is more likely to exert influence in certain circumstances, yet there are so many intangibles, any conclusions must be largely intuitive. Yet generalisations are still presented.¹⁴

The scope of the Secretaryship-General's activities has been, and is, wide. Apart from those duties which might be thought of as purely administrative, many roles are undefined in specific constitutional and political terms. Indeed, the 'political' rights and responsibilities of the Office can be seen to have accumulated through the exigencies of the international environment, the dynamics and circumstances of the immediate organisational environment, and as a result of the style and personality of the incumbents and the accumulated practices of the Office. The intention here is to present the evolution of the Office within a multi-layered context, whilst giving particular attention to the context of the historical international political environment. Thus, the nature of the development of the Secretaryship-General is a result of the alignment of tangible and intangible variables. The variables have been simplified into three overlapping categories:

1. The immediate environment. The issue in question: is it within the realm of the Secretaryship-General, which are the parties involved, what is the nature of the Secretaryship-General's

11 R.W.Cox and H.K.Jacobson, *The Anatomy of Influence. Decision Making in International Organization*, London, Yale University Press, 1974, p.4.

12 *Ibid.*, p.12.

13 *Ibid.*, p.21.

14 Elsewhere Cox has suggested that "an executive head's ability to bring effective influence to bear on government policy depends upon his ability to exert influence through actors *within* the domestic political system." 'The Executive Head: An Essay on Leadership in International Organization', *International Organization*, vol.23, no.2, 1969, p.222.

mandate - wide or narrow - what are the domestic forces involved, is the Security Council divided or in consent, and is the situation conducive to an initiative by the Secretary-General?

2. The constitutional and accumulated baggage of the Office, the reputation of the Secretary-General in general and with the parties in a particular situation, the personality and style of the incumbent; his interpretation of the Charter prerogatives and of the opportunities presented by the dynamics of the immediate environment.

3. The longer term or historical political environment and the trends within this. Specifically:
 - i) The Cold War and deadlock/malfunctioning of collective security, intermittently 1948-1985. This resulted in inactivity of the Security Council, and the fluctuating and intermittent development of the Secretaryship-General in the settlement of conflict and peace-keeping, particularly in decolonisation conflicts and those which threatened to disrupt the bipolar Cold War balance. Generally, the Office was stifled due to Cold War sensitivities and low Council activity.
 - ii) The international climate turned away from the 'experiment' of peace-keeping, largely due to the Congo, resulting in Great Power caution and the marginalisation of the Organisation and the Secretaryship-General, 1961-1987, with the exception of UNEFII in 1973 and UNIFIL in 1978.
 - iii) The universalisation of UN membership, influx of Third World states, financial and political problems resulting in the marginalisation of the Organisation and the crisis of multilateralism, 1970s-1987.
 - iv) Post-Cold War consensus amongst the Permanent Members and the emergence of collective security, increased Security Council activity, involvement in domestic conflict, the hegemony of the US, 1988-1992.
 - v) Post-Cold War multilateral fatigue, volatile political climate, fluctuating political support, financial and practical and doctrinal problems in the area of peace and security, especially in the 'domestic' context, 1992-95.

Definitions

The subjective outcome in terms of the Secretaryship-General's role and evolution are abstract notions of influence, power, leadership and role expansion and contraction. In this instance, influence is defined as the ability to have an indirect but positive, intentional, and contributory bearing on the outcome of events, whereas power involves the capacity to have a direct and arbitrary bearing on decision making and the course of events. In this context leadership involves a recognisable authority - which may beget influence and power - which emanates from the constitutional position of the Secretaryship-General, the accumulation of various practices, and the reputation of the officers. Task expansion or contraction indicates a significant qualitative or quantitative change in the Secretaryship-General's execution of a function - either positively or negatively - or activity which does not conform to existing categorisations of functions.

The central challenge lies in presenting the relationship between the activities of the Secretaryship-General and the international environment: that is, identifying the manner in which the international environment contributes to the parameters and constraints within which the Office acts.

Methodology

The case studies must be put within a framework of analysis which concedes the methodological limitations of this exercise. At the intuitive end of the methodological spectrum lies the unashamedly traditional school;¹⁵ at the opposite end the quasi-scientific adherents keep the behaviouralist tradition alive.¹⁶ Outside this spectrum is the post-modern or antifoundationalist rejection of method. Although this debate is past its heyday, it is important to consider the implications raised when considering the subject of methodology in relation to the research of a hypothesis. Although it is important in an empirical study to fulfil the criteria necessary to substantiate a thesis to a reasonable level of satisfaction, it is also important not to attempt to follow a methodological path which cannot be supported by the nature of the research. The hazards are particularly evident when attempting to identify a relationship between one set of variables, the international environment, and

15 For example H.Bull, 'International Theory: The Case for a Classical Approach', *World Politics*, vol.18, no.2, 1966.

16 For example M.B.Nicholson, The Scientific Analysis of Social Behaviour. A Defence of Empiricism in Social Science, London, Frances Pinter, 1983.

the status of the Secretaryship-General, an institutional entity occupied by a person. This theme is further complicated by the fact that international environmental factors are obviously not the only variables which mould this Office.

The methodology employed here will involve applying a number of questions to the role of the Secretaryship-General in a number of cases over the period covered. It is therefore necessary to have in mind what implications or changes of the Office are being examined, which functions are to be explored, which questions will produce appropriate results, and which cases or issues might be chosen for analysis. Clearly a thematic approach would suit an analysis of preventive diplomacy or early warning, because a large element of this concerns the development of the rights of a Secretary-General to initiate the mechanisms which improve his capability to perform these functions. In contrast, if one were to explore the development of the mediatory function of the Secretaryship-General and the changes which may be perceptible within it over time, then a case by case approach makes more sense. A combination of both methods will be employed.

The functions which will be focused upon are those within conflict prevention, management and settlement, and the maintenance of international security. In particular the provision of good offices and mediation, preventive diplomacy and early warning, and the role in peace-keeping, peacemaking and peace-enforcement techniques will be examined. Before presenting the questions which will be applied to the case studies and issue areas, a number of methodological observations will be made.

If one is suggesting that change in one set of variables - the exigencies of the international political climate - is somehow related to change in the observable behaviour of another, dependent, variable - the Office of Secretary-General - then it is necessary to explain the nature of this relationship. The most hazardous methodological issues in social science are those of causality and prediction. This research is not aiming to adopt an approach it cannot sustain. However, it may be useful to present an overview of these issues before employing a suitable methodological approach.

Alexander George wrote that "it is the task of theory to identify the many conditions and variables that affect historical outcomes and to sort out the causal patterns associated with different historical outcomes. By doing so, theory accounts for the variance in historical outcomes; it clarifies the apparent inconsistencies and contradictions among the "lessons" of different cases by identifying the critical conditions and variables that differed from one case to the other."¹⁷ In this research the

17 A.L.George, 'Case Studies and Theory Development: The Method of Structured, Focused Comparison', in P.G.Lauren ed., *Diplomacy. New Approaches in History, Theory, and Policy*, New York, The Free Press, 1979, p.44.

historical outcomes are the activities and status of the Secretaryship-General in particular cases and in the institutional and attitudinal framework of United Nations peace and security practice over a number of years. The nature of the Office's mandate, its material and diplomatic support, the execution of its tasks, the statements of the Office, and attitudes towards the Office will all be examined. The conditions and variables which contribute to the Office's activities and help explain quantitative and qualitative variations over time and in different circumstances are the stimuli. The proposition here is that the historical outcomes in the Secretaryship-General between 1972 and 1995 reflect trends and patterns, and that these can be related to the variables and conditions of the wider international political environment, but not that the wider international political environment is the sole, or sufficient, influence on the Secretaryship-General's activities. Of course, much can be explained by the circumstances of each situation, but this does not account for the patterns which have been reflected in the activities of the Office since 1972. This research seeks to achieve this, with an emphasis on post-Cold War trends.

It is necessary to make some strong reservations. Chiefly, it is not possible to identify, let alone evaluate in a comparative sense, all the factors and variables which influence the Secretaryship-General's activities. One is not able, in this type of research, to impose rigorous "brackets around a temporal and spatial domain of the social world,"¹⁸ yet it is possible to identify the key indicators. These are the attitudes and policies of the leading international actors which are partially formed by historical processes - such as the Cold War, North-South friction, fragmentation, globalization, the end of the Cold War - and reflected in the United Nations.

A further issue is that of causation. A basic research methodology involves dependent (outcome) variables, independent variables, and causal linkage factors. However, it is not possible to identify a direct causal link between the admittedly ambiguous 'international political climate' and the role of the UN Secretaryship-General. It is not, however, impossible to demonstrate a partial parallel between the two and employ the approach of the dependent variable and independent variables, where the relationship is borne out in the case studies. Furthermore, by examining the evolution of the Office in the context of the international environment, one is *not* promising a causal or correlational demonstration. The argument is that this environment sets the parameters within which the Office operates, not that the environment causes the Office to act in the way it does. The net observable behaviour is a result of all the factors regarding a particular issue, the dynamics of the

18 J.Van Maanen, 'Reclaiming Qualitative Methods for Organizational Research', in J.Van Maanen ed., *Qualitative Methodology*, Beverley Hills, Sage Publications, 1983, p.9.

Organisation, and personal style, which may or may not fulfil the opportunities which exist.

It may be useful at this point to return to the question of personality and the Secretaryship-General. This research has sought to present the Office as a bureaucratic entity with accumulated practices in the context of environmental stimuli and constraints, but clearly personalities shape political processes and history. For example Lasswell wrote that "[p]olitical science without biography is a form of taxidermy."¹⁹ Lazarus elaborated:

The sources of man's behaviour (his observable action) and his subjective experience (such as thoughts, feelings, and wishes) are twofold: the external stimuli that impinge on him and the internal dispositions that result from the interaction between inherited physiological characteristics and experience with the world....even as we recognise the dependency of behaviour on outside stimuli, we are also aware that it cannot be accounted for on the basis of the external situation alone, but that in fact it must arise partly from personal characteristics.²⁰

In terms of the Secretaryship-General, it is difficult to evaluate the impact of personality in relation to other variables. Nevertheless, one must at least appreciate the difference between the personal approach of a Secretary-General and the influence this has as a variable on the status of the Office, and the influence of a multitude of environmental variables over which he has little or no control. The challenge here is to evaluate the relative importance of personality in order to present the Office in its environmental context rather than purely as an adjunct of the personalities of the respective Secretaries-General.

This issue alludes strongly to the question of what style is the most appropriate for the Secretary-General, and the extent to which the style really determines outcomes in the issues the Office comes into contact with. Firstly, there has been the argument that the Office should be high-profile, political and public, in the Wilsonian tradition: the embodiment of liberal internationalism. Ranshofen-Wertheimer represents the epitome of this:

The head of an international agency should be an international leader. He must be a statesman, a man of public affairs rather than a civil servant....The international leader should be given a rank unmistakably suggesting equality with the top governmental delegates of the organs that shape the policies of his agency.²¹

19 H.D.Lasswell, *Psychopathology and Politics*, Chicago, The University of Chicago Press, 1960 (first published in 1930), p.1. See also F.I.Greenstein, *Personality and Politics. Problems of Evidence, Inference, and Conceptualization*, Chicago, Markham Publishing Company, 1969.

20 R.S.Lazarus, *Personality and Adjustment*, New Jersey, Prentice Hall, 1963, pp.27-28.

21 E.F.Ranshofen-Wertheimer, *The International Secretariat. A Great Experiment in International Administration*, Washington, Carnegie Endowment for International Peace, 1945, p.435. A.W.Rovine represents a toned-down advocate of this progressive conception; see his contribution to the symposium on 'A More Powerful Secretary-General?' under the chairmanship of S.M.Schwebel in *The American Journal of International Law*, vol.85, 1991.

For James Barros, who represents the 'realist' side of the argument, the progressive model rests on a form of escapism: it is a fiction to believe that any Secretary-General can lead states to a goal they are not supportive of.²² The fact that such a debate has occurred does reflect the idea that personality and style are important determinants upon the status and role of the Office and even the outcome of certain issues. Some observers have, in turn, sought to put this into perspective.²³ Cox presents the quandary in reasonable terms:

[p]ersonality is in this as in all spheres of politics a significant variable. But it would be a distortion to regard it as the independent variable, just as it would be wrong so to regard legal-institutional forms and practices. The problem we are left with is to formulate better the relationship of the personality and style of the executive head with other possibly weightier variables.²⁴

Whilst it may be possible to identify the prominent variables which determine the role of the Secretaryship-General, methodological problems prohibit an accurate evaluation of their relative significance in any particular case. Thus the importance of the personality factor is largely a matter for intuition, conditioned by evidence, although a constant appreciation of the constraints and opportunities inherent in the changing environment will help to keep this variable in perspective. If trends in the international political environment can *appear* to have a bearing on the international civil service then the task is made somewhat easier, for the personality factor is then relegated to a secondary position.

The approach adopted in this research is fully compatible with the personality dimension, and the personalities of the Secretaries-General and those involved in the issues have been embraced when necessary. The point is, whilst acknowledging the role of personality, this research has not sought to present the Office in psychological terms. The personality of the incumbent can only take advantage of the opportunities inherent in the environment; it cannot create the environmental and constitutional parameters itself. For example, the following chapters will demonstrate why the contrasting experiences of Waldheim, and Pérez de Cuéllar after 1986, can be understood in terms of international and organisational forces, in turn a manifestation of historical processes, as much

22 J.Barros, *Betrayal From Within. Joseph Avenol*, pp.264-265. Also see his contribution to the Symposium, 'A More Powerful Secretary-General?', S.M.Schwebel ed.

23 For L.Gordenker "[i]ts future [the Secretaryship-General] will reflect that of the world around it more than the personality of its occupant or doctrine about its nature." 'The Secretary-General', p.139. For A.James, the assumption that the main determinant on a secretary-general's role is the nature of the organisation leads to the conclusion that personality is not a major determinant, 'The Secretary-General: a Comparative Analysis', in A.Jennings and G.R.Berridge, *Diplomacy at the UN*, Basingstoke, Macmillan 1985, pp.42-45.

24 R.W.Cox, 'The Executive Head: An Essay on Leadership in International Organization', p.211.

as a reflection of the personalities of the incumbents. Similarly, the contrast between Pérez de Cuéllar's first and second tenure is explained by this approach. Personality is important - and the personal recollections of Waldheim's colleagues testify to this²⁵ - but it is not a sufficient explanation to the patterns which have been reflected in the Office since 1972. If a different Secretary-General had been in office in some of the cases presented in this research the outcome, in terms of the position of the Office, may well have been different. However, by examining a broad sweep of history and of cases this research can reasonably overcome the challenge posed by the personality factor. In terms of the personalities of those in contact with the Secretary-General and those individuals associated with the leading actors - such as Nixon, Kissinger, Kirkpatrick, Reagan, Thatcher, and Gorbachev - they are a part of the environment, if not actually created by it. Finally, the research accommodates the personality factor by the inclusion of first-hand accounts by individuals in direct contact with the three Secretaries-General covered in this thesis.

This thesis is demonstrated by generalisations from historical outcomes in terms of the quantitative and qualitative activities of the Office. In addition, the conclusions are cumulative and interpretive. A single case, for example the Falklands mediation, does not offer any generalisations upon the Secretaryship-General in the 1980s, but an examination of fourteen cases and issue areas does. It may be useful to draw upon the 'structured, focused comparison' approach of Alexander George in order to loosely apply the methodology to the data of the following chapters.²⁶ His building blocks for theory development begin with a specification of the research problem and objectives, which is reflected in the hypothesis. Secondly, George specifies the elements - conditions and variables - which are under examination.

Here, the dependent variable to be explained is the Office of UN Secretary-General's activities at various times and places in the area of UN peace and security. The independent variables and conditions are those of the international political environment, reflected in the policies, attitudes, and relationships of the predominant actors, the absence or existence and nature of leadership, and the pervading tensions and hostilities, such as the Cold War and North-South tension. The relationship between these variables and the Secretaryship-General is manifested in the attitudes and policies in the UN, and chiefly the Security Council, which have a direct or indirect bearing on the nature of the role, if any, of the Secretary-General.

25 For example, interview with Sir Brian Urquhart, New York, 25 May 1994, and a personal correspondence from Sir Robert Rhodes James, Chief of the Executive Office of the Secretary-General under Kurt Waldheim, 25 May 1995.

26 A.L.George, *op.cit.*

Finally, the questions which will underlie the case studies, where appropriate, are:

What is the basis of a Secretary-General's activities at a particular time or in a particular case?

What level of 'success' or participation can one identify, in terms of authority and leadership?

What factors within the immediate organisational environment, the general historical environment, and in the personality of the incumbent have a bearing on the Secretaryship-General's activity?

Is there a perceptible difference in the execution of a function - quantitatively or qualitatively - to that reflected in previous practice? If so, is it in such a way as to suggest a trend?

Can the difference - or trend - be associated with personality, the immediate environment, or the wider historical environment?

Has the 'status' of the Secretaryship-General altered perceptibly over the period examined?

Is it possible to associate this with personality factors or in line with environmental variables?

If relevant issues - within the field of conflict prevention, management and settlement - are outside the Secretaryship-General's sphere of influence, what is the reason? Perhaps the issue is not within the jurisdiction of the United Nations, or the Secretaryship-General is bypassed, or an unsolicited input by the Secretaryship-General is either obstructed or felt to be unsuitable by the Secretary-General.

Chapter 4

The Functions of the Secretaryship-General in Conflict Prevention, Management and Settlement

*Changing patterns of power in the world continuously and progressively demand readjustment in the powers and prerogatives of the principal United Nations organs, including those of the Secretary-General.*¹

This chapter aims to hone down the preceding material and themes to the development of the Secretaryship-General, especially with regard to the prevention, management and settlement of conflict. As previous chapters have illustrated, the scope of the Secretaryship-General's activities has been, and is, wide. It is also clear that, apart from those duties which might be thought of as purely administrative - if such decision making really exists - many duties are undefined in specific constitutional terms. Indeed, previous chapters have demonstrated that the 'political' rights and responsibilities of the Office can be seen to have accumulated in part through the exigencies of the international environment and the intra-institutional consequences of this, through the dynamics and circumstances of the immediate organisational environment, and as a result of the characteristics and decision making of certain individuals. Thus, the intention has been to present the evolution of the Office of Secretary-General within a multilayered context. The nature of the development - or contraction - of the roles of the Secretaryship-General is contingent upon the alignment of tangible and intangible variables. These variables have been simplified into three interacting categories, comprising: the constitutional, personal and accumulated baggage of the Office; the immediate power political and institutional environment; and the general or historical environment. The development of the functions of the Secretaryship-General, and their execution, is presented within - and as a product of - this changing context.

A central theme of this project is that the Office's development can be presented - with

1 V.Pechota, *The Quiet Approach. A Study of the Good Offices Exercised by the United Nations Secretary-General in the Cause of Peace*, New York, UNITAR, 1972, p.79, italics added. B.Rivlin has observed that "[i]n all instances, the United Nations and its Secretary-General have been conditioned by the international political environment within which they operate. Changes in the world political climate establish a new set of conditions affecting the United Nations and its Secretary-General." 'The Changing International Political Climate and the Secretary-General', in B.Rivlin and L.Gordenker ed., *The Challenging Role of the UN Secretary-General. Making 'The Most Impossible Job in the World' Possible*, Westport Connecticut, Praeger Publishers, 1993, p.5. In the same volume Gordenker concluded that the Office is "at one with the complexity of international relations", 'The United Nations Secretary-General: Limits, Potentials, and Leadership', p.280.

methodological reservations - in relation to junctures and trends in the wider political environment. Subsequently, it is necessary not only to identify the functions of the Office *per se* - as is most commonly the case - but also to question if there have been changes in these functions or changes in their execution within the framework presented above. This brings one closer to the *how* and *why* of the Secretaryship-General's activities, in addition to the *what*. Moreover, this wider approach encourages an understanding of the tendency for the functions to be in flux, and not static, as is often implied. Therefore, the intention here is to suggest that certain political roles are dependent upon an alignment of certain environmental variables. It follows from this that there may be qualitative and quantitative changes in the activity of the Office in line with post-Cold War developments.

Firstly, however, this chapter will suggest a typology of the Secretaryship-General's resources and then summarize the functions of the Secretaryship-General found or implied in the existing literature.

Resources

Within the political sphere of the Secretaryship-General's roles, it is possible to identify a number of resources which are likely to be involved and are characteristic of the Office's political and constitutional nature. A combination of any number might be in evidence at any time. Primarily, there is the backdrop of the Office's Charter provisions, and upon this the accumulation of routinised procedural practices which are largely thought of as 'normal', as a result of accepted practice. The codification and acceptance of this since the late 1980s is cementing such a development, especially in the areas of preventive diplomacy, early warning, and the peaceful settlement of disputes.

There are also mandates. These can be formal, usually in the case of the deliberative organs; and informal, most commonly from one or a number of states; and assumed, on the initiative of the Secretary-General. The personal attributes of the Office-holder are also a key resource: his reputation - in general and with the relevant parties in a particular issue - diplomatic skill, record, and his manipulation of the organisational political dynamics. Personal attributes are present in other resources: the independent prestige and legitimacy of the Office, for example, as the world's preeminent international civil servant and symbolic head of the United Nations. Personality factors also make themselves known during the appointment process in terms of what the individual can

offer. Another important semi-independent resource, whose effectiveness is also conditioned by personality, is the impartiality of the Office.

The Secretaryship-General has automatic access to an elaborate communications network, information, travel, and contact with the diplomatic world: clearly an indispensable basis for many of the Office's functions. Some commentators have also identified the political constituency of a Secretary-General as a resource to be called upon in times of need, or as a part of the general power base. There is certainly evidence that Hammarskjold and U Thant identified with, and perhaps cultivated, the burgeoning third world and non-aligned forces in the General Assembly.² If pursued judiciously, the Office-holder may glean authority from natural support, and in the organs where numerical leverage can be exerted - mainly the General Assembly - there are opportunities for manipulation through such support. Alternatively, to be too strongly identified with particular interests, especially if they are not at congruence with the main economic, military, and ideological sponsors of the United Nations, jeopardises the credibility of the Office-holder as a representative of the 'international community'.

In the operative role the Secretaryship-General may be said to have physical resources at its disposal, albeit under the authority of one of the deliberative organs. Likewise, there may be occasions when the employment of resources is contingent in part upon a Secretary-General's judgement, and the Office can be an important catalyst in such an application of resources and even force.

However, power in the traditional meaning - where a decision has a direct effect through the application of political or physical resources, irrespective of the wishes of others - has not been an effective resource for the Office. Since 1919, experience has indicated that the executive heads of most international organisations fulfil their responsibility most effectively when employing diplomatic skill and tact, as a persuader, bridge-builder, and conciliator. Cot's distinction, in the field of third party intervention, between the Prince - a state with power and political authority - and the Wise Man - with little authority other than that given by the parties - reflects one argument:

There is a great temptation to arm the Wise Man, or, at least, to allow him to appeal to the Prince to bring pressure to bear upon the parties. To do so would be a corruption of the

2 See Hammarskjold's essays in W.Foote ed., *The Servant of Peace. A selection of the speeches and statements of Dag Hammarskjold*, London, The Bodley Head, 1962, and L.Gordenker, 'U Thant and the Office of UN Secretary-General', *International Journal*, 22, 1, Winter 1966-67. Boutros-Ghali's support of Third World development issues was underlined during his visits in April 1996 to the UNCTAD conference in South Africa and the meeting in Nairobi to spearhead a multi-billion dollar, 10-year initiative for Africa, which he has been closely involved in. *Agence France Presse*, 29 April 1996; BBC Summary of World Broadcasts, 29 April 1996.

principle. Armed the Wise Man no longer represents pure reason, but is a new political authority, alien to the parties and having his own private interests. In other words, he becomes a Prince.³

In the general area of mediation, the resources of the third party have also been presented as: reward, coercion, expertise, legitimacy, and the mutual identity between a mediator and the disputing parties.⁴ Most observers would view the Secretaryship-General's resources to fall largely within the categories of expertise, legitimacy, and the provision of information. James Jonah emphasised, with reference to Secretariat staff, "the persuasiveness of their principles, the strengths of their ideas, their objectivity, impartiality and integrity, and the intellectual nimbleness of representatives. Their only leverage is that of persuasiveness and partnership - partnership with the parties in their quest for agreements based on consensus."⁵ Difficulties have arisen when a Secretary-General has been perceived to have been seeking the path of power, especially in an overt sense. However, the definition of power is rather important here; the wider concept may include the orchestration, however indirectly, of political might or even physical resources, not necessarily under the jurisdiction of the Secretaryship-General. Even if the Office is not the final arbiter of such 'power', it may be a catalyst of sorts, if only in a contributory manner. Neat definitions of power are obviously somewhat illusory. As Neustadt wrote famously of an office which has been compared to the one under examination here, "Presidential *power* is the power to persuade": the dictum could be employed to the Secretaryship-General with some justification.⁶

3 J.Cot, *International Conciliation*, London, Europa Publications Limited, 1972, p.2.

4 J.Z.Rubin identified these from the most authoritative authors in the field, 'International Mediation in Context', in J.Bercovitch and J.Z.Rubin ed., *Mediation in International Relations*, New York, St.Martin's Press Inc., 1992, pp.19-20.

5 J.O.C.Jonah, 'The United Nations and International Conflict: the Military Talks at Kilometre Marker-101', in J.Bercovitch and J.Z.Rubin ed., *op.cit.*, p.177. V.Pechota presented the traditional ideal, that a Secretary-General's "presence provides a guarantee that the settlement process will take place on a basis of international legality and within the framework of the legitimate interests of the international community." *op.cit.*, p.80. Rubin drew a parallel between the Secretariat and the Vatican in the qualities that the international civil service can bring to meditation, *op.cit.*, p.265.

6 R.E.Neustadt, *Presidential Power. The Politics of Leadership From F.D.R. to Carter*, New York, John Wiley & Sons Inc, 1980, p.10.

Functions

What does the existing literature present as the Secretaryship-General's roles? The simplest division of activities suggests that the Office has administrative and political responsibilities.⁷ A more elaborate approach identifies every activity which has evolved over the years as a consequence of institutional developments and the ingenuity of certain Secretaries-General. The failure of collective security and the institutional consequences of this clearly were major factors.

The execution of formal or informal mandates, tasks, and policy is a role which covers the administrative and political spheres of the Secretaryship-General. The routine and ad hoc execution of administrative tasks is a wide and important area of activity, involving internal Secretariat affairs and Secretariat services to the Organisation. Within the peaceful settlement of disputes, the provision of good offices has been a central area of activity, and one to which the international civil service has long been recognized as eminently suited. It has also been an area of activity which has developed procedurally and eludes precise definition.⁸ This service usually involves an unobtrusive intervention by a third party to a dispute, aimed at encouraging reconciliation and an environment where the cessation of conflict and perhaps its solution might be achieved. A classic study of the good offices of the Secretaryship-General has suggested that "good offices are designed to keep alive the diplomatic process and fill vacuums in available procedures to serve partly as bridges of communication and partly as a reservoir of compromises and alternative solutions."⁹ The Secretaryship-General and its representatives have fulfilled this function on numerous occasions.¹⁰

7 For example, J.Pérez de Cuéllar, 'The Role of the UN Secretary General', in A.Roberts and B.Kingsbury, *United Nations, Divided World. The UN's Roles in International Relations*, Oxford, Clarendon Press, p.125; in the political realm "[o]n one side is the Scylla of trying to inflate the role through too liberal a reading of the text: of succumbing, that is, to vanity and wishful thinking. On the other is the Charybdis of trying to limit the role to only those responsibilities which are explicitly conferred by the Charter and impossible to escape; that is, succumbing to modesty, to the instinct of self-effacement, and to the desire to avoid controversy." p.126.

8 The observations made by Oscar Schachter in the early 1970s regarding the secrecy, informality and flexibility of good offices - and hence the difficulty of precise definition - are still valid. See V.Pechota, *op.cit.*, p.i.

9 V.Pechota *op.cit.*, p.79.

10 As B.Urquhart wrote, "[f]or over 40 years the Security Council largely operated under Chapter VI...relying increasingly on the Secretary-General's good offices and using processes of mediation, conciliation and peace-keeping...", 'The Role of the United Nations in the Iraq-Kuwait conflict in 1990', *SIPRI Yearbook 1991: World Armaments and Disarmaments*, Stockholm, p.621; T.M.Franck, 'The Good Offices Function of the UN Secretary-General', in A.Roberts and B.Kingsbury ed., *op.cit.*; L.Gordenker, 'The Secretary-General' in J.Barros, *The UN. Past, Present and Future*, p.115; K.Skjelsbaek, 'The UN Secretary-General and the Mediation of International Disputes', *Journal of Peace Research*, vol.28, no.1, 1991; H.Caminos and R.Lavalle, 'New Departures in the Exercise of Inherent Powers by the UN and OAS Secretaries-

It is possible to cite within this area of activity a series of levels of participation on the part of a Secretary-General in the settlement of a dispute. The ability to communicate information is a function delegated to the Office and indeed initiated by it.¹¹ Slightly more focused, but still as a disinterested third party, the Secretaryship-General has acted as an intermediary between parties to a dispute, especially when direct contact is not possible due to the level of hostility. At times the other organs of the UN may not be perceived by all protagonists to be impartial. The Iran-Iraq conflict, and the role of Pérez de Cuéllar, is an example of this.

Mediation involves all of the above, but a more substantive role, for the Office is more than a channel of communication: it also offers recommendations concerning the agenda of negotiations and possible grounds for solution. One definition describes this as

a process of conflict management, related to but distinct from the parties' own efforts, where the disputing parties or their representatives seek the assistance, or accept an offer of help, from an individual, group, state or organization to change, affect or influence their perceptions or behaviour, without resorting to physical force or invoking the authority of law.¹²

Again, the perception of the interested parties towards this intervention is central, and the role is one which the Secretariat can best bring impartiality, tact, and skill. In general, mediation is most viable in certain circumstances: within a prolonged conflict, or when a pattern has emerged; when the disputants perceive the situation to be relatively balanced; when they believe that unilateral action will prove less advantageous, or cannot reap benefit, or will result in unacceptable losses; or if an external force exerts pressure or offers rewards on one or more of the parties to participate in

General: the Central American Situation', *The American Journal of International Law*, vol.83, no.3, April 1989; I.J.Rikhye, 'Critical Elements in Determining the Suitability of Conflict Settlement Efforts by the United Nations Secretary-General', in L.Kriesberg and S.J.Thorson ed., *Timing the De-escalation of International Conflicts*, New York, Syracuse University, 1991; B.G.Ramcharan, 'The Good Offices of the United Nations Secretary-General in the Field of Human Rights', *The American Journal of International Law*, vol.76, no.1, 1982; E.Jenson, 'The Secretary-General's Use of Good Offices and the Question of Bahrain', *Millennium: Journal of International Studies*, vol.14, no.3, Winter 1985; A.W.Rovine *op.cit.*; M.W.Zacher, 'The Secretary-General and the United Nations Function of Peaceful Settlement', *International Organization*, vol.20, 1966; H.H.Lentner, 'The Diplomacy of the United Nations Secretary-General', *The Western Political Quarterly*, 18, 3, 1965; L.Gordenker, *The UN Secretary-General and the Maintenance of International Peace and Security*, New York, Columbia University Press, 1967, pp.159-203.

11 According to A.W.Rovine, "[g]iven the political information and data to which the Secretary-General has constant access, and given his structural position at the focal point of the League or UN system and as a central pivot for the process of international diplomacy, the executive head is in an excellent position to communicate with states..." *op.cit.*, p.441.

12 J.Bercovitch, 'The Structure and Diversity of Mediation in International Relations', in J.Bercovitch and J.Z.Rubin, *Mediation in International Relations*, New York, St.Martin's Press, Inc., 1992, p.7. Also K.Skjelsbaek, *op.cit.*, p.100.

mediation, and the parties overcome the desire to abstain.¹³ Crisis mediation in turn reflects certain patterns and methods. Abstract strategies - which may represent an increasingly interventionist role, or separate and independent tactics - can be conceived of as those which seek to communicate between the parties and bring them together, those which offer the bases for solutions, and those which involve guarantees and face-saving.¹⁴ Where does the Secretaryship-General fall into this field of study?

Unlike other forms of mediation - such as the US third-party role in the Arab-Israeli dialogue - the Office of Secretary-General is much less likely to have the aid of positive or negative sanctions. This necessitates more strongly the existence and appearance of impartiality. The Secretaryship-General's means of pressure, and its activities, are the application of reason to indicate how settlements can suit all parties. Morality and legitimacy - with the potential for orchestrating moral pressure, embarrassment, or even ostracism - are also means of leverage. In some cases there may be the implication that a failure by the parties to act positively will precipitate the UN organs to consider more coercive measures.

The Secretaryship-General and its representatives are in a suitable position to fulfil such a role, theoretically representing, as international civil servants, impartial and unobtrusive figures, yet not neutral in an indifferent sense.¹⁵ Zacher recorded that "[t]he major need in the world which has led to a larger peaceful settlement role for the Secretary-General has been that for an impartial and objective agent upon whom states can call for mediatory assistance in settling their disputes."¹⁶ In the interwar years, amongst the weaknesses and failings of international organisation, a modest mediatory role was demonstrated by the international civil service in such cases as the Aaland Island and Sino-Japanese disputes.¹⁷ Early UN negotiations sought to build upon League efforts in a substantive sense; the existence of Article 99 is testimony to a more political Office in general, and various parts of the Charter have implications for a role in the peaceful settlement of disputes, notably Chapter VI and Article 33. Significantly, the Report of the Preparatory Commission recorded that "[t]he Secretary-General may have an important role to play as a mediator and as an

13 See J.Bercovitch and J.Z.Rubin ed., *op.cit.*, including L.Susskind and E.Babbit, 'Overcoming the Obstacles to Effective Mediation of International Disputes'.

14 *Ibid.*

15 Pérez de Cuéllar spoke of the ethical diplomacy of the United Nations, in contrast to 'traditional diplomacy', which "was often limited to a stable balance of power: whether the balance conformed to justice was a lesser concern." *op.cit.*, p.68.

16 M.W.Zacher, *op.cit.*, p.727.

17 At least according to A.W.Rovine, *op.cit.*, p.9.

informal adviser of many governments..."¹⁸

In the United Nations mediation efforts of some form have perhaps been the most significant role of the Secretary-General in the area of the peaceful settlement of disputes and the maintenance of international peace and security. These may be on the basis of a mandate from the General Assembly or the Security Council - under Article 98 - on the basis of an invitation of one or more of the parties to a dispute - Article 33 - or from the inherent authority of the Office to initiate such mediation which has evolved over many years and is still not legally precise. Amongst the latter type one might recall Lie's unsuccessful efforts in the Berlin crisis. Hammarskjöld distanced himself from the Security Council and employed his 'Peking Formula' in negotiating the release of the US airmen from China; he initiated private negotiations with Egypt, Britain and France during the Suez crisis in 1956, and he involved himself in a mediatory capacity in numerous dialogues during the course of the Congo operation. U Thant took the initiative in the Cuban Missile Crisis.¹⁹ Mediation has the greatest prospect of success if there are genuine grounds for conciliation which the Secretary-General, or a representative, can help to identify.

The variables which have a bearing upon the success or status of the Office in a mediatory role in a general sense are: the willingness of the deliberative organs to delegate a role to the Secretary-General; whether the case is within the jurisdiction of the United Nations; whether the Security Council would acquiesce to a Secretary-General's attempts to assume a role; the reputation and skill of the Secretary-General; and the willingness of the parties to accept the Office-holder in this role and make concessions. Thus, there is a combination of *immediate environmental* variables and *personality* variables at play. The *general historical environmental* pattern might suggest that the Secretaryship-General has been in a prominent mediatory position - either by default or delegation - in periods when the Organisation has been supported by the Great Powers, but not necessarily in times of Security Council consensus or collective security.²⁰ In light of this, one can make a balanced, and not a personality-oriented study, and present contrasting performances as a result of

18 Chapter VIII (The Secretariat) Section 2, paragraph 16.

19 T.M.Franck, *op.cit.*: "Secretaries-General have felt justified, at times, in acting on their own to safeguard what they perceived to be minimum standards of world order." p.91.

20 V.Pechota identified the concept of change in the execution of mediation in relation to environmental factors, in a manner which is akin to that attempted here: "[o]ne important element in the growth of the Secretary-General's power to use his good offices has been the changes over the last decade or so in the world's political geography, in the overall political climate, and in the order of world priorities. These changes have affected the political pattern and institutional structure of the United Nations and have left their imprint on the nature and scope of the Secretary-General's involvement in the settlement of disputes." *Op.cit.*, p.6.

environmental factors as much almost as personal attributes. However, the post-Cold War attitudinal developments in the UN and an increase of activities can only increase the Secretaryship-General's mediation activities, in person and in name. Some would suggest that the position of the Secretaryship-General was improved in line with the increased legitimacy of UN diplomacy in the post-Cold War.²¹

An activity which is located within the area of mediation, but perhaps discernable in itself, is the Secretaryship-General's face-saving role; or, more euhamistically, the role of 'accommodation'.²² On a number of occasions the Secretaryship-General has relieved states of burdensome political tasks, or - intentionally or unintentionally - provided a means or incentive for a state to accept a condition which might otherwise be politically difficult or embarrassing. Thus, a state might be willing, or even eager, to stand down under the guise of a Secretary-General's compromise, when national honour, or the threat of domestic repercussions, would otherwise prevent such a resolution. Pérez de Cuéllar's mediatory role in the crisis prior to the outbreak of the Falklands war had the potential for such an achievement. In the past there was also a strong element of accommodation in the withdrawal of Britain and France from Egypt in 1956, and the withdrawal of Britain from Jordan and the United States from Lebanon in 1958.

A further third party role is that of arbitration, in cases where disputants have given prior consent to the legally binding nature of the eventual settlement. Clearly states generally are loathe to accept such preconditions. However, if a party perceives a case to be relatively unimportant, or if it is willing privately to make a concession or stand-down, then the arbitration of the Secretary-General - as with 'face-saving' - may be the least difficult to 'swallow'.

Another distinguishable area of activity always involving some form of negotiation concerns the operative peace-keeping and peacemaking function of the Office. As has been illustrated above, the Secretaryship-General has had an organic relationship with the evolution of peace-keeping: in the initiation, formulation - in terms of the conditions of deployment, engagement, and the complexion of troop contributions - and field operation.²³ Hammarskjöld's roles in UNEF and ONUC, and the norms established therein, were historic in the development of norms which have come - although

21 J.Z.Rubin, 'International Mediation in Context.' p.265.

22 A.W.Rovine, *op.cit.*, p.453-455.

23 L.L.Fabian, 'The International Administration of Peace-keeping Operations', in R.S.Jordan ed., *International Administration. Its Evolution and Contemporary Applications*, London, Oxford University Press, 1971, and I.J.Rikhye 'Hammarskjöld and Peace-keeping', in R.S.Jordan ed., *Dag Hammarskjöld Revisited. The UN Secretary-General as a Force in World Politics*, Durham, North Carolina, Carolina Academic Press, 1983.

still with ambiguity - to govern the use of international forces. Initially an improvisation and in some sense a side-effect of the failure of collective security in the Chapter VII sense, peace-keeping has become established as an indispensable activity, and one which shows no sign of retreating with the apparent collegiality of the post-Cold War Security Council. As a result of wide mandates and developments in the field which necessitate an immediate executive decision-making capability - in contrast to a deliberative Assembly or Council decision - the Secretaryship-General and its staff have often been in positions of great authority. In fact this authority has involved making decisions involving the employment of significant material and human resources without referring back to the mandating organ. Whilst this has led to problems, and a subsequent questioning of the Secretariat in this role - most notably during and after the Congo and Somalia operations - it has also, in more successful cases, elevated the Office of Secretary-General in peace-keeping.

It is not only in the operative phase of peace-keeping that this appears to be the case. Indeed, the Office has displayed the function of policy formulation on a number of occasions, although under the authority of the deliberative organs: the formulation of UNEF, the first Lebanon force in 1958, ONUC, and more recently the lead Boutros-Ghali has taken in formulating, codifying, and innovating peace-keeping and other Chapter VI activities, illustrates this. Could one label the Secretaryship-General in peace-keeping situations, as Jordan did of Hammarskjold in UNEF in Egypt, as "a commander-in-chief of his own army"?²⁴ More recently this alludes to discussions regarding the future of conflict settlement and responses to threats to international peace and security - reflected and stimulated by *An Agenda for Peace*²⁵ - which may herald a turning point for some of the Secretaryship-General's activities and perhaps the Office itself.

The wider debate represents a historic reassessment of the status and role of international organisation in relation to the state and the international community, addressing issues and questions which have been obscured for decades. In parallel to this has been a growing incidence of intervention in response to fragmentation and failed statehood. In practical terms this has resulted in an increasing tendency to see peace and security in a much wider sense than has dominated post-war debate and foreign policy thus far. This has engendered a multifaceted conception of security

24 R.S.Jordan, 'Prologue: The Legacy which Dag Hammarskjold Inherited and his Imprint on it', in R.S.Jordan ed., *Dag Hammarskjold Revisited*, p.8; he continued that "[n]o longer could the office be compared to the Pope's as consisting of moral authority, but without the terrestrial means to change the course of history."

25 B.Boutros-Ghali, *An Agenda for Peace. Preventive Diplomacy, Peacemaking and Peace-keeping*, Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992, United Nations, New York, 1992, paragraph 44.

where domestic and international factors are no longer felt to be separable: development, the environment and social issues are now often thought of as completing the picture, in addition to the state-centric military perspectives. In the context of post-Cold War trends in peace and security, new techniques have been developed for multifaceted operations in situations which do not conform to the traditional interpositional model of peace-keeping. The discussion and practice of this rapidly developing area have reflected a significant procedural development in the Office's operative status.

The ambiguity regarding the Secretaryship-General's role in situations where peace-keeping operations are transformed into more coercive measures - either technically or informally - and the specific role of the Office in explicit Chapter VII activity has instilled foreboding in some observers. It would appear to some that the Secretary-General is implying for himself a role in peace-enforcement in an operative sense. In the context of the post-Cold War debate - and practice in the case of Somalia and Bosnia - such ideas as preventive deployment, the wider conception of peace-keeping, and peace enforcement are arguably beginning to blur the distinction between traditional peaceful settlement under Chapter VI and coercive action, and lead to the possibility of the former transforming into the latter. It has been demonstrated that the Secretaryship-General has always had a significant operative status in peace-keeping. A possible trend is, in the context of this wider concept of UN involvement and the upgrading of UN operations that the Office's status might similarly be elevated within a forceful context.

The discretion of the Secretaryship-General in earlier years was usually the result of a failure on the part of the deliberative organs to formulate detailed mandates or constantly monitor and revise instructions in the face of developments in the field. The extent of the 'commanding' position of the Secretaryship-General in the past was therefore by default or acquiescence, and a tendency which often engendered a conservative backlash, particularly after the Congo. The *immediate environment* which afforded a significant operative and formulation role in the past was often one of incoherence, or disagreement, especially amongst the Great Powers, so that a wide margin of discretion was taken up by the Secretaryship-General. The *general historical environment* could be identified as before the Organisation suffered the marginalisation of the Great Powers and the politicisation of the Assembly, but when a paralysis of collective security made necessary the peaceful settlement of certain disputes and face-saving. In the post-Cold War world, assuming a relatively high level of Security Council coherence continues, this delegation by default might be replaced by a more measured and deliberate policy on the part of the Council. Therefore, the role of the Secretaryship-General in this area might not be as extensive as some observers anticipate, or

fear. Alternatively, the 'new' strain of peacemaking and peace-keeping could suggest the contrary. A widely held opinion amongst experienced commentators is that the increasing activity of the United Nations in all such areas has, by extension, increased the role of the Secretary-General therein.

Preventive diplomacy and early warning, together or separately, represent an extremely important function of the Secretaryship-General, and one which has varied qualitatively and quantitatively over the years. Preventive diplomacy has been defined as "action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur."²⁶ Early warning concerns the identification of potential conflicts and the wider causes of problems - emerging or latent disputes, environmental threats, the risk of nuclear accidents, natural disasters, and humanitarian crises.²⁷ The intention is to act on the basis of information in order to minimise threats to life and the maintenance of international peace and security. Based, most notably, upon Article 99, Article 7, and a culmination of practice, preventive diplomacy and early warning have developed procedurally, especially in the authority that successive Secretaries-General have assumed to investigate possible causes of friction through personal investigations or diplomatic missions. Until recent years the role of the Office in this area was rather undefined. Points of contention have concerned the potential intrusiveness of his investigatory capability into sovereign affairs, and the possible embarrassment of placing issues on the international agenda sensitive to the parties concerned. Clearly many governments prefer a discreet approach.

Nevertheless, there are ever wider interpretations of the preventive role and a steadily increasing codification of what has for years been an informal activity.²⁸ Boutros-Ghali has sought to clarify and extend the bounds of this area of activity.²⁹ In the post-Cold War world it is logical that there should be less sensitivity and therefore a potentially greater role for the Secretariat here. Similarly,

26 B.Boutros-Ghali, *An Agenda for Peace. Preventive Diplomacy, Peacemaking and Peace-keeping*, New York, United Nations, paragraph 20.

27 *Ibid.*, paragraph 26.

28 For example T.E.Boudreau, *Sheathing the Sword*, "the Secretary-General's preventive role applies to any area, including the global commons - the high seas, the polar caps, and even near outer space - where a potential conflict can occur involving one or more of the UN members." p.20.

29 B.Boutros-Ghali, 'An Agenda for Peace: One Year Later', *Orbis: A Journal of World Affairs*, vol.37, no.3, p.324; "I estimate that some 20 percent of my time is devoted to preventive diplomacy. Because of the nature of this work, and the requirements of the parties, such diplomacy often takes place behind the scenes. When efforts fail, the results will be seen in public. When there is success, the story often must remain untold." p.325.

however, there is an inherent sensitivity to any potential intrusiveness in the state system and a sensitivity to the commitment of financial resources, which constitute permanent constraints to these areas of activity and the Secretaryship-General's role in them.³⁰ Despite this, there could still be a burgeoning role for the Secretaryship-General in at least identifying the trouble.

A less tangible function of the Secretaryship-General concerns the activities undertaken under the Office's leadership or embodiment of the international community.³¹ By delegation or initiative - through the authority of Articles 7 and 99 and extra-constitutional procedural development - the Office has been a key instrument for tasks in the public interest and for bringing issues to the attention of the UN organs, the world's people, and state decision makers.³² In the interwar years the Secretaries-General of the League, were not significant in this role, although the League did have a network of emissaries. In 1945 there was a noticeable feeling, especially amongst the more progressive internationalists, that the international community needed a figurehead, a force for collective internationalism. E.F.Ranshofen-Wertheimer epitomised this:

The head of an international agency should be an international leader. He must be a statesman, a man of public affairs rather than a civil servant....The international leader should be given a rank unmistakably suggesting equality of status with the top governmental delegates of the organs that shape the policies of his agency.³³

The contrary, conservative school holds that such liberal ideas are unfounded in reality and inevitably result in crisis, whenever international civil servants position themselves in opposition to states' interests or pursue policies which leave a vacuum of political and constitutional support. The fate of Lie, and Hammarskjold's position in the Congo, are often cited as evidence. The conservative approach to the international civil service advocates the quiet, behind-the-scenes model of the Secretaryship-General; the progressive model is considered to be a delusion.³⁴

30 This is reflected in a number of interviews carried out in New York with academics and practitioners between May and July 1994. This will be illustrated further in later chapters.

31 Admittedly, the international community is a rather romantic notion, drawing upon an 'international society' belief that, since Westphalia, a Grotian system of interacting units has developed norms of coexistence and system maintenance based upon formal and informal institutions. Modern adherents, on the academic side, might include the 'English school' of Hedley Bull *et al.* In contrast to the 'Realist approach', the concept of an international society allows, indeed encourages, an ethical dimension. Still, in a pluralistic world, the Eurocentric origins of such an idea - which arguably underpins many of the world's international organisations and the international civil service - is far from ideal in intellectual and practical terms.

32 R.W.Cox emphasised this, 'The Executive Head: An Essay on Leadership in International Organization', *International Organization*, vol.23, no.2, 1969, p.230.

33 E.F.Ranshofen-Wertheimer, *The International Secretariat: A Great Experiment in International Administration*, Washington, Carnegie Endowment, 1945, p.435.

34 See the conclusions to J.Barros' works.

Nevertheless, the progressive model is one which has been embraced on numerous occasions. In addition to the initiatives undertaken within the areas of preventive diplomacy and the peaceful settlement of disputes, unsolicited proclamations and proposals have been forthcoming. Indeed, the Twenty Year Peace Plan of Lie and the Peace Mission designed to promote it has already been presented as an unequivocal illustration of this.³⁵ Hammarskjold likewise sought to elevate certain issues, such as development.³⁶ U Thant and Boutros-Ghali both promoted Southern issues, the former attracting something of an image as a sponsor of development, anti-racism and anti-imperialism.

The Secretaries-General have made use of the various media, personal contacts, speeches and statements to express concerns, support causes, condemn practices, and exert moral influence upon the Organisation's organs, member states, and private entities. Boutros-Ghali was not challenged, for example, for lambasting the tardiness of the international community's response to the Rwandan tragedy in May 1994.³⁷ The Secretaryship-General, in the right hands, is accepted and respected as the voice of collective internationalism and the vanguard of efforts to legitimise international relations.³⁸ Yet the extent to which any Secretary-General can make an impact upon attitudes and policy processes in this manner depends upon his personal reputation, the reputation of the Office - which has varied - and the timing and nature of the interventions. One can see how the personality dimension can make its presence known within this role: although the Office has an independent aura and legitimacy, the office-holders' reputation and skill have a significant bearing on the application of the embodiment of the international community. The nature of the general environment has a bearing; an atmosphere conducive to internationalist ideas where multilateralism is supported by the Great Powers is amenable to expressions of advocacy by the international civil service. The immediate post-Cold War 'honeymoon'³⁹ was an example of this. An example of the

35 See A.W.Rovine, *op.cit.*, pp.224-235, "[i]f doubts still remained concerning the capacity and willingness of the UN's highest official to undertake political functions and to publish his political views, these were certainly put to rest by the 1950 diplomatic initiative. In short, the primary accomplishment was a strengthening of the Office." p.234.

36 See W.Foote ed., *op.cit.*, in particular 'The International Civil Servant in Law and in Fact', and his final Annual Reports.

37 "Boutros-Ghali Angrily Condemns All Sides for Not Saving Rwanda", *The New York Times*, 26 May, 1994, p.1.

38 For Rovine, "[a] positive expression of policy by the Secretary-General...can usually be taken as a statement of predominant sentiment among the community of nations, and one that generates an aura of righteousness and legitimacy." *op.cit.*, p.445.

39 Sir Brian Urquhart, 'The UN and International Peace and Security after the Cold War', in A.Roberts and B.Kingsbury, *United Nations, Divided World*, 2nd. edition, Oxford, Clarendon Press, 1993, p.82.

opposite is that of the UN during the 1970s.

The leadership role lies close to, and overlaps, a rather ambiguous policy influencing role, involving the proposal, formulation and execution of policy. This is a vague area - indeed no firm constitutional basis exists - and is largely a product of the wide sphere of activity outlined above. The Secretaryship-General has a direct and indirect input into UN policy formulation at various phases and levels, through public and private recommendations, and information gathering. In a 'leadership' capacity, as an instrument of preventive diplomacy and early warning, and in an operative capacity in peace-keeping and the settlement of conflict, the Secretaryship-General has a role in the formulation and execution of policy.

With reference to Cox and Jacobson's typology of influence in decision-making in international organisation, the Secretaryship-General is most likely to have a role as an initiator - not necessarily in a formal sense - and secondly as a broker, a go-between or consensus builder.⁴⁰ In some areas of the maintenance of international peace and security one can add the operative policy-making capacity, although under the authority of the Security Council or General Assembly. A Secretary-General's personality and skill, as variable factors, have a strong bearing upon the status of the Office in the influence of policy formulation, in addition to the independent-structural opportunities associated with the Office. A general historical environment in the past which has been characterised by prolonged incoherence and paralysis in the UN deliberative organs has on occasions resulted in a relatively wide margin of discretion for the Secretaryship-General, often by default. A consensus in the deliberative organs, as a corollary, can result in a narrowing of the margin for influencing policy and political discussion. However, with the popularly conceived resurgence of multilateralism - indicative of a 'new' historical environment - one would expect a dividend in the form of an improved legitimacy and increased activity of the Secretaryship-General, and thus in policy influencing, but within bounds congruent with the outlook of the Security Council. Clearly, there is no simple formula of change in this, or any other area of the Secretaryship-General's activities, in line with environmental developments. The more intangible the role, and the variables which have significance in its execution, the more difficult is the exercise.

40 R.W.Cox and H.K.Jacobson, *The Anatomy of Influence. Decision Making in International Organization*, London, Yale University Press, 1974, p.12. Of the types of influence, "[w]hich is most important depends upon the total context of decision making, the way in which the particular political system under examination works, the patterns of interaction that are characteristic of it." p.12.

Summary of key roles/functions in the area of peace and security

Provision of good offices

Intermediary

Mediation

Face-saving

Arbitration

Adviser

Conciliator

The operative role in the settlement of conflict

The operative role in peace-keeping

The operative role in peacemaking and 'peace enforcement'

Early warning

Preventive diplomacy

Leadership-embodiment of international community

Articulation of interests, promotion of collective internationalism and collective efforts towards addressing problems

Agenda setting

Policy influencing

Clearly these functions overlap, and they are not in constant usage. The difficulty lies in attempting to judge which factors determine whether the Office holder is able to exercise a particular function in a certain situation, which factors have a strong bearing on the 'success' of an attempt, and the extent to which it is possible to identify patterns in the historical political environment as a significant backdrop. The following chapters will apply these ideas to the Secretaryship-General from the early 1970s to the present.

Part III

Chapter 5 Kurt Waldheim

Introduction

Waldheim's tenure as Secretary-General has been eclipsed by discussion surrounding his war-time activities and the extent to which they were known to various parties during and even before his appointment.¹ In addition, his personal idiosyncrasies, and his approach to a number of issues, have left a particularly negative impression of his incumbency. Whatever one's opinion, however, he must be seen in the context of the general condition of the United Nations, and an environment which did not afford a prominent role to the Organisation. Indeed, the UN was essentially on the periphery of Great Power concerns, and the "crisis in the multilateral approach" that Pérez de Cuéllar wrote of in 1982 was clearly in evidence for much of the 1970s. Thus, any assessment of Waldheim as Secretary-General must be framed in the light of the restrictions imposed upon the Office by the environment. This was one which marginalized the UN as a result of the universalization of membership, the Cold War, the influx of Third World members, and a host of financial and political problems.

A major problem in examining the Secretaryship-General in the context of international politics concerns an evaluation of different variables which are of relevance, especially the personality factor and the political dynamics of the Organisation. The problem is magnified in the case of Waldheim because it is tempting to attribute certain UN failings to his personality and style, as similarly it may be tempting to attribute all the successes of Hammarskjöld to his celebrated style. In both cases, this

1 Allegations, revealed by the World Jewish Congress and journalists, identified Waldheim as an intelligence officer with German army units involved in war crimes in Yugoslavia and Greece, including the execution of British commandos, attacks on civilians, and the deportation of Jews to concentration camps. A thorough and interesting study is S.M.Finger and A.A.Saltzman (with G.Schwab, adviser), *Bending with the Winds. Kurt Waldheim and the United Nations*, New York, Praeger Publishers, 1990, pp.1 and 5. Their verdict: "[w]e have seen no conclusive evidence to date that Waldheim ordered or personally committed a war crime, but he was definitely a bureaucratic accessory. Whatever qualms he may have had about the Nazi crimes in the Balkans, he did nothing to stop or impede them. Indeed, he was part of the deadly machine. The intelligence reports he processed included information used by Nazi military authorities in identifying targets for destruction and war crimes" pp.9-10. In his first book of memoirs Waldheim describes his "disaffection" with Nazism and being called-up with his brother: "our only alternative was a court-marshal", *The Challenge of Peace*, London, Weidenfeld and Nicolson, 1980, pp.23-24. He claims he was wounded on the Russian front late in 1941 and left the army to resume his law studies in early 1942, p.24. Was Waldheim being controlled or blackmailed whilst at the UN? S.Hazard gives a summary of the main conspiracy theories, *The Countenance of Truth. The United Nations and the Waldheim Case*, New York, Viking, 1990, pp.59-65.

is a common mistake. Whilst it is an indulgent exercise, one is tempted to hypothesise what would have been the result of the two Secretaries-General reversing roles: one suspects that the result would have illustrated that environmental circumstances are *a*, if not *the*, chief determinant of the Secretary-General's role and status. However, whilst the environment is the chief prerequisite for defining what is possible, the personality is important in *fulfilling* what is possible.² The exercise is, therefore, to define the environment and the constraints inherent therein, and then attempt to assess the extent to which the environment sets the parameters within which the Secretary-General works, in relation to the personality of the incumbent.

In the case of Waldheim, the environment was a difficult one and his personal approach reportedly lack lustre. However, it is important not to confuse the two, as has occurred in studies of Waldheim, especially since the exposure of his war record. Kurt Waldheim's approach to the job was high profile but also low key: he was very visible but avoided confrontation with member states and did not use his visibility as leverage to apply pressure upon states. He recorded that "the secretary-general should negotiate only at the request of the parties to the dispute. Nothing is worse, and nothing would be less wise, than for him to force himself upon a situation. Successful mediation stands a chance only if it is wanted and worked for by all involved."³ Indeed, "convinced that intense personal contacts were indispensable to success", Waldheim expended much effort in making visits and cultivating personal relationships.⁴ Something of a realist, for Waldheim the job required "diplomatic subtlety and skill and a sure sense of timing, rather than charismatic or daring leadership".⁵

Most commentators interpret Waldheim's tenure in negative terms. By attempting to avoid

2 Interview with James Sutterlin, former senior member of the Executive Office of the Secretary-General and official biographer of Pérez de Cuéllar, New York, 17 June 1994.

3 K.Waldheim, *op.cit.*, p.5. Elsewhere he wrote that "[t]he Secretary-General is the world's ranking international civil servant with theoretically unlimited responsibilities in relation to international peace and security, but very little real power and no sovereign authority - or even readily available resources - at all. His capacity for independent action is, in fact, extremely limited, since in the end he can work effectively only with and through governments". 'Dag Hammarskjöld and the Office of United Nations Secretary-General' in R.S.Jordan, ed., *Dag Hammarskjöld Revisited. The UN Secretary-General as a Force in World Politics*, Durham, North Carolina, Carolina Academic Press, 1983, p.20.

4 K.Waldheim, *In the Eye of the Storm, The Memoirs of Kurt Waldheim*, London, Weidenfeld and Nicolson, 1985, p.40. However, for Finger and Saltzman, "[t]hough Waldheim devoted much time and energy to cultivating the political leaders of member states and made a special effort with the major powers, he did not gain much respect or trust. He carried his desire to please to the point of being obsequious, and it made him vulnerable to pressure." *Bending with the Winds*, p.86

5 *Ibid.*, p.208.

confrontation and win friends, Waldheim attracted a reputation of being vacuous and a sycophant.⁶ According to Finger and Saltzman "... in his efforts to please everybody (he was sometimes referred to as 'the headwaiter'), Waldheim yielded readily to pressure from all sides".⁷ For Brian Urquhart, he lacked vision, integrity, inspiration or leadership: "[h]e seemed to be a man without real substance, quality, or character, swept along by an insatiable thirst for public office".⁸ Another former colleague of Waldheim, Sir Robert Rhodes James, also gave a damning indictment.⁹ However, Alan James, writing before the former Secretary-General's war record came to light, suggested that

it is definitely not the case that he has come through unscathed because nothing more has been required of him than routine administration. There have been numerous pitfalls along the way which have been negotiated with considerable skill. Nor is it the case that Waldheim has avoided dissension by failing to grasp opportunities. For, although it appears hitherto not to have attracted public comment, Waldheim has certainly been responsible for a few telling moves and may reasonably be suspected of having had a hand in several more....It would be unreasonable to ask for more.¹⁰

A more common theme is that "[h]e did not offer inspiring leadership, if it could be called leadership at all. He did not have the dedication to ideals, principles, or moral integrity to move governments beyond their narrow, short-term self interest... Instead, Waldheim was a mere broker among governments on the rare occasions when they chose to enlist his services".¹¹

However, could Waldheim have achieved anything more, given the constraints which existed? His incumbency has been enmeshed with the downturn of the United Nations in much of the literature as a "caretaker Secretary-General".¹² Likewise, the fact that Waldheim could be appointed for two terms, and almost a third,¹³ is often seen in the context of superpower machinations and cynicism towards the UN. Urquhart argued that the Waldheim episode was a reflection upon the

6 A senior member of the Office of Secretary-General under many office holders, including Waldheim, has described Waldheim's unattractive traits, interview, New York, 1994.

7 S.M.Finger and A.A.Saltzman, *op.cit.*, pp.x-xi. However he could be "arrogant and often insensitive to secretariat staff". p.17.

8 B.Urquhart, *A Life in Peace and War*, New York, Harper & Row Publishers, 1987, pp.228 and 268. He lamented Waldheim's publicity-seeking exploits, pp.268, 331, 283; also interview, New York, 25 May 1994; and S.Hazzard, *The Countenance of Truth*, p.77 and throughout.

9 Private correspondence, 25 May 1995.

10 A.James, 'Kurt Waldheim: Diplomats' Diplomat', *The Year Book of World Affairs*, 1983, vol.37, p.88.

11 S.M.Finger and A.A.Saltzman, *op.cit.*, p.86.

12 T.E.Boudreau, *Sheathing the Sword. The UN Secretary-General and the Prevention of International Conflict*, New York, Greenwood Press, 1991, p.76.

13 At certain stages of the appointment process, only the Chinese were an obstacle: see *The New York Times* from 1 November to 4 November 1981; also S.Hazzard *op.cit.*, pp.123-4.

appointment process.¹⁴ In fact, it was an indictment of almost every aspect of the Secretaryship-General in the 1970s. Nevertheless, during that period the Office performed some important tasks in the area of conflict settlement and international peace and security. Contrary to the pervading impression, the 1970s was not a complete abyss for the United Nations. Firstly the environment will be outlined and then the activities of the Office presented within this context.

The General Environment

In various degrees throughout Waldheim's tenure the general environment, and the organisational consequences which were a reflection of it, were that of disillusionment and disaffection. Decolonization had resulted in the enfranchisement of numerous Third World states, eventually finding a voice in the UN organs and agencies which were amenable to numerical leverage through solidarity and bloc voting. The Western states grew increasingly alienated from an organisation which no longer resembled that which they created. The mechanisms of *détente* were better maintained outside of the politicisation of the UN organs, and the Soviet Union was happy to incite the cleavage between the Third World members of the UN and the West. The Strategic Arms Limitation arms control agreement was largely a bilateral affair, and, as Waldheim recalled, the UN was not invited to play a meaningful role at the landmark Helsinki summit of the Conference for Security and Cooperation in Europe in 1975: "[i]t became clear to me that my role had been envisaged more as a ceremonial one than anything else".¹⁵ For a variety of reasons, a number of issues and conflicts were outside the realm of the UN and hence the Secretary-General's jurisdiction. Urquhart recorded that Waldheim was conscious, perhaps envious, of Hammarskjöld's almost legendary reputation.¹⁶ Yet perhaps Waldheim was justified in reminding us that "[w]e look back to the time of Dag Hammarskjöld's Secretary-Generalship with nostalgia for a simpler world now gone forever".¹⁷

As the most significant sponsor of the UN in military, economic and diplomatic terms, the

14 B.Urquhart, *op.cit.*, pp.227-28. Seymour Maxwell Finger recently reflected upon this 'negative selection'. Interview, Ralph Bunche Institute of the UN, New York, 7 June 1994. His book notes that Waldheim was accepted "not as a great leader but as someone who would probably work conscientiously and would not rock the boat". *op.cit.*, pp.34-5.

15 K.Waldheim, *In the Eye of the Storm*, p.140.

16 B.Urquhart, *op.cit.*, p.229.

17 K.Waldheim, 'Dag Hammarskjöld and the Office of United Nations Secretary-General' in R.S.Jordon, *op.cit.*, p.15. He appears to be a little defensive in *The Challenge of Peace*, p.3.

attitude of the United States has been a critical factor in the Organisation's roles in conflict settlement and international peace and security. Subsequently, the disenchantment felt towards the UN by elements of American society represented a major part of the marginalization of the Organisation in the 1970s, especially before Carter ascended to the presidency. An important source of this was the 'new majority', the influence of newly independent countries which "radically altered the entire character of the United Nations".¹⁸ Demands for economic redistribution and systemic changes through the New International Economic Order coalesced around an increasingly cohesive and militant bloc, making demands and initiating programmes which were the antithesis of the prevalent free market thinking of the West. The 'common front' rhetoric of the Non-Aligned Movement, inspired by Tito, Nehru, Sukarno, and Nasser, and the Third World bravado encouraged by the hopes of the UN Conference on Trade and Development, reached a crescendo in the General Assembly sessions of 1973 and 1974. The collapse of fixed exchange rates and the soaring oil price increases of 1973 exacerbated the atmosphere of hostility between North and South, East and West. Waldheim recalled how this reflected upon the UN:

[t]he new arrivals were overwhelmingly non-white, non-western, underdeveloped and unschooled in the practice of national and international governance. They brought to the UN corridors a burning sense of injustice done them under their former colonial masters, a chip-on-the-shoulder insistence that the west, therefore, owed them the wherewithal needed for economic growth, and a more or less conscious rejection of the tenets of western liberal democracy.¹⁹

The activism of the Third World majority was directed at the pursuance of 'justice' in relation to a number of issues. Clearly, decolonization and non-alignment were central, and not in themselves offensive to the West. However, the General Assembly's attacks on Israel and South Africa, and its embrace of the Palestinian Liberation Organisation and the South West African People's Organisation, did grate with the sensibilities of many in the West, and importantly, powerful interest groups. In November 1975, the Assembly passed the resolution which equated Zionism with Racism, and the floodgates of Western condemnation opened.²⁰ The outrage of the West manifested itself

18 K.Waldheim, *In the Eye of the Storm*, p.111.

19 K.Waldheim, 'The United Nations: The Tarnished Image', *Foreign Affairs*, no.1., Fall 1984, p.96. Elsewhere he recalled that "[w]hat alarmed me was that the emotions engendered by the strident demands of the Third World and the recalcitrance, if not indifference, of the West, were destroying the credit of the United Nations and might ultimately even tear it apart". *In the Eye of the Storm*, p.121.

20 The Arab-inspired resolution, 3379(XXX) of 10 November 1975, reflected the polarisation of North-South attitudes, passed with 72 votes to 35 and 32 abstentions. See *The New York Times*, 11 November 1975, p.1. For Finger, amongst the non-aligned bloc "[t]he twenty-two Arab members in the group are able to persuade the majority to go along with virtually any resolution they want. The fifty plus African nations want their votes on resolutions condemning South Africa and most feel they have nothing to lose by voting against Israel". S.M.Finger and A.A.Saltzman, *op.cit.*, p.49.

in the contempt of American and Israeli leaders towards the UN. US Representative Daniel Patrick Moynihan - already a man to 'raise hell' with trouble-making non-Western militants²¹- lamented that the Organisation was bent on self-destruction.²² Later Israeli UN Ambassador Blum, in outlining the decline of the Organisation's credibility, reflected upon "an unholy alliance of dictatorships and totalitarian regimes".²³ No doubt substantial sections of US society and government, especially those sympathetic to Israel, supported this condemnation. The visit of PLO chairman Yasser Arafat to the UN, complete with (empty) gun holster, and the uproarious welcome he received, further contributed to the alienation of *status quo* powers from the Organisation. The exclusion of South Africa from the General Assembly, although not as incendiary as the Assembly attitude towards Israel, was certainly objectionable to traditionalist leaders who still felt that a government's right to represent its country emanated from its control of sovereign territory. Moreover, South Africa also had friends in the West.

The rhetoric of the majority in the UN and especially the most activist members - apparently anti-Western in its tone - resulted in disillusionment amongst peoples and indignation amongst leaders. Nowhere was this more the case than in the United States. The *New York Times* frequently carried stories which questioned the status of the UN and reported a circumvention of the UN by major powers.²⁴ A common theme was that the UN had fallen into disuse as an instrument of US foreign policy because of the influx of Afro-Asian membership, and that the support of the US people and Congress was waning because, according to US Ambassador Scali, of the "tyranny of the majority".²⁵ Unsurprisingly, surveys of the American public and of Western governments reflected considerable disenchantment towards the UN in general.²⁶

21 *The New York Times*, 22 June, 1975.

22 *The New York Times*, 22 October 1975.

23 *The New York Times*, 13 September 1979, p.27.

24 For example, a series of articles by R.Alden between 10-12 September 1973 in *The New York Times*.

25 *The New York Times*, 7 December 1974, p.1. Although financial and diplomatic sanctions against the UN were a weapon more under Reagan, in October 1970 Congress reduced the US contribution to the ILO by 50%. In 1974, the US contribution to UNESCO was suspended, and the US withdrew from the ILO between 1977 and 1980. See Y.Beigbeder, *Threats to the International Civil Service*, London, Pinter Publishers, 1988, p.46.

26 For example, a Gallup survey found that 45% of leading figures in 70 non-Communist states said that their attitude towards the UN had become less favourable than before, *The New York Times*, 19 September 1973, p.2; *The New York Times* reported that thousands of US citizens were disillusioned with the UN because of the antics of the majority in the General Assembly, 7 January 1975, p.12; *The New York Times* reported a negative survey result found by *Foreign Policy*, 4 September 1976, p.6; and a Gallup Poll in 1980 reported that only 3 in 8 Americans felt that the UN was doing a good job, the same result as in 1975, 27 November 1980, p.13.

US leaders could not fail to reflect the attitude of their public. Furthermore, key individuals were sceptical of the UN's utility for personal reasons, irrespective of the public attitudes. This was particularly so under the Nixon, Ford, and Reagan presidencies. Authoritative observers noted that "at the White House, where Nixon and Kissinger were the architects of American foreign policy, there was little regard for the United Nations".²⁷ Another study by Ambassador Finger goes into more detail on the 'Nixon-Kissinger mind set', an approach which was unsupportive, defensive and consistent with Kissinger's "negative, almost disdainful attitude toward the UN".²⁸ Representative Bush, from 1971-1973, was diplomatic and courteous, but his successor Scali was closer to Nixon's attitude: "sceptical, disdainful, and combative".²⁹ Representative Moynihan represented the epitome of US confrontation and the marginalization of the UN. After his departure, Scranton was reportedly more compromising, and under Carter's presidency, the official relationship between the US and the UN improved markedly, at least superficially.³⁰ However, this was something of an interlude, as the general trend of US confrontation towards the UN was resumed by Reagan and Kirkpatrick in the first half of the 1980s.

Nixon saw no significant part for the UN in the grand design of history.³¹ Waldheim was resigned to this, and to the lack of support from Ford.³² Kissinger was similarly concerned with Great Power manoeuvring and power balances.³³ However, he was less combative than some of his colleagues, and is credited with helping to improve US-South relations at the 7th Special Session of the General Assembly in 1975.³⁴ However, whilst Nixon's memoirs hardly mention the UN, Kissinger's clearly suggest that the UN was an instrument at his disposal for the pursuance of his

27 S.M.Finger and A.A.Saltzman, *op.cit.*, p.33.

28 S.M.Finger, *American Ambassadors at the UN: people, politics and bureaucracy in making foreign policy*, New York and London, Holmes and Meier, 1988, p.218.

29 *Ibid.*, p.227.

30 *Ibid.*

31 In *R.N. The Memoirs of Richard Nixon*, he gives one passing reference to Waldheim, pp.981-2, and states that the UN offered the world's best chance to build a lasting peace, p.45. However, if other sources are reliable, this was not sincere, and he certainly does not present the UN as having had significance during his tenure, apart from following the 1973 war, pp.937-941.

32 Waldheim felt that Nixon "had little regard for the United Nations", p.117, *In the Eye of the Storm*, p.117. He partly attributes a cold relationship between himself and Nixon to his public statement in the first year as Secretary-General about the alleged US bombing of North Vietnamese dykes. This is supported by a personal correspondence from Sir Robert Rhodes James, 25 May 1995.

33 *The New York Times*, 15 July 1975, p.1.

34 K.Waldheim, *In the Eye of the Storm*, pp.118-119.

own agenda.³⁵

The Soviet Union was in a similar position to the US until the late 1970s. It was not uncomfortable with the tacit norms and rules of the game reflected in *Détente*, through which it could consolidate its position on the world stage in a structure of bipolar stability. Subsequently, in common with the Nixon-Kissinger attitude, the Soviet Union sought to maintain the mechanisms of this system outside the organs of the UN and the complications which they entailed. However, the Soviet Union was equally happy to incite the challenge posed by the militant Third World members of the UN to the norms of the international system, thus further undermining the effectiveness of the Organisation.

Under the Carter-Vance team, the participation of Andrew Young and McHenry at the UN reflected a thawing of US-UN relations. Carter made a high profile visit to the UN and gave Waldheim the head of state treatment at the White House.³⁶ However, it is quite possible to assert that Carter did not have the wholehearted support of his Congress and his public in his statements of support. The ease with which Reagan's administration swung drastically against the UN, and the part played by Carter's foreign policies in his defeat, suggest this. In fact, the wariness towards the UN was not just within the United States, but in varying degrees throughout the Western world. Indeed, it was the result of historical trends which saw an uneasy clash of *status quo* and revisionist Third World forces against the backdrop of Cold War antagonisms. The question is, how did this environment colour the official activities of the Secretary-General?

The October War and UNEF II

The nature of the environment in its influence upon the Secretaryship-General manifests itself in two vague ways. Firstly, it does so when it contributes to the exclusion of the Office from a case or issue, such as in the Horn of Africa during the 1970s, the Vietnam War, and much of the East-West relationship between the superpowers. Secondly, the environment has a bearing on the activity of

35 H.Kissinger, *Years of Upheaval*, London, Weidenfeld and Nicolson and Michael Joseph, 1982. He regarded Waldheim as "a great gossip", p.455, who "could be useful" for distributing information, p.805. Although it is often suggested that Kissinger was 'won over' to the importance of the UN by the role it played in separating the warring parties after the Yom Kippur war of 1973, he obviously manipulated the Security Council by juggling various interests and pressures, pp.471-474 and pp.480,486,502.

36 *The New York Times*, 27 February 1977, p.17; according to Waldheim "it became manifest to me that his private words were matched by his public utterances in support of international cooperation in general and the work of the United Nations in particular", *In the Eye of the Storm*, p.145.

the Office when it is engaged in its roles, as in the Middle East, Cyprus, and in the issue of terrorism. The October War and the second UN Emergency Force fall into the latter category, and are often regarded as an oasis of activity for the Office in the desert of the 1970s. While the 1970s were not quite a desert, 1973 was certainly a peak of UN usefulness. It is largely true that "[e]nding the October 1973 Yom Kippur war was essentially a superpower undertaking, and the ensuing peace negotiations were primarily dominated by Secretary of State Kissinger".³⁷ However, the UN played an important role in facilitating the settlement and offsetting a superpower confrontation.

In the early 1970s the Middle East represented a tapestry of unresolved enmities and territorial disputes.³⁸ The 'settlement' of the 1967 war was precarious, and Resolution 242 is widely regarded to have been ambiguous and controversial. It reaffirmed the illegality of acquiring territory by war, and the right of states to live in peace within recognisable boundaries and navigate freely through international waters. However, Israel regarded this as a statement of principles, whilst the Arab states regarded it as a framework for Israeli withdrawal from territories gained in 1967.³⁹ Israel would not withdraw before it had secured the basic security of peace treaties with its Arab neighbours. With the realisation by Egyptian leaders that the United Nations would not produce a shift in Israel's attitudes, the stage was set for the forceful recovery of lost ground with the possibility of the assistance of the Soviet Union. Tension had existed in the years preceding 1973 from minor Egyptian clashes and the cycle of PLO attacks from Lebanon and Jordan, and the inevitable Israeli reprisals.

The Egyptian and Syrian attack on 6 October 1973 caught Israel with its guard down somewhat, and the course of the battle was initially in the favour of the Egyptians. It was indicative of the UN's low standing that Waldheim and Urquhart's warnings to Golda Meir immediately before the war were rebuffed.⁴⁰ The Israelis achieved a reversal with the help of US arms and intelligence, whilst the Soviets supplied the Arabs.⁴¹ During the war there were frequent contacts between

37 N.Nachmias, 'The Role of the Secretary-General in the Israeli-Arab and the Cyprus Disputes', in B.Rivlin and L.Gordenker ed., *The Challenging Role of the UN Secretary-General*, Connecticut, Praeger, 1993, pp.121-122.

38 Waldheim recalled that "I inherited a festering situation in the Middle East, the antagonisms and tribulations of which were to dog my entire term of office". *In the Eye of the Storm*, p.55.

39 S.D.Bailey, *Four Arab-Israeli Wars and the Peace Process*, London, Macmillan, 1990, p.287. For Kissinger, "[t]he symbol of the deadlock was United Nations Security Council Resolution 242", "the different interpretations of which were the heart of the liturgy of Middle East negotiations", *Years of Upheaval*, pp.197 and 296.

40 K.Waldheim, *The Challenge of Peace*, p.80; interview with Brian Urquhart, New York, 25 May 1994.

41 S.D.Bailey, *op.cit.*, p.316.

Kissinger and Soviet Ambassador Dobrynin, the Israeli leadership, and the Egyptian foreign minister, whilst Waldheim remained silent.⁴² Kissinger was the most prominent individual, shuttling between the Middle East and Moscow, keen to support Israel, but not to offend Arab oil suppliers or upset the stability that he had helped to create between the United States and the Soviet Union. For this reason it was essential that Israel be dissuaded from destroying the Egyptian army, and that direct superpower intervention be prevented. On 6 October, Kissinger 'phoned Waldheim twice:

He [Waldheim] would not be able to influence the substantive discussions but he was well disposed and could be helpful on procedural problems. He was in a position to delay or speed up Security Council or General Assembly meetings. And he was a great gossip. One could be sure that he would convey what one was reluctant to say directly - veiled threats or plans for compromise too delicate to put forward under one's own name.⁴³

Thus, Waldheim was a tool of Kissinger, not the United Nations, in the heat of the battle; Kissinger informed him that the US would support a restoration of the *status quo ante*, and "Waldheim was likely to get that word around in no time".⁴⁴ In fact, the Secretary-General should have been seeking an immediate ceasefire, in accordance with the Charter, rather than working with a US agenda which was happy to wait until the military situation was suitable before such a step.⁴⁵

In helping to separate the warring parties when the time was right, however, and in preventing the need for direct superpower involvement, the UN and Waldheim performed a service that even Nixon acknowledged. On 22 October, Resolution 338 called for a cease-fire, to no avail. The following day the Soviets demanded that Israel, still closing in on the Egyptian 3rd Army, comply and there were rumours of Soviet troop movements. President Nixon put US troops on a state of alert on 24 October 1973, and a regional conflict was threatening to escalate.⁴⁶ A third party which could have the confidence of the parties and the superpowers was essential to prevent the intervention of either superpower which would precipitate the involvement of the other. Subsequently, on 25 October 1973, a resolution was presented by non-aligned countries in the Council for a second cease-fire and a UN peace-keeping force. Two days earlier Waldheim had

42 Correspondence from Sir Robert Rhodes James, 25 May 1995.

43 H.Kissinger, *op.cit.*, p.455.

44 *Ibid.*, p.472. Waldheim "would give what he was told wide distribution to those - mostly among the non-aligned - more willing to rely on information from a third party than from us", p.805. Waldheim himself felt that "Kissinger kept me up to date on his efforts and their results". *The Challenge of Peace*, p.84.

45 H.Kissinger, *op.cit.*, pp.480-86 and 502.

46 S.D.Bailey, *op.cit.*, p.331; H.Kissinger, *op.cit.*, p.584-5.

spoken with Kissinger about this and some have wondered if Waldheim was behind the proposal.⁴⁷ Thus, Resolution 340 was adopted, demanding a complete cease-fire, deciding to set up a United Nations Emergency Force, and requesting the Secretary-General to present a report on the Force within 24 hours.⁴⁸ This presented Waldheim with some room to manoeuvre: in the shortest possible time he had to assemble a viable force, appoint a commander, and transfer troops on an interim basis. It was a responsibility comparable to the first Emergency Force in 1956, and Waldheim, with Urquhart's assistance, rose to the occasion:

Immediately that decision [Resolution 340] had been made and I was authorized by the Council to act, I moved to organize the operation. Seldom before had the United Nations acted so swiftly and so successfully. Overnight, the necessary guidelines were drawn up for authorization by the Council the next morning.⁴⁹

It was upon Waldheim's initiative, with Urquhart, that led to UN troops being brought from Cyprus, with British help, and contingents interposed between Egyptian and Israeli forces under UN commander General Siilasvuo within 24 hours of the Council's decision. Brian Urquhart has recalled the importance of swift action on that occasion: there was "apparently, the makings of a nuclear confrontation....And we got troops in in 17 hours, and it made an extraordinary difference".⁵⁰ Active command was under the Security Council, through Waldheim, and theoretically the force had freedom of movement and autonomy from the contributing countries. UNEF II also stood its ground against the Israelis by insisting on UN checkpoints along the Cairo-Suez road; this was an important aspect of the UNEF task of observation and disengagement.⁵¹ The speedy interposition of UN peacekeepers is widely regarded as having been an enormous success, even amongst those generally sceptical of the UN in Washington. Seymour Maxwell Finger recorded that "[a] high-level knowledgeable State Department official of that period told me that...the establishment of UNEF II had converted Henry Kissinger from an attitude of indifference toward the UN to the feeling that it could at times serve a useful purpose."⁵² Crucially, Nixon was able to use the presence of a UN

47 B.Urquhart, *A Life in Peace and War*, p.240; A.James noted that "[w]hat is not yet public knowledge, however, is the origin of the idea...that a United Nations Force should once again stand between Israel and Egypt. It might be that Waldheim had once again been at work behind the scenes". *op.cit.* p.89.

48 Resolution 340(1973) of 25 October, 1973.

49 K.Waldheim, *The Challenge of Peace*, pp.82-83. However, Waldheim was not "commander-in-chief of his own army" as R.S.Jordan wrote of Hammarskjold's coordination of the first UN Emergency Force in Egypt, in 'The Legacy which Dag Hammarskjold Inherited and His Imprint upon it', in R.S.Jordan ed., *op.cit.*, p.8.

50 That was the 'record' time for deployment. Interview, New York, 25 May 1994.

51 K.Waldheim, *In the Eye of the Storm*, p.65.

52 S.M.Finger, *American Ambassadors at the UN*, p.229.

force in communicating to Brezhnev that superpower involvement was not necessary and he later acknowledged the importance of the UN at a very tense moment in history.⁵³

Military talks were established at Kilometer 101, and the cease-fire was largely observed. The conditions necessary for the Geneva Peace Conference had therefore been established. However, it was at this point that the auspices of the UN and Waldheim's status were brought into question. Israel would not recognise the integrity of an organisation whose majority consistently rejected Israel's right to exist as it did, and on a personal visit to the area Bailey was told by a senior member of the Israeli Foreign Service that "[t]he UN should be excluded from any settlement as it was a failed organisation and prejudiced against Israel."⁵⁴ Kissinger recalled that in the formal invitations to Geneva "[o]ur draft finessed the issue of UN auspices by language that could be interpreted as confining the United Nations to convening the conference, not running it; the Secretary-General's participation was expressly limited to the opening phase".⁵⁵ Although Kissinger's memoirs did not mention US or personal attitudes in this context, one can be sure that he was likewise determined to exclude any participation of the UN which might hinder US manoeuvring and his own agenda.⁵⁶

Why, in Urquhart's words, was Kissinger the "superstar"⁵⁷ and Waldheim confined to an operative peace keeping role? Firstly, as already stated, the reputation of the Organisation excluded it from a serious mediatory role once the cease-fire had been established and observed, because of the attitude of Israel, and because the United States and the Soviet Union were eager to address this contest of influence in the Middle East without the complications of significant UN involvement. Secondly, in his shuttle diplomacy and at Geneva, Kissinger was able to bring into play a number of threats and promises which transcended his own partiality as a representative of the United States. The US put real pressure on Israel, but also offered attractive carrots: it committed itself to Israel's energy requirements and its economic and security interests, and agreed not to negotiate with the

53 H.Kissinger, *op.cit.*, p.601; R.Nixon, *op.cit.*, pp.937-941.

54 S.D.Bailey, *op.cit.*, pp.296-97; K.Waldheim, *In the Eye of the Storm*, p.70.

55 H.Kissinger, *op.cit.*, p.788, and see pp.790-1. Anthony Parsons wrote that Kissinger's "tactics were to eliminate the Soviet Union and the troublesome UN from the negotiations and the deal bilaterally with the parties." *From the Cold War to the Hot Peace. UN Interventions, 1947-1995*, London, Penguin Books, 1995, p.26.

56 Was Kissinger's priority the maintenance of the global superpower balance, or perhaps the diversion of attention away from domestic US problems? See the concluding and summarising chapter in J.Z.Rubin ed., *Dynamics of Third Party Intervention. Kissinger in the Middle East*, New York, Praeger Publishers, 1981, p.275.

57 B.Urquhart, *A Life in Peace and War*, p.266.



PLO. For Egypt, the US agreed to restrain Israel and provide technical assistance for early warning in the Sinai.⁵⁸ Thus, Kissinger's efforts represented "mediation-with-muscle"⁵⁹ and the interplay of stick and carrot which Waldheim could not muster even if he had not been *persona non grata* with the Israelis in this instance, because of the anti-Israeli UN majority. This was the case with the UN and the Camp David accords and beyond. Nevertheless, in the case of UNEF II, the legacy of colonialism, Arab-Israeli animosity, and a possible escalation to super-power confrontation produced an immediate need that the UN and Waldheim met. As Alan James noted, "[t]he superpower crisis had seemingly been defused by the mere agreement that a peacekeeping force should go to the cross roads at which the more local conflagration was occurring....Peacekeeping had therefore shown its worth in an exceedingly dramatic context".⁶⁰

Cyprus

The Cyprus problem has been one of the most intractable legacies of decolonisation and ethnic strife. As such, Waldheim's contribution to the peace process should not in this exercise be measured in terms of success or failure, but in terms of the authority, leadership and possibly power his Office brought to the situation.

The fundamental problem was that of the rights, security, and identities of each community and their relationship with their respective motherlands.⁶¹ Historically, the smaller Turkish community⁶² constantly feared attempts at assimilation and discrimination, and in particular felt threatened by the concept of *Enosis*, union with Greece. In 1955 the militant pro-*Enosis* National Organisation of Cypriot Fighters, EOKA, was formed, and later the EOKA-B faction gained notoriety under Grivas. A concept which has been ingrained in Turkish attitudes throughout is that "[t]here is not, and there has never been, a Cypriot nation".⁶³ The two communities, for cultural and historical reasons, find coexistence difficult, and therefore the Turkish population require

58 S.D.Bailey, *op.cit.*, p.348.

59 *Ibid.*, pp.415-416.

60 A.James, *Peacekeeping in International Politics*, London, Macmillan and the International Institute for Strategic Studies, 1990, pp.318-319.

61 R.M.McDonald, *The Problem of Cyprus*, Adelphi Papers 234, International Institute for Strategic Studies, Winter 1988/9, p.3.

62 The Ottoman conquest occurred in 1571. By the 1970s the Turkish Cypriots comprised approximately one fifth of the island's population; this increased after 1974, however, with the controversial Turkish Cypriot policy of settling Turks from the mainland onto the island.

63 R.R.Denktaş, *The Cyprus Triangle*, London, K.Rustem and Brother, 1988, p.7.

effective constitutional and physical protection which may involve partition. The Greek community have always recognised the vulnerability of the island's geographical position - in the shadow of Turkey - and since 1960 has sought to maintain the sovereignty and territorial integrity of Cyprus against the pressures to partition from the other side. The Greek Cypriots refused to countenance the dilution of what they regarded as the basically 'Greek' nature of the island.

The 1960 constitution sought to address the various needs and worries of the communities. It created a "complex consociational system"⁶⁴ which ensured the protection of the rights and language of both sides through representation in shared institutions and various safeguards. Greece, Turkey and Britain were recognised as the guarantors; Britain was anxious to maintain the conveniently situated Sovereign Base Areas. The most important wider international dimension concerned the membership of Turkey and Greece to NATO, and the threat to the integrity of the alliance through the possibility of conflict between the two.

There were many problems with the constitution and the manner in which it was adopted. According to one view, "[w]ithout the utmost goodwill of the two communities, the constitution was a recipe for legal paralysis: inevitably, given the years of strife which had preceded independence, such cooperation was not forthcoming".⁶⁵ The Greek Cypriots have ever since complained that the constitution was not freely signed by representatives of Cyprus but imposed upon them.⁶⁶ The Turkish side insisted that the Greek Cypriots entered into it with the intention of renegeing. The invocation of the 'doctrine of necessity', allowing the Greek Cypriot President to govern unilaterally, was seen in this light.⁶⁷ The violence which ensued, they claimed, was directed against the Turkish Cypriot presence on the island which was the main obstacle to *Enosis*.

Whatever the weaknesses of the constitution fighting broke out, notably in December 1963 when hundreds of people died. The Turks retreated into defensive enclaves and the central administration almost collapsed. After a cease-fire failed, the UN Security Council resolved in 1964 to send a peace-keeping force, the UN Force in Cyprus (UNFICYP). President Makarios was under great pressure and the radical pro-*Enosis* National Guard took its instructions from Athens, rather than Makarios. With an unstable political situation in Greece - a military coup occurred in 1967 - and

64 R.McDonald, *op.cit.*, p.10.

65 *Ibid.*, p.11.

66 P.G.Polyviou, 'Cyprus - What is to be Done?', *International Affairs*, vol.52, no.4, 1976, p.582. This is reflected in *The Cyprus Problem*, Press and Information Office, Republic of Cyprus, 1993, p.6.

67 R.R.Denktaş wrote that "[t]he Greek Cypriot leaders chose to ignore the main objective of the 1960 Agreements which was to eliminate the Turkish Cypriots' fear of the union of Cyprus with Greece." *op.cit.*, p.8. Kissinger concurred, *op.cit.*, p.1189.

the entrenchment of the Turkish community, sporadic violence and failed intercommunal dialogue dominated the scene up until 1974.

In July 1974, Makarios sought to reaffirm his authority by demanding the withdrawal of the Greek officers of the National Guard who threatened his position. On 15 July there was a *coup d'état* against Makarios, undoubtedly supported by the Greek junta under the Nationalist leadership of Ioannides since 1973. A notorious EOKA combatant named Nikos Sampson proclaimed himself president of Cyprus. This was an extremely inflammatory development and the Turkish community felt under grave threat from the ultra-nationalists in Athens and now in Cyprus; Turkey considered the *coup* "a kind of *de facto enosis*" and the Soviet Union reportedly informed Turkey on the day after that it was ready to cooperate in defending the integrity and independence of Cyprus.⁶⁸

Waldheim, with Cypriot UN delegate Rossides, called the Council into session and gave an account of the situation.⁶⁹ Despite this, Turkey intervened on 20 July on the pretext of invoking the 1960 Treaty of Guarantee, aiming to put "an end to a take-over of Cyprus by Greece and the inevitable destruction of the Turkish community."⁷⁰ Waldheim took the initiative in attempting to help separate the combatants. Indeed, when a shaky cease-fire could be achieved on 22 July, he "urgently requested all the countries contributing troops to UNFICYP to reinforce their contingents, and within a fortnight, it had been doubled in size".⁷¹ Although Waldheim was eclipsed at the highest diplomatic efforts by Kissinger's representative Joseph Sisco and the British, his role in attempting to contain the violence as much as possible was an important effort to prevent an escalation of the fighting. The US belief that the Soviet Union had put seven airborne divisions on alert indicated the ultimate danger of escalation.⁷²

UNFICYP's mandate and resources could not accommodate the developing situation. Waldheim required further direction from the Security Council, but the Soviet Union initially vetoed a resolution which would have expanded the peace-keeping mandate and extended the Secretary-

68 *The New York Times*, 17 July 1974, p.12.

69 *Ibid.*, pp.1 and 13.

70 M.Necatigil, *The Cyprus Question and the Turkish Position in International Law*, Oxford, Oxford University Press, p.80.

71 K.Waldheim, *In the Eye of the Storm*, p.83. He was reported to have requested an increase in numbers from 2300 to 5000, *The New York Times*, 23 July 1974, p.18.

72 *The New York Times*, 20 July 1974, p.1. In the Security Council on the 20 July, Waldheim warned of the dangers of the conflict widening, see *The New York Times*, 21 July 1974, p.1.

General's authority.⁷³ Nevertheless, Waldheim recalled that "I took it upon myself, as cautiously as possible, to extend the very narrow mandate of UNFICYP - to act as a buffer between the Greek and Turkish Cypriot communities - in order to mitigate as far as possible the hardships of a conflict it was unable to prevent".⁷⁴ Indeed, whilst Waldheim could not play a prominent high level diplomatic role in the crises in 1974 - something better suited to the US and Britain⁷⁵ - he was exercising significant leadership and authority in an operative peace-keeping role and in communicating and facilitating local agreements between the parties.⁷⁶ When the integrity of UNFICYP was challenged, Waldheim stood his ground. Indeed, local UN operatives managed to negotiate the demilitarization of Nicosia international airport and control by the UN. However, just twenty-four hours later, the local Turkish commander ordered the UN troops to leave, or he would attack. Waldheim recalled that:

Clearly that put the United Nations in an intolerable position. It was impossible for me to go back on the assurance I had given the Greek Cypriots and violate an agreement made in good faith. Had I done so, the United Nations would have lost all credibility. I was thus forced to conclude that, under the circumstances, the Blue Berets would have to defend the airport.⁷⁷

Fortunately, this was not necessary after Waldheim summoned a session of the Security Council and communicated with Turkish prime minister Ecevit, who assured the Secretary-General that Turkish forces would not attempt to take the airport by force.⁷⁸ Waldheim followed-up this achievement

73 The resolution was vetoed on 31 July 1974. See Table of Vetoed Draft Resolutions in the United Nations Security Council, Research and Analysis Department of the Foreign and Commonwealth Office, 1994, p.24.

74 K.Waldheim, *In the Eye of the Storm*, p.85. A Resolution was eventually adopted which expanded UNFICYP's mandate, *The New York Times*, 2 August 1974.

75 A Washington Special Action Group was convened by Kissinger in response to the *coup* against Makarios, consisting of senior Department of State and Defense officials, *The New York Times*, 17 July 1974, p.12; Joseph Sisco was leading international efforts at mediation by shuttling between Athens and Ankara, *The New York Times*, 20-21 July 1974. Nixon announced that a tragedy between the two NATO states had been averted by the US, *The New York Times*, 22 July 1974, p.13, and when the Geneva talks were convened they were essentially between the guarantor powers with the US in the background, *The New York Times* 26 July 1974, p.3. Waldheim's chief role there appeared to be the communication of facts from the island, *The New York Times* 27 July 1974, p.4. See also H.Kissinger *op.cit.*, pp.1189-1192.

76 According to A.James, "he effectively turned UNFICYP from a law and order force, spread throughout the island, into a barrier force - one which interposed itself along and watched over the demarcation line between the two formerly warring sides", *op.cit.*, p.91.

77 K.Waldheim, *In the Cause of Peace*, p.67.

78 *The New York Times*, 25 July 1974, p.13. Apparently Waldheim telephoned Turkish Prime Minister Ecevit from Kissinger's office, and "[a]t the end of our meeting, Dr.Kissinger expressed appreciation for my co-operation, both in Cyprus and in the Middle East in general. The United Nations role was indispensable, he said, since it was the only organization which could arrange a cease-fire and establish peace-keeping machinery on the ground. He even went so far as to add, 'you have made a believer in the United Nations out of me'". *In the Eye of the Storm*, p.84.

with further high-level meetings on the role of the peace-keeping force in Cyprus.⁷⁹ The Secretary-General's operative authority on the ground was further bolstered by the 30 July cease-fire declaration by Greece, Turkey and Britain who "agreed to convey the contents of this declaration to the Secretary-General... and to invite him to take appropriate action in the light of it".⁸⁰ Whilst the guarantor powers and the US sought to find common ground in Geneva, Waldheim did a little shuttle diplomacy of his own, mainly regarding peace-keeping, visiting Callaghan and Wilson in London⁸¹ and Clerides and Denktash in Cyprus. In fact, in the latter case Waldheim brought the two leaders face to face for the first time since the Geneva conference dissolved.⁸² Although the subjects were relatively modest - concerning the return of prisoners and other humanitarian issues - the talks were said by Waldheim to be 'constructive' and transpired to form the basis of further meetings which bore fruit.⁸³

The division of the island was becoming a *de facto* reality - in February 1975 the Turkish Federated State of Cyprus was established under Denktash - and once UNFICYP established a semblance of order and communication between the parties, attention was given to a resumption of high level dialogue. A number of Western Security Council members suggested that the Secretary-General should take an enlarged role in moves to get the Cyprus talks resumed⁸⁴ and in March 1975 the Council requested that the Secretary-General:

undertake a new mission of good offices and to that end to convene the parties under new agreed procedures and place himself at their disposal, so that the resumption, the intensification and the progress of comprehensive negotiations, carried out in a reciprocal spirit of understanding and of moderation under his personal auspices with his direction as appropriate might thereby be facilitated.⁸⁵

Waldheim chaired six separate rounds of negotiations and did have an input into the intercommunal dialogue, illustrating both official and personal authority and leadership. The crux of the problem was disagreement about the nature of the constitution and the State of Cyprus, if one could ever be achieved. The Greek community continued to aim for a sovereign and essentially

79 *The New York Times*, 30 July 1974, p.3.

80 *The New York Times*, 31 July 1974, p.2.

81 *The New York Times*, 15 August 1974, p.4.

82 *The New York Times*, 27 August 1974, p.1.

83 Eventually the two sides exchanged 245 prisoners of war under the auspices of the UN, and Waldheim suggested that talks could become more substantive, *The New York Times*, 17 September 1974, p.3.

84 Sweden and France were mentioned in this context. *The New York Times*, 25 February 1975, p.4.

85 Security Council Resolution 367, 12 March 1975. "Thus I was faced for six years with the most thankless and frustrating task of my term of office". K.Waldheim, *In the Eye of the Storm*.

federal state but with the balance of authority in favour of central decision making, albeit within a bizonal and bicomunal structure. A major Greek grievance was the dispossession of many people from villages in the north. The Turkish side continued to favour greater autonomy, fearing Greek majority rule or worse, and the *de facto* division of the island became entrenched. Denktash has indicated his determined belief that Makarios never gave up his ultimate objective of *Enosis* - union - with Greece.⁸⁶ Although compromises were struck, they never overcame this fundamental issue.

The size of the regions was also critical, and most obviously that of the Turkish sector, which was approximately one third of the island after division. There were reports of the Turkish community wanting 32.8% and Makarios being prepared to concede 25%,⁸⁷ and Waldheim recalled how both sides had privately indicated the willingness to make compromises. However, the "gap was never closed".⁸⁸ A further point concerned the presence of Turkish troops on the island and the Turkish Cypriot community's dependence on Turkish support. Finally, humanitarian issues were an important discussion point: the exchange of prisoners of war, information on missing people, and freedom of movement.

Waldheim was personally involved in dialogue between Makarios, Clerides and Denktash over the years since the intercommunal dialogue was resumed in Vienna in April 1975.⁸⁹ At various times he was represented by appointed mediators and he appeared at times to be vying with the efforts of external interested parties or guarantor powers. For example, in 1978 when Waldheim was seeking to restart dialogue, the visits of Cyrus Vance to Turkey and Greece were criticised by some Greek politicians and newspapers as interference with Waldheim's efforts.⁹⁰ There were also many charges by the Greek side that the Turks were employing delaying tactics in order to consolidate a *fait accompli*,⁹¹ in which case, Waldheim could be regarded as an instrument of such a tactic. Nevertheless, although Waldheim himself admitted that his tenure had really only seen progress on

86 R.Denktash, *op.cit.*, pp.8-9.

87 *The New York Times*, 14 February 1977.

88 K.Waldheim, *In the Eye of the Storm*, p.87.

89 *The New York Times*, 2 January 1978; *The New York Times*, 1,2,5 April 1977; K.Waldheim, *ibid.*, pp.87-92; M.Necatigil, *op.cit.*, pp.128-154; *The New York Times*, 18 January 1978, p.5, Waldheim announced a turning point and "both Mr.Caramanlis and Mr.Ecevit are known to privately welcome Mr.Waldheim's initiative to reconvene the intercommunal talks"; *The New York Times* 18 and 19 May 1979, Waldheim travelled to Cyprus to try to revive the talks suspended since 1977 and achieved success.

90 *The New York Times*, 22 January 1978.

91 The accusation of the Cypriot Government in *The Cyprus Problem*, *op.cit.*, pp.19-20.

secondary issues such as the resettlement of refugees and information on missing persons,⁹² in terms of the Secretaryship-General, there were noteworthy achievements. These concern the exercise of authority and leadership.

As we have seen, Waldheim played a prominent role in the intercommunal talks during his tenure. In fact, with regard to his attempts to restart the dialogue in 1978, both sides had actually agreed to let him judge if the proposals for discussions were substantive enough to warrant the resumption of intercommunal talks.⁹³ Later in the year, US attempts to revive the talks were not made over Waldheim; their proposals were made through him.⁹⁴ Moreover, in October 1979, the Greek Cypriot leader proposed the establishment of a special UN committee to work with Waldheim on the issue.⁹⁵ In addition to such procedural points, three relatively important junctures were achieved under Waldheim. The first was the four-point memorandum drawn up in early 1977, six months before Makarios died, which represented a Framework Agreement. This established points for discussion such as a bicomunal federation; the unity of the country; and freedom of movement, settlement and ownership. The second was the agreement between Makarios' successor, Kyprianou, and Denktash to a 10 point memorandum which refined and elaborated on the 1977 framework and reinstated the dialogue in 1979.⁹⁶

Finally, in the Autumn of 1981, Waldheim added his own proposal to those floated by the parties, which identified common ground which could be built upon. A Turkish Cypriot recalled, "[a]s it would not be right for the Secretary-General himself to make 'proposals', his evaluations were described as 'ideas' or 'guidelines'."⁹⁷ Nevertheless, the ideas were discreetly tabled and Waldheim was performing a creative form of good offices. He envisaged the establishment of a federal, independent, sovereign, non-aligned republic, made up of separate Greek and Turkish 'provinces', and a federal district that would be the seat of government.⁹⁸

Of course, all such 'breakthroughs' transpired to be hollow. Was this a reflection of Waldheim's approach, or restraints imposed by the international environment upon the Secretary-General? Could

92 "I have to admit that it [a solution] was not much closer when I departed than when I arrived....The United Nations could lead the horses to water. It could not make them drink." *In the Eye of the Storm*, p.92.

93 *The New York Times*, 18 January 1978, p.5

94 *The New York Times*, 14 November 1978, p.12

95 *The New York Times*, 2 October 1979, p.21.

96 See R.McDonald, *op.cit.*, p.25; Waldheim recalled that "[t]ogether with the 1977 guidelines, it was to serve as a benchmark for future negotiations." *In the Eye of the Storm*, p.91.

97 Z.M.Necatigil, *op.cit.*, p.142.

98 *Ibid.*, p.144.

Waldheim have achieved more, given the nature of the case? While one could never offer definitive answers to these, one might mention that whilst the US wished to see harmony amongst all NATO members, it perhaps did not put as much pressure upon Turkey as it could have. The generally unsupportive attitude of the Great Powers towards the United Nations during this period could well have resulted in the Organisation merely 'going through the motions' and not winning the respect which might have resulted in greater concessions, especially on the side of the Turks. However, the passions of the protagonists in Cyprus and the age-old hostilities must surely be central to the intransigence which dogged UN efforts at mediation.

Lebanon and UNIFIL

By the late 1970's Lebanon was riven by internal, regional and wider international political conflicts. The indigenous conflict between assorted Christian and Muslim groups had been manipulated and exacerbated by the PLO, the massive involvement of Syria, and by Israel's proxy forces. The result was that Lebanon suffered as the focal point of the destruction and anarchy of Middle Eastern politics. The PLO took residence in 1970 - after leaving Jordan - and whilst they were able to seize opportunities from the civil war in Lebanon they used the territory to mount attacks against Israel. A pattern of provocation and retaliation developed and Israel became convinced that a *de facto* buffer was necessary between her northern border and the hostile forces.⁹⁹

Israel sought a military manoeuvre which would push the hostile Muslim forces north and establish a friendly proxy authority in the south, and the pretext for this occurred on 11 March 1978, with a bloody PLO raid.¹⁰⁰ In an atmosphere of rage in Israel the government ordered an invasion of southern Lebanon, overrunning most of the territory south of the Litani River in what they described as "a mop-up of terrorist deployment".¹⁰¹ This coincided with an extremely important stage of the Israeli-Egyptian dialogue under US auspices; Camp David was in jeopardy. As Urquhart noted, "Begin himself was expected shortly in Washington, but it was clear that President Sadat

99 J.Mackinlay, *The Peacekeepers. An assessment of peacekeeping operations at the Arab-Israeli interface*, London, Unwin Hyman, 1989: "in effect, the area became a recognised war zone where both [Israel and Syria] could carry on their struggle by proxy at the expense of the Lebanese people and government." p.31.

100 See B.Urquhart, *A Life in Peace and War*, pp.286-7; *The New York Times*, 12 March, 1978, p.1.

101 *The New York Times*, 15 March 1978.

could not proceed with the peace process if Israel was seen to have occupied the territory of yet another Arab state."¹⁰² There was, therefore, the need to establish a cease-fire and verify the withdrawal of the Israeli troops in order to re-establish the semblance of peace and save the Israeli-Egyptian peace process.

Members of the Secretariat had discussed, even before the 1978 incursion, the possibility of a UN force to observe the border areas.¹⁰³ There were many problems with the concept: the government of Lebanon could hardly be said to exercise authority in the south where Major Haddad's Christian Militia represented Israel's influence and vied with the PLO's forces. It would not be easy to find countries eager to contribute to such a force. Eventually, the Lebanese government approached the Security Council and the US representative Andrew Young presented the idea of a UN peace-keeping force. Subsequently, Resolution 425 was passed, establishing such a force "for the purpose of confirming the withdrawal of Israeli forces, restoring international peace and security and assisting the government of Lebanon in ensuring the return of its effective authority in the area...".¹⁰⁴ The Resolution asked the Secretary-General for a report on the details of the interim force within twenty-four hours. In anticipation of this, Waldheim was able to present the report immediately, reacting "with impressive speed".¹⁰⁵ The report and the activities of Waldheim's team in implementing the mandate reflected a relatively significant operative peace-keeping authority on the part of the Secretaryship-General, despite the misgivings which reportedly existed with the Secretariat.¹⁰⁶

Indeed, Waldheim's report firstly set out the conditions for the force: the confidence and backing of the Council at all times, the cooperation of the parties concerned, and the need to function as an integrated and efficient unit. It also defined the 'terms of reference' for the operation of the UN peacekeepers. In addition the document outlined 'general considerations' regarding composition, basic rules of conduct, and methods of financing.¹⁰⁷ In this respect it is worth citing Waldheim's proposed guidelines for the chain of command:

102 B.Urquhart, *op.cit.*, p.287.

103 *Ibid.*, pp.287-288.

104 Security Council Resolution 425, 19 March 1978, paragraph 3.

105 B.Skogmo, *UNIFIL. International Peacekeeping in Lebanon, 1978-1988*, London, Lynne Rienner, 1989, p.12; *The New York Times*, 20 March 1978, p.10.

106 B.Skogmo, *op.cit.*, p.11: "...some people feared that a new UN force in Southern Lebanon would be a peacekeeper's nightmare and that the UN would be saddled with a difficult task without enough political support to do the job."

107 *Ibid.*, p.12. The Secretary-General was "closely involved in various political and diplomatic support actions for UNIFIL." p.165.

The Force will be under the command of the United Nations, vested in the Secretary-General, under the authority of the Security Council. The command in the field will be exercised by a Force Commander appointed by the Secretary-General with the consent of the Security Council. The Commander will be responsible to the Secretary-General. The Secretary-General will keep the Security Council fully informed...¹⁰⁸

Waldheim quickly appointed General Erskine as force commander and, with Urquhart, brought together troops from nine countries. According to Mackinlay, "[t]he Secretariat had...excelled itself in the swift manner in which it convened the force prior to deployment."¹⁰⁹ They provided regular reports to the Council on the withdrawal of Israeli troops and the restoration of security in the area, and communicated locally with the parties to help achieve these goals. In these areas the Secretary-General exercised significant authority both locally and in New York, in terms of operational peace-keeping matters. This was, albeit, largely the result of US pressure upon the Council to interpose a force and prevent the Camp David process being upset. Indeed, it was partly this pressure and the speedy deployment which resulted in serious problems on the ground. One commentator suggested that "[i]t must be said that the Secretary-General and his staff may have been too easily satisfied by their own cosmetic solution to what *appeared* to be the problem."¹¹⁰

The problems were many. The original mandate of Resolution 425 did not address the PLO or recognise that Israel's influence would not disappear with the withdrawal of its regular troops, because of the proxy forces under Haddad. As a journalist of great experience with Lebanon recalled, the resolution "required not only blindness to assume that the Israelis were going to stage a complete withdrawal but a willing suspension of disbelief to regard the 'Government of Lebanon' as anything but a powerless bureaucracy."¹¹¹ Thus, the PLO and Haddad's forces had little respect for the UN when it sought to restrain them, and the latter's bombardment of the UN Interim Force in Lebanon was widely reported.¹¹² Because they had not been asked for or given consent to the operation, their cooperation was intermittent and sometimes non-existent. It is to Waldheim and

108 Document S/12611, 19 March 1978, cited in B.Skogmo, *op.cit.*, p.167. The report was approved by Security Council Resolution 426 of 19 March 1978.

109 J.Mackinlay, *op.cit.*, p.44. Waldheim recalled that "[o]nce again we proved how fast we could move given the necessary backing and authority," and that the consent necessary to redeploy troops from the UN Disengagement Observer Force came quickly because of the "personal relations I had always been at such pains to build up with heads of state and government." *In the Eye of the Storm*, p.190.

110 J.Mackinlay, *op.cit.*, p.64; "UNIFIL failed in its tasks, which were primarily to supervise the IDF withdrawal and then prevent further violence and restore the Lebanese government." p.63.

111 R.Fisk, *Pity the Nation. Lebanon at War*, Oxford, Oxford University Press, 1990, p.135.

112 *Ibid.*, pp.150-51; J.Mackinlay, *op.cit.*, p.58. According to B.Skogmo the *de facto* forces of Haddad were at times waging war against UNIFIL, in what he describes as the 'harassment period' between 1978-1981, *op.cit.*, pp.24-27.

Urquhart's credit that they managed to establish agreements on the ground on the basis of this unrealistic mandate. UNIFIL soldiers were killed and infiltration across UNIFIL's supposed area of operation occurred from both sides, and especially that of Haddad's, who resisted UN attempts to deploy in his strongholds. The PLO was equally reluctant to give up its Tyre enclave.¹¹³ Subsequently, UNIFIL did not constitute an uninterrupted demilitarized zone, or even a zone under observation, along the border region in Lebanon. Similarly, it did not bring security or peace.

There were a number of reasons for this. The mandate was unrealistic and did not reflect the realities on the ground. Whilst the United States had pushed the plan into action - and the Soviet Union presumably acquiesced for the sake of Lebanon and to embarrass Israel - it was not prepared to put real pressure on Israel, whose proxy force in Lebanon was perhaps the most significant factor which undermined the UN force. Israel itself was still deeply suspicious, even hostile, towards the UN. This made it sceptical of the Organisation's ability to halt Palestinian attacks, and more attracted to a buffer area under Israeli control.¹¹⁴ This longstanding distrust of the UN must also have made Israel less willing to restrain the destructive antics of Haddad. For its part the PLO would not gain much by compliance when the other parties continued hostilities, and continued to receive much needed international attention.

Do these problems detract from the role played by Waldheim and Urquhart in executing UNIFIL's mandate? Waldheim did exercise operative peace-keeping authority and leadership in forming the UN force. He and Urquhart likewise displayed significant mediatory authority at a local level by helping to establish agreements between UNIFIL and official and unofficial parties, including Arafat, Lebanese President Sarkis and his government, and the Israeli government.¹¹⁵ Waldheim's regular reports to the Security Council were "an extremely valuable source of information",¹¹⁶ and most of his procedural activities indicated the significant status of his Office at the operational level. However, the support of the US was somewhat superficial - because of its wider approach to the Middle East - and therefore the support of the Security Council to the UN force and Waldheim was not wholehearted. The Secretary-General was, therefore, partly acting out an unrealistic manoeuvre on behalf of the Security Council.

113 *The New York Times*, 25 March 1978, p.3.

114 *The New York Times*, 22 March 1978, p.10, suggested that "Israelis feel they [UN peacekeepers] only hamper action against terrorists and are liable, as before the 1967 war, to withdraw just when needed." Waldheim noted that after he lost patience with the 'Christian' bombardment of south Lebanon, Israel began to include the Secretariat in its condemnation of the UN, *In the Eye of the Storm*, p.197.

115 B.Urquhart, *op.cit.*, pp.29-30.

116 B.Skogmo, *op.cit.*, pp.167-68; but Urquhart wrote most of them.

Africa: Mozambique, Angola, Namibia, The Horn, Western Sahara

After years of wars of liberation and then finally the 1974 coup in Lisbon, centuries of Portuguese colonial rule came to an end. Mozambique and Angola were amongst the newly independent states which endured the birth-pangs of decolonisation, riven by indigenous political and ethnic conflict, regional Great Power intervention, and proxy superpower confrontation. Civil war was an entry point for regional and Cold War politics, and physical resources were at stake as much as geopolitical. Waldheim's efforts to alleviate conflict in such areas were stymied because conflict was a result of historical forces, exploited by external factors which prolonged and exacerbated it.

Waldheim's participation began positively with a visit in early August 1974 to Portugal to assist in the decolonization process. He was received with full honours - partly as he was the first UN Secretary-General to visit - and the Portuguese government chose to announce its willingness to grant independence to certain territories through Waldheim.¹¹⁷ Waldheim would later recall that "[t]ogether we worked out a general plan of action."¹¹⁸ However, any hopes of a peaceful transition to statehood were shattered at the outset.

In the case of Mozambique, the faction which eventually formed the government was not one which embraced the post-independence unity of the country, for there was no such unity. In fact Frelimo, according to one conservative commentator, would have collapsed without massive foreign support; a "relentlessly undemocratic project...dictated by an alien Marxist-Leninist ideology."¹¹⁹ Other commentators have been more inclined, in contrast, to describe Frelimo as a national movement.¹²⁰ Whatever the case, Frelimo received support from the Soviet Union and supported groups opposed to the white regimes in the region, eventually provoking attack. Indeed, "[t]he honeymoon...was short-lived and first Rhodesia and then South Africa decided to mobilise black dissidents and colonial refugees in a resistance movement designed to make Mozambique ungovernable by the nationalists."¹²¹ The surrogate of such external forces was Renamo, an organisation which purported to represent liberal democratic principles and be dedicated to the removal of communism.¹²² A long period of destabilization followed. Superpower involvement

117 *The New York Times*, 3 August 1974, p.3; *The New York Times*, 5 August 1974, p.7.

118 K.Waldheim, *In the Eye of the Storm*, p.96.

119 D.Hoile, *Mozambique: a nation in crisis*, London, The Claridge Press, 1989, p.11.

120 D.Birmingham, *Frontline Nationalism in Angola and Mozambique*, London, James Currey, 1992, p.53.

121 *Ibid.*, p.53.

122 The programmes and statutes of Frelimo and Renamo are appended in D.Hoile, *op.cit.*, pp.137-144.

was largely covert, whilst that of South Africa - especially against African National Congress camps - was direct. Waldheim could do little in this context, except express interest in UN assistance on the economic and development front.¹²³ The general environment did not allow a constructive role for the UN and by extension the Secretary-General: the country was embroiled in the politics of the region and the Cold War, at a time when the Organisation was anyway at a low ebb. South Africa was as alienated from the organisation as Israel, and there was nothing the UN could contribute until a wider settlement began to be envisaged and the important external powers began to take an interest in activities which might improve the situation. This would not come during Waldheim's tenure; no party which might have had the power to involve the UN wished to do so.

Post-independence Angola was the scene of similar pressures and conflicts as Mozambique, but the civil war and ensuing guerrilla war in Angola were considerably fiercer. Moreover, according to one commentator, "in Angola a war-by-proxy between the United States and the Soviet Union replaced Vietnam as one of the foci of the Cold War confrontation between East and West."¹²⁴ At the time of independence in 1975 the Marxist MPLA - the Popular Movement for the Liberation of Angola - was the victorious faction and there were fears in the West of a Soviet satellite in the making. The fears within South Africa were of another sanctuary for forces bent on the destruction of its white regime. The arrival of many thousands of Cuban troops bolstered the MPLA but increased the Cold War stakes.

The groups most prominently opposed to the MPLA were Jonas Savimbi's National Union for the Total Independence of Angola, UNITA, and Holden Roberto's National Front for the Liberation of Angola, FNLA. In the civil war of 1975 these two groups fought, more or less in unison, in an attempt to prevent the MPLA taking power, with the support of South Africa and the CIA. Although UNITA did have some indigenous support,¹²⁵ it is widely felt that it could not have posed such a threat to the MPLA without US and South African support for its "campaign of sabotage and destabilization."¹²⁶ One observer suggested that "Savimbi enjoys almost unparalleled popularity among American conservatives."¹²⁷ This would doubtless have been encouraged by the Cuban

123 *The New York Times*, 10 April 1976, p.7.

124 D.Birmingham, *op.cit.*, p.68.

125 *Ibid.*, p.68.

126 K.Somerville, *Angola. Politics, Economics and Society*, London, Frances Pinter, 1986, p.183. J.A.Marcum outlines the tribal and political background of UNITA, and the importance of Savimbi's personality in H.Kitchen ed., *Angola, Mozambique, and the West*, New York, Praeger, 1987, p.8.

127 K.M.Campbell, *Southern Africa in Foreign Policy*, Adelphi Papers 227, International Institute for Strategic Studies, Winter 1987/88, p.9.

presence and the 1976 Treaty of Friendship and Cooperation between the government and the Soviet Union.

The West could not countenance a friendly attitude towards Angola or the ending of support to UNITA's programme of destabilisation whilst the Cuban troops were present. Simultaneously the MPLA would not give up the security of the Soviet and Cuban presence whilst South Africa represented an immediate threat through the occupation of Namibia, and various guerrilla groups waged a war of insurgency with local and superpower support. In the middle, fratricidal violence was destroying the society.

In April 1976 Kissinger announced that "[t]he principal element in the deterioration of [US] relations with the Soviet Union is Soviet actions in Angola."¹²⁸ The capacity - and in some ways the audacity - of the Soviet Union to project its military might in Angola, and then the Horn of Africa and Afghanistan, was central to the collapse of *détente*. Reagan's confrontation, by proxy, to all such threats was the culmination of this. In addition, South African influence in the area was equally entrenched in its war of attrition against the front-line states to the north, and this represented a superpower proxy confrontation in itself.

In this context there was little role for the UN or Waldheim in Angola until the sponsors of that civil war could agree to disengage. Waldheim could only 'express regret' at the US veto which prevented Angola from joining the UN in 1976, in a thinly veiled but impotent criticism of the US.¹²⁹ It was only after Waldheim's departure that these sponsors could move towards a deal, and even then the process was largely outside the UN.¹³⁰ In his own efforts towards addressing the South African involvement in the 'frontline' states and particularly Angola, Waldheim had found the government "wholly intractable" and uncooperative.¹³¹ Important Western states would not put meaningful pressure on South Africa because it was an important anti-communist bastion, and South Africa was inherently hostile to the UN. Waldheim correctly identified the southern African deadlock as a typical example of how "the work of the world organisation depends on the overall

128 Cited by J.A.Marcum, 'A Quarter Century of War', in H.Kitchen, *op.cit.*, p.17.

129 *The New York Times*, 25 June 1976, p.4.

130 K.M.Campbell, *op.cit.*, pp.10-11; K.Waldheim, *In the Eye of the Storm*, p.98: "[i]n different circumstances it might have been possible to contemplate seriously the use of a United Nation's administration to facilitate an orderly transfer of power....In the current atmosphere of international anarchy, the prospect of making such an arrangement was regrettably very slight. Developments in Angola provide a sad illustration of the inadequacies of the international system today."

131 K.Waldheim, *In the Eye of the Storm*, p.98.

international political environment."¹³² Both the general environment within which the UN floundered and the peculiarities of the area barred Waldheim from a constructive role. There could be no leadership or authority.

The Horn of Africa was another area of prolonged conflict which, in the 1970s, was outside the realm of Waldheim's influence and linked to historical processes. The legacy of colonialism resulted in spurious state boundaries and revisionist movements. In particular, the Somali people were spread over parts of Ethiopia, Kenya, and Djibouti, in addition to Somalia. When British Somaliland and Italian Somalia became independent and unified in 1960, the new state was born into a relationship of hostility with Ethiopia. With the fall of Selassie's Ethiopian monarchy in 1974 the country fell into the pattern of Marxist uprising and regional instability. The northern territory of Eritrea, integrated in 1962, was increasingly troublesome and a varying state of civil war set in.¹³³

All such pressures were exacerbated by Cold War dynamics and geopolitical rivalry. Territorial disputes and demands for self-determination in the context of unstable political entities created a volatile arena for Cold War rivalry.¹³⁴ The 1977 Ogaden War between Somalia and Ethiopia involved these issues and was typical of the imperviousness of the area to efforts by the UN and Waldheim to address the problems.¹³⁵ Cold War dynamics clearly form part of the explanation as to why this area was outside the realm of the UN. In addition, as Waldheim would later point out, it was more immediately a concern of the Organisation of African Unity. Finally, Waldheim recalled, "I was repeatedly asked: Why doesn't the UN *act*? Why don't you *intervene*?" The answer was simple: neither side wanted intervention of any kind as long as they harboured any chance of a positive military solution.¹³⁶

As with Mozambique, Namibia, and Angola, it is possible to see the UN and Waldheim's position in the context of environmental constraints. These made a constructive role for the Secretary-General extremely difficult until, in the 1980s, various decision-makers saw a UN role converging with their interests in parallel to developments in the general historical environment. Even when the time came, however, the role of the UN was arguably secondary to other efforts. However, there were African issues of a post-independence nature to which Waldheim was able to

132 *Ibid.*, p.107.

133 C.Legum and B.Lee, *Conflict in the Horn of Africa*, London, Rex Collins, 1977, p.25.

134 See S.M.Makinda, *Security in the Horn of Africa*, Adelphi Paper 269, IISS, Summer 1992, p.5.

135 Waldheim wrote of a year of anxiety, in reference, amongst other things, to the Horn of Africa, *The New York Times*, 9 September 1977, p.9.

136 K.Waldheim, *The Challenge of Peace*, pp.11-12.

bring official authority to. The future of Spanish Sahara was one such example. Algeria, Morocco and Mauritania had claims upon the territory and in October 1975 Morocco proclaimed its intention to march 350 000 of its citizens into the territory. Waldheim was requested by the Security Council "to enter into immediate consultations with the parties concerned and interested" and report back.¹³⁷ On this basis Waldheim visited Morocco, Mauritania, Algeria and Spain, perhaps not only to consult but also to mediate the dispute over the future of the territory.¹³⁸ The situation deteriorated and was far from settled during Waldheim's tenure. However, Waldheim's continued involvement with the issue and his contact with the main parties indicated some level of personal and official authority in his Office, if not leadership or power. In this context the release by Polisario of hostages to Waldheim in December 1977 was a personal victory.¹³⁹ Generally, however, the settlement of African conflicts was tied to the international environment in so far as the UN could be involved. As we have demonstrated in the cases here, the issues and the environment were not conducive to a significant input by Waldheim.

Waldheim's diplomacy

The cases described thus far should not obscure Waldheim's quieter role in the interests of international peace and security and for humanitarian purposes. No doubt the efforts and fruits of many cases of good offices by the Secretaryship-General are not publicly known, by necessity. Because of the preventive nature of much good offices, and the compromises involved by the interested parties, the world is more likely to be aware of the failure of good offices. Failure often manifests itself in violence. The communication of information by the Secretary-General acting as an intermediary is, similarly, a low-key activity often overlooked. An example early in Waldheim's tenure concerned a historic step in the relationship between North and South Korea. The two countries released a joint communiqué - the culmination of secret negotiations - which expressed the desire for an improvement in relations and the renunciation of the use of force. In Geneva, Waldheim was able to disclose that he had played a role as a secret go-between for the two countries.¹⁴⁰ He was also almost constantly engaged in efforts to facilitate the peace process in

137 Security Council Resolution 377, 22 October 1975. The mandate was reinforced by Resolution 379 of 2 November 1975.

138 *The New York Times*, 27 October 1975, p.1.

139 K.Waldheim, *In the Eye of the Storm*, pp.142-143; *The New York Times*, 16 December 1977, p.8.

140 *The Times*, 5 July 1972, p.7.

the Middle East, if not in the peace process itself. He recognised, in cases where the environment or the parties prevented a prominent role, that peace-keeping and humanitarian activities were a practical activity which could indirectly encourage settlement efforts.

Waldheim looked upon human rights and assistance with concern, again perhaps partly as a result of being excluded from the 'high politics' of Great Power relations. Typical of this was the Vietnam war, impervious throughout to a significant UN input. Waldheim's statement regarding reports of US bombing of North Vietnamese dikes received sharp criticism from Nixon.¹⁴¹ His appeals for a resumption of the Vietnam peace talks and an offer of his own good offices in 1972 were typical of his exclusion in that case.¹⁴² After the Munich Olympics murders Waldheim was "determined to do something against the spread of terrorism, even if no member state did."¹⁴³ He managed to get the issue upon the General Assembly agenda, despite the opposition of certain groups. Waldheim continued the work of his predecessor in efforts to alleviate the humanitarian consequences of conflict between Pakistan and Bangladesh,¹⁴⁴ and his involvement was a serious input into the problem of thousands of prisoners from the 1971 war.¹⁴⁵ Waldheim could also take credit for convening a conference, on his "own initiative and authority", to address the Vietnamese refugee crisis.¹⁴⁶ Later in his tenure the Secretary-General invoked Article 99 in connection with the American hostages in Teheran and undertook a hazardous journey to Iran in an attempt to win their release.

Mention must also be made of the other cases, not discussed in depth here, where the Secretary-General was excluded from a significant role arguably because of the environment as well as the nature of the cases. The Iran-Iraq war was outside the realm of the UN during Waldheim's tenure for a number of reasons. Both sides envisaged and would have preferred a military settlement. The prominent members of the UN also preferred a military solution, or stalemate, and were therefore not prepared to support effective UN action. Finally, the Organisation had essentially alienated itself from revolutionary Iran by appearing biased in favour of Iraq. As Urquhart has revealed, the only

141 Nixon claimed that Waldheim had been duped into using a 'double standard' of condemning US bombing "and not raising one word" against communist attacks upon civilians in the south, *The Times*, 28 July 1972. According to a private correspondence from Sir Robert Rhodes James of 25 May 1995, this led Waldheim to become extremely reserved.

142 Apparently he said at a press conference that he would continue to offer UN help whether the parties liked it or not. *The Times*, 25 April 1972, p.6.

143 K.Waldheim, *In the Eye of the Storm*, p.41; A.James, *op.cit.*, p.86.

144 K.Waldheim, *The Challenge of Peace*, pp.46-7.

145 *The New York Times*, 28 January 1973, p.3.

146 K.Waldheim, *In the Eye of the Storm*, p.151.

person to take the issue to the Council at the early stage was Waldheim, and he was "roundly abused for his pains".¹⁴⁷ Afghanistan was also a case which had to run its course before UN involvement was supported to any great degree. Both cases, like a number of others in the 1970s, were tied to Cold War politics and therefore were not conducive to a creative role by the UN during Waldheim's tenure.

Conclusion

This chapter goes some way towards presenting the Office of Secretary-General within a multilayered political context in relation to the cases presented here. The parameters of behaviour were established, to some degree, by the political climate and the Organisational reflection of this. Accordingly, Waldheim's tenure reflected the marginalization of the UN as a result of the dynamics of the Cold War and *détente*, the burgeoning North-South polarisation, and changing Western attitudes towards international politics and the UN. Disillusionment with multilateralism on the part of much of the West, and in particular the US under Nixon, Ford and Reagan, resulted in much of the 'high politics' of international relations being conducted outside the UN's organs. The Organisation was largely peripheral to the foreign policy of major powers. The Vietnam war, superpower *détente*, the Middle East peace process, and many crises of decolonisation, are examples. A symbol of marginalization and frustration was provided by the Secretary-General pleading that the UN be used "as it should be used".¹⁴⁸ One could hardly apply such concepts as leadership, authority, power, and task expansion/widening, to the Secretaryship-General in these circumstances. Arguably there was an element of contraction on the part of the Secretaryship-General's activities.

In the cases where Waldheim did demonstrate a significant role, there is a case for arguing that such examples, and the nature of Waldheim's role, support the thesis of marginalization. Following the Yom Kippur war the Secretary-General, whilst performing well in the operative peace-keeping mode, was acting within a framework which was under the control of Middle Eastern states, and more important, the United States. The role he performed was useful, but constrained by the United States and Soviet Union's desire not to have their agenda complicated or *détente* upset by the UN. Later in Lebanon, one can see an important exercise of authority by the Secretary-General in the

147 Interview by Leon Gordenker, 30 May 1984, *Oral History Program*, UNST (02)/U79, Dag Hammarskjöld Library, United Nations.

148 *The New York Times*, 16 February 1979, p.9.

realm of observation and disengagement. However, the wider picture would again suggest that the country most keen to deploy UNIFIL - the United States - was primarily facilitating an agreement between Egypt and Israel. There may not have been anything wrong with such a policy, but Waldheim's efforts can be seen within an environment in which the UN was partly an instrument of certain member states rather than the wider membership. His authority was therefore conditional. In fact he was more often an adjunct to the authority of other state and non-state actors than an actor with significant creative leadership. Thus, whilst the provision of good offices was an aspect of Waldheim's tenure, it was often a cosmetic exercise in the eyes of the UN's leading powers, and in particular the United States.

As an intermediary and communicator of information the Secretary-General could perform within the environment which existed. Likewise, as a field operative involved in peace-keeping and conflict settlement, Waldheim was active, when the congruence of superpower interests allowed or acquiesced. As an embodiment of the international community, most commentators clearly believe that Waldheim was compliant towards, and indeed a product of, *status quo* forces. However, he did express the frustration felt by many people towards the crisis of confidence in international relations within the UN framework. In terms of agenda setting and the influencing of UN policy the Secretary-General was clearly not a significant actor. Indeed, the cases of Mozambique, Vietnam, Namibia, Angola, the Horn of Africa, Iran-Iraq, and Afghanistan, are obvious examples of the exclusion of the UN, and by extension its Secretary-General, to regional conflicts which masked Cold War political and geostrategic rivalries. A UN role in such cases would have to wait until the environment changed and the prominent members of the Organisation recognised its utility.

Chapter 6 Javier Pérez de Cuéllar

Javier Pérez de Cuéllar's tenures embraced the most frustrating but perhaps the most productive experiences of the Office of Secretary-General. Until 1987-8, the United Nations was often marginalised within a general climate of political ill-will, and beset by financial crises. On many issues - especially regional conflicts entangled in the upsurge of superpower hostility - the Secretary-General was either emasculated or excluded. Conversely, the changes in the international political environment commonly associated with the ending of the Cold War resulted in great changes in the activities of the Secretary-General. In conflict management and settlement, in particular, the conflicts which were tied to Cold War dynamics became ripe for settlement. The new atmosphere of cooperation, at least initially, seemed positive to the development of the Office, although the new consensus in the UN and amongst the Permanent Five transpired not always to result in an enhancement of the Secretaryship-General.

Pérez de Cuéllar's tenures straddled the Cold War post-Cold War cleavage; he "presided over the transition"¹. Yet the Secretaryship-General experienced the continuity of one person. Therefore, the Office under Pérez de Cuéllar helps to illustrate how the evolution of the Office owes something to historical political trends.

The personality and style of Pérez de Cuéllar are also conducive to this exercise. No one would suggest that he was responsible for the earlier disillusionment and marginalisation of the UN, or that his personality was entirely responsible for the transformation of the Organisation and his Office since 1987. His expressions of frustration between 1982 and 1987 neither angered the prominent members of the Organisation to a significant degree, nor had much positive impact on the 'crisis of multilateralism'. Subsequently, he had just the right reputation and skills to fulfil the opportunities presented by the easing of superpower tension towards the end of the 1980s.

The Peruvian diplomat helped to keep the UN afloat in a time of great doubt, and then tirelessly exploited the opportunities when able to do so. As with all Secretaries-General, Pérez de Cuéllar was not the first choice of the Permanent Members of the Security Council and his appointment continued the tradition of finding the most compliant individual for the job. Although he remained rather colourless in the eyes of the press, he earned the respect of governments and diplomats alike.

1 Brian Urquhart, interview, 25 May 1994, New York. Pérez de Cuéllar was "terribly nice, very low key, extremely diplomatic, quite polite..." In fact Pérez de Cuéllar has reflected that this transition divided his two terms almost exactly, 'Reflecting on the Past and Contemplating the future', *Global Governance*, vol.1, no.2, 1995, p.159.

Brian Urquhart observed that he was "exactly the kind of Secretary-General which governments like and the media hates".² Another former senior Secretariat official spoke of the care that Pérez de Cuéllar took not to jeopardise the personal relationships he had cultivated with the major states in the UN and the confidence and respect he earned amongst those he dealt with.³ However, he also confided that "Pérez de Cuéllar would reject the description of him as not being activist".⁴

The words most often used to describe Pérez de Cuéllar are quiet, diplomatic, discreet and polite. However, given the opportunity, he could and would be creative, persistent and outspoken. Attitudes towards Pérez de Cuéllar, especially towards the end and after his tenure, have been exclusively positive. US Ambassador Thomas Pickering concluded that "[h]e was aware of the limitations of the organisation and the limitations of his job, [but] he was able, in what I would describe as a non-pushy way, to exploit the edges of the envelope of his capacities in that job".⁵ A former British Permanent Representative to the UN described him as a "wise facilitator".⁶ Vernon Walters suggested that "he is a diplomat of extraordinary skill, extraordinary tact and extraordinary persistence".⁷ Alan Keyes, US Assistant Secretary of State of International Organisation, described Pérez de Cuéllar as "[s]omebody who can facilitate an effect without causing it - the very definition of a catalyst".⁸ Berridge recorded that Pérez de Cuéllar had just the right amount of experience, "enough to understand the possibilities and limitations of his office; not so much that he had become jaded and cynical."⁹ For himself, Pérez de Cuéllar claimed to strike a balance somewhere between the extremes of counter-productive exuberance and self-effacement.¹⁰

Much of such praise resounded at the point of Pérez de Cuéllar's climactic departure. The drama of his delayed exit, due to the eleventh-hour El Salvador settlement in the early hours of 1 January 1992, was symptomatic of the transformation of the UN in conflict settlement that he had both encouraged and been a beneficiary of. This was in stark contrast to the first year of Pérez de

2 Interview, New York, 25 May 1994.

3 Interview with James S.Sutterlin, a senior member of the Executive Office of the Secretary-General under Pérez de Cuéllar, New York, 17 June 1994. This is supported in J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.153.

4 Interview, New York, 17 June 1994.

5 *The Washington Post*, 1 January 1992, p.1.

6 Personal correspondence from Sir Crispin Tickell, 31 May 1995.

7 *The Chicago Tribune*, 10 August 1988, p.2.

8 *Newsday*, 11 January 1991, p.18.

9 G.R.Berridge, *Return to the UN. UN Diplomacy in Regional Conflicts*, London, Macmillan, 1991, p.12.

10 See J.Pérez de Cuéllar, 'The Role of the UN Secretary General', in A.Roberts and B.Kingsbury ed., *United Nations, Divided World: the UN's Roles in International Relations*, Oxford, Clarendon Press, 1993.

Cuéllar's tenure when he lamented that the Organisation was frequently being "set aside or rebuffed" and the intentional community was "perilously near to a new international anarchy".¹¹ The upturn of the Office of Secretary-General towards the end of the 1980s was largely a natural consequence of the rapidly increasing utility of the UN. This, in turn, was a reflection of the changing perceptions of key international actors to a number of issues. In this sense the Secretary-General proved most successful in cleaning up the conflicts of the Iran-Iraq war, Cambodia, Central America, and Afghanistan. However, in other cases the historical reputation of the UN and the Secretary-General remained an obstacle. Likewise, there were also more isolated, 'traditional' cases of mediation. For these reasons, the Secretary-General had a more mixed record towards Lebanon, southern Africa, Cyprus and the Falklands.

To an extent, Pérez de Cuéllar's achievements are explained by the changing political climate, and as such he was at the right place at the right time. However, it is to his credit that he managed, orchestrated, and exploited this changing context. It is also important to consider that Pérez de Cuéllar's experiences were not necessarily to set the tone of the Office in the post-Cold War world, in so far as he was involved in dealing with the residue of the Cold War and contributing to a superpower climb-down from previous commitments. Towards the end of his tenure, there were signs that consensus amongst the Permanent Five, whilst quantitatively resulting in a busier Secretaryship-General, can reduce the room for manoeuvre of that Office.

The General Environment: From the 'Crisis of Multilateralism' to the 'New Era'

Until 1987-8 the poor performance of the Organisation - by almost any standard¹² - can be seen in its relationship to the 'second Cold War'¹³ and a number of ongoing conflicts. The UN was at its nadir when Pérez de Cuéllar became Secretary-General, and the constraints and frustrations that this entailed clearly pervaded the activities of the Office. The 1980s witnessed the culmination of trends which were in evidence in the previous decade: disillusionment towards and within the United

11 J.Pérez de Cuéllar, 'Report of the Secretary-General on the work of the Organisation', September 1982. He later conceded that this was something of an overstatement, in 'Reflecting on the Past and Contemplating the Future', p.161.

12 One must be cautious of judging the UN's performance: it is a subjective pursuit and there are no historical parallels against which to compare the Organisation. See A.Roberts and B.Kingsbury, 'The UN's Roles in International Society Since 1945', in their edited volume, *op.cit.*, pp.14-17.

13 F.Halliday, *The Making of the Second Cold War*, London, Verso, 1986.

Nations, the "nefarious influence" of the Cold War,¹⁴ East-West and North-South bloc manoeuvring, a reversion to unilateralism, the seeming inability of the Security Council to address a number of threats to international peace and security, the *de facto* abstention of key UN members from certain programmes and agencies, and severe financial problems. In addition, certain circumstances - not least the rise of the New Right in the West and the lack of direction of the UN's Third World membership - created an environment which, at times, threatened to undermine the Organisation. The absence of new peace-keeping operations between 1978 and 1988 was one indicator of this organisational blight.

The despair which Pérez de Cuéllar periodically vented was understandable. In the words of Taylor and Groom, the Organisation "was on the sidelines and penniless....The United Nations framework itself had become dilapidated and in gross need of reform. In short, a great experiment was in danger of failure".¹⁵ Anthony Parsons experienced that environment from the viewpoint of the British Representative, observing that by the mid-1980s "the UN was in deep trouble, perhaps at the lowest ebb in its history.... The UN had reached the bottom after a long fall from the pinnacle of exaggerated expectations which had characterised its creation".¹⁶

The United Nations of the early 1980s represented a clash of ideals and the continuation of the struggle between revisionist and *status quo* forces. The Third World continued to exploit its numerical advantage to exert leverage upon the agenda of organs which were conducive to majority influence. Marc Williams has suggested that amongst the Third World a "shared powerlessness in the face of adverse economic conditions provided the basis for cooperation...[and] the absence of effective structures through which the developing countries could attempt to redress their grievances".¹⁷ Certainly, the realities of universality of membership and majoritarianism provided opportunities for bloc leverage; the creation in 1962 of the UN Conference on Trade and Development had been an earlier demonstration of this. However, by the early 1980s "the North-South dialogue ha[d] been shelved as a result of the debt crisis, increased economic differentiation in the Third World, the negative response of the leading industrialised countries to the Third World

14 J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.153.

15 P.Taylor and A.J.R.Groom, *The United Nations and the Gulf War, 1990-91: Back to the Future?*, London, The Royal Institute of International Affairs Discussion Paper 38, 1992, p.2.

16 A.Parsons, 'The UN and the National Interest of States', in A.Roberts and B.Kingsbury ed., *op.cit.*, p.111. See also J.G.Ruggie, 'The United States and the United Nations: towards a new realism', *International Organization*, vol.39, no.2, Spring 1985.

17 M.Williams, *Third World Cooperation. The Group of 77 in UNCTAD*, London, Pinter Publishers, 1991, p.164.

demands and the primacy accorded to market solutions".¹⁸ The clauses relating to the establishment of an International Seabed Authority in the Law of the Sea Convention clearly reflected an ethos of public ownership of natural resources. Indeed, Krasner suggested that "[d]eveloping countries have rejected liberal regimes".¹⁹ Again, it was a triumph of collective leverage that the developing countries managed to influence the final form of the Law of the Sea Convention to the extent that they did, in an attempt to "dismantle the superpowers' monopoly over the sea".²⁰ This was perhaps a last vestige of the declining centre-periphery or structuralist challenge to the systemic *status quo*. With the grand revisionist schemes of the 1960s and 1970s - such as the New International Economic Order - largely without hope, the 'renaissance' of the Third World shifted in the 1980s towards rhetoric and posturing. One might say that the cohesion of the 'new majority' was waning.

There was still an institutionalised hostility towards South Africa and Israel in the General Assembly, which clearly undermined the role of the Secretary-General in his efforts towards the settlement of conflict of which these two countries were a party. For example, in very common General Assembly terminology, a Resolution requested that the Secretary-General work towards the implementation of UN resolutions concerning Namibia whilst condemning South Africa's "racist regime", its "illegal occupation of Namibia, its brutal repression of the Namibian people and its ruthless exploitation of the people and resources of Namibia," and "[r]eaffirming its [The General Assembly's] full support for the armed struggle of the Namibian people under the leadership of the South West Africa Peoples' Organisation."²¹ On many occasions the West, and particularly the United States, perceived itself also to be the object of attack. The drifting Third World was exploited by the Arab contingent, and the Soviet Union - although since the intervention into Afghanistan somewhat estranged from the majority - was happy to either acquiesce or encourage this. The politicisation of the specialised agencies and the creation of apparently politically orientated and sometimes extravagant programmes were also manifestations of the excesses which Ambassador Scali had described as the "tyranny of the majority" a decade earlier.

Much of the behaviour of the UN majority was not directed towards practical or realistic change. Indeed, a Chinese writer emphasised the need for solidarity against "the oppression of imperialism,

18 *Ibid.*, p.2.

19 S.D.Krasner, *Structural Conflict. The Third World Against Global Liberalism*, California, University of California Press, 1985, p.65.

20 L.Yali, 'The United Nations and the Third World', *Beijing Review*, vol.28, no.42, 21 October 1985, p.18.

21 General Assembly Resolution 37/233, 20 December 1982.

colonialism, hegemonism and racism".²² In this manner the General Assembly agenda continued, from the 1970s, to reflect the agenda of the more militant Third World activists; the bid to isolate Israel and South Africa in the Organisation was a major rallying point. The more moderate members and the eastern bloc countries had little to lose by acquiescing, until confrontation with the Reagan administration made them reassess their own behaviour. In the meantime, manifestations of Third World militancy soured North-South relations and strengthened the hand of the conservatives in the West.

Aside from the Third World, there was also a deterioration in East-West relations as the years of *détente* gave way to renewed confrontation. This was partly as a result of Soviet adventurism in Africa, Afghanistan and Central America, the Sandinista victory in Nicaragua, the Vietnamese invasion of Cambodia, the Soviet deployment of SS-20 missiles towards the end of the 1970s, and martial law in Poland. On the other side, the ascendancy of the New Right in the US and Britain, the challenge to Soviet influence in the Third World, the establishment of diplomatic relations between the US and China, the deployment of Cruise missiles and the development of SDI anti-ballistic missile technology, and the imposition of sanctions upon the Soviet Union by the US in December 1981, all contributed to the 'second Cold War'. The comfortable bipolar stability of *détente* was swept away by a resurgence of ideological fervour in the West and by the mismanagement and excesses of the Soviet Union. The United Nations had little impact on this process, but it did suffer from it. The Security Council failed to fulfil its Charter responsibilities until the late 1980s and a climate of ill-will pervaded the whole Organisation. The Secretaryship-General was consequently stymied and tainted.

As the primary diplomatic, economic and military sponsor of the United Nations, it is necessary to pay particular attention to the "very disturbing"²³ US attitudes and practice towards the Organisation during the 1980s. During the 1970s the Nixon-Kissinger-Ford attitude had been largely one of sceptical and often scornful circumnavigation of the UN in the sphere of high politics. The Organisation had little substantive role to play in their grand agenda, apart from serving as an instrument to aid the balance between East and West, such as in the settlement of the Yom Kippur war, and in the provision of certain functional services. However, the agenda of the New Right, epitomised by Reagan and Representative Kirkpatrick, was much more combative and largely

22 L.Yali, *op.cit.*, p.16.

23 J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.155. In trying to maintain a good relationship with the US, "[t]here was no subject to which I devoted greater attention or that caused me greater concern during my first term as secretary-general." p.156.

viewed *détente* as a mistake which had resulted in Soviet gains. At the UN, the Kirkpatrick team - in a manner reminiscent of Moynihan - made quite clear the Reagan administration's intolerance to the Soviet and Third World 'antics'. In fact, "[i]n Reagan's Washington there seemed to be an open season on a variety of multilateral or international arrangements which were the fruit of years of painstaking work and negotiation."²⁴ Outside the UN the administration was shedding the Vietnam syndrome: it would meet Soviet adventurism. It may be that "[i]n the space of 40 years, the United States had gone from believing that the United Nations should and could do anything, to believing that it should and could do nothing".²⁵

Kirkpatrick's aim was to halt the decline of the West, and especially the US, in international politics and at the UN. Her style was forthright, confrontational, unapologetic, sometimes undiplomatic, and not afraid of isolation. Indeed, she took a friendlier line towards South Africa and Israel than to the Third World delegates.²⁶ This was not just her personality, but represented the cleavage between the Reagan and Carter attitudes. Deeper still, the Reagan approach reflected declining "[n]orthern commitment to universal multifunctional organisations".²⁷ Indeed, Keohane and Nye accepted that "[i]nternational organisations now seem to some like the Sorcerer's Apprentice - out of control".²⁸ Haas borrowed the concept of regime decay and applied it to the declining-hegemony thesis to find some link to the waning capability of the Organisation in conflict management.²⁹ From the 1970s, indignation grew as the UN reflected the end of American dominance and Western cultural universalism, yet the US was still shouldering the heaviest financial burden. Some academics argued that this was not as grave as it seemed.³⁰ However, there was more political mileage in New York Mayor Koch's suggestion that he would alter the 'Swords into Plowshares' inscription outside the UN to 'hypocrisy, immorality and cowardice'.³¹ Similarly,

24 B.Urquhart, *A Life in Peace and War*, New York, Harper and Row, 1987, p.326.

25 T.M.Franck, 'Soviet Initiatives: US Responses - New Opportunities for Reviving the United Nations System', *The American Journal of International Law*, vol.83, no.3, July 1989, pp.532-533.

26 S.Maxwell-Finger, 'The Reagan-Kirkpatrick Policies and the United Nations' *Foreign Affairs*, vol.62, no.2, Winter 1983-84, pp.436-457; S.Maxwell-Finger, *American Ambassadors at the UN: people, politics and bureaucracy in making foreign policy*, New York and London, Holmes and Meier, 1988.

27 S.D.Krasner, *op.cit.*, p.300.

28 R.O.Keohane and J.S.Nye Jr., 'Two Cheers for Multilateralism', *Foreign Policy*, no.60, Fall 1985.

29 E.B.Haas, 'Regime Decay: Conflict Management and International Organizations, 1945-1981', *International Organization*, vol.37, no.2, Spring 1983.

30 D.J.Puchala, 'American Interests and the United Nations', *Political Science Quarterly*, vol.97, no.4, 1982-3, pp.571-588; E.B.Haas, *op.cit.*; R.O.Keohane and J.S.Nye Jr., *op.cit.*

31 *The New York Times*, 10 February 1982, p.1.

Charles Lichenstein - a member of Kirkpatrick's team - is remembered for telling UN members who felt that the US was failing in its obligations to the Organisation to leave and take the UN with them: "we will put no impediment in your way and we will be at dockside bidding you a fond farewell as you set off into the sunset".³² Shortly thereafter, Reagan suggested that Lichenstein probably spoke for most Americans.³³

Kirkpatrick embraced this populist attitude. She was a vociferous critic of the declining US influence at the UN, which she felt was a result of mismanagement rather than a historical process. As a result of the hostile majority "[t]he reality of U.S. impotence at the United Nations is stunning".³⁴ Therefore, "[m]y mandate was to go forth and represent the policies of the Reagan administration and certainly those involve a restoration of American influence and an end of the period of American retreat and apology".³⁵ There was a certain idealism to the project of the New Right in attempting to halt, or turn back, the clock of systemic change and globalization. Similarly, Margaret Thatcher drew a parallel between her and Reagan's ascendancy, putting the 'reassertion of western influence' in a heroic context.³⁶

The Kirkpatrick team at the UN felt that the Organisation - and especially the General Assembly and the specialised agencies - were "irretrievably politicized",³⁷ wasteful, bureaucratic, and actually made conflict worse. The latter argument, also strongly emphasised by the conservative Heritage Foundation, suggested that conflicts were exacerbated by the UN because the number of parties to a conflict became extended as countries felt obliged to take sides, even if they had no direct interest. The Arab group using the Afro-Asian bloc against the US and Israel could be an example. It was in accordance with this that the frustrations of the US resulted in a resurgence of unilateralism. The policies towards Angola, Israel, Namibia, Nicaragua, El Salvador, the Law of the Sea Convention, the specialised agencies, and the "liberation" of Grenada, are a few examples.³⁸ In terms of the UN majority, the US began to monitor the behaviour of countries in the Organisation and to hold them

32 L.M.Fasulo, *op.cit.*, p.281.

33 *The New York Times*, 22 September 1983, p.1.

34 J.J.Kirkpatrick in L.M.Fasulo, *op.cit.*, p.284; "bloc-voting patterns simply guarantee U.S. isolation and failure", p.287.

35 J.J.Kirkpatrick, *ibid.*, p.284. See also R.W.Gregg, *About Face? The United States and the United Nations*, London, Lynne Rienner, 1993, pp.19-20.

36 M.Thatcher, *The Downing Street Years*, London, Harper Collins, 1993, chapter six.

37 W.C.Sherman, Deputy Representative to the Security Council 1981-1983, in L.M.Fasulo, *op.cit.*, p.299.

38 J.Kirkpatrick, 'The Superpowers; is there a moral difference?', *The World Today*, May 1984, p.185. "We do not think it is moral to leave small countries and helpless people defenceless against conquest by violent minorities which are armed and trained by remote dictatorships", p.183.

accountable. Deputy Permanent Representative Kenneth Adelman asserted that the UN "is taken very seriously by the U.S. government. When the United States is being attacked, we respond quite vigorously in various forms".³⁹ This was somewhat different to the marginalisation of the UN by Nixon and Kissinger; whilst the New Right circumvented the Organisation in the 1980s, it also confronted it. In addition to holding individual states accountable for their anti-social behaviour, the US - and to a lesser extent the United Kingdom - imposed a number of economic sanctions and withdrew or restricted their diplomatic support of agencies which manifested the worst excesses. The US withdrew from the ILO between 1977 and 1980 and from UNESCO in 1985, and refused to sign the 1982 Law of the Sea Convention. The Kassebaum Amendment involved a reduction of the US share of assessed contributions unless organs adopted weighted voting on budgetary questions. The Sundquist Amendment threatened to withhold some of the US contribution to Secretariat salaries. If Israel was expelled, suspended, denied its rights or credentials, the US would suspend its own participation and reduce its contribution. Finally, the US withheld certain funds from specific UN activities which were disapproved of, such as support for the PLO, SWAPO, and the preparatory commission for the implementation of the Law of the Sea Commission.⁴⁰ Such moves seemed to enjoy the support of large sections of the US public and certainly the Congress.

It was not just the economic sanctions which defined the general environment of disillusionment and UN impotence. The resurgence of Cold War polarisation contributed to the prolongation of regional conflicts in Afghanistan, Indo-China, between Iran and Iraq, in Africa, and in Central America. The US and Soviet Union obstructed efforts by the Council and the Secretary-General to address such issues until the latter half of the 1980s, and there was a general reversion to unilateralism and bilateralism. The ill-fated 'multinational' force in Lebanon was a striking symbol of this, and part of a trend lamented by Pérez de Cuéllar in his historic first Annual Report.

In this report, the Secretary-General expressed his frustration towards the failure of the Security Council to operate effectively and a climate which was "perilously near to a new international anarchy". He continued,

I believe that we are at present embarked on an exceedingly dangerous course, one symptom of which is the crisis in the multilateral approach in international affairs and the concomitant erosion of the authority and status of world and regional inter-governmental institutions....Such a trend must be reversed before once again we bring upon ourselves a global catastrophe and find ourselves without institutions effective enough to prevent it.⁴¹

39 K.L.Adelman in L.M.Fasulo, *op.cit.*, p.291.

40 See Y.Beigbeder, *Threats to the International Civil Service*, London, Pinter Publishers, 1988, pp.56-57.

41 J.Pérez de Cuéllar, 'Report of the Secretary-General on the Work of the Organization', September 1982.

The general environment for the first half of Pérez de Cuéllar's incumbency saw a continuation of the tension between *status quo* and revisionist Third World forces against a backdrop of inflamed Cold War antagonisms. In terms of the Secretaryship-General, the Office was either barred from a substantive role or severely constrained, and tainted by the machinations of the deliberative organs which made it difficult to establish credibility or autonomy. At other times, the Secretary-General was able to establish credibility with parties, but the Security Council members were unwilling to apply pressure upon their clients to end conflict and Pérez de Cuéllar was relegated to a secondary role. After a year in Office, he complained that the UN was "kept on the sidelines" and that his greatest achievement to date was to put his signature to the first Annual Report.⁴² Many conflicts were tied to external historical trends, so the Office had to wait until there were changes in the external dynamics.

The Cold War's End

The changes within states and across the international system commonly associated with the winding down of the Cold War brought significant changes to the activities of the Secretary-General. Explanations for the end of the Cold War need not be given here, although Western military superiority, Soviet over-stretch, and Soviet liberalism at home all played an important part. The bilateral rapprochement between East and West was signified by summits in Reykjavik in October 1986 and in Washington in December 1987. The signing of the INF treaty, calls by the Warsaw Pact for a large reduction of conventional forces in Europe, and Gorbachev's internal reforms also helped to change the atmosphere at the UN. More importantly, cooperation between the superpowers would encourage the resolution - or at least the cessation - of a number of conflicts. The Soviet 'new thinking' manifested itself in the innovative statements and articles by Gorbachev and Deputy Foreign Minister Petrovsky, which called for an enhancement of UN machinery for the settlement of conflict and the maintenance of international peace and security.⁴³ In encouraging the greater use of peace-keeping, preventive diplomacy and deployments, and a greater role for the Secretary-General in the provision of good offices and mediation, the 'new thinking' marked a reversal of forty, and perhaps sixty five, years of Soviet practice towards international organisation.

42 *The New York Times*, 1 January 1983, p.1.

43 See T.M.Franck, 'Soviet Initiatives: US Responses - New Opportunities for Reviving the United Nations System', pp.536-537.

At the UN there was an atmosphere of renewed hope. As Brian Urquhart recalled, "[w]e hear no more talk of the 'evil empire' and, instead of Soviet negative rhetoric and blocking tactics, there is a veritable cornucopia of new-internationalist Soviet proposals".⁴⁴ President Bush's election to the Presidency brought with it a greater level of sympathy and support for multilateralism, which was to blossom into the New World Order ethos. Since Kirkpatrick resigned in early 1985, the US approach towards the UN had become less confrontational and more constructive in the hands of Vernon Walters and the likes of Thomas Pickering under George Bush, who was said to symbolize the seriousness with which the new administration took the Organisation.

Partly as a result of US economic and political pressure, the excesses of the General Assembly were curtailed in an atmosphere of new realism. Confrontation was increasingly recognised as being counterproductive and the continuing disintegration of the Third World bloc pointed to short term objectives, rather than grand schemes. Moreover, there was a certain amount of disillusionment amongst African states towards the Arab states, their former guiding light. The revocation in 1991 of the 1975 General Assembly Resolution which equated Zionism with racism was an important symbol of the majority's desire for moderation.⁴⁵ Similarly, Assembly spending was cut in a number of controversial areas and the more radical political antics were curtailed; the US was apparently appeased. Urquhart exulted that "the countries of the Third World, after all the rhetoric and radicalism of the 1970s and 1980s, have become pragmatic, unideological, cooperative, mature and constructively self-critical".⁴⁶

The Soviet Union matched its new thinking with a commitment to pay all outstanding debts, and the US finally began to release money owed and accept its obligations. After urging the US and Soviet Union to fulfil their commitments, Britain made an advance payment in 1987 of part of the 1988 dues.⁴⁷ Finally, there was a healthy increase - in parallel with the successful settlement of a number of long-running conflicts - of ideas to improve the effectiveness of the UN and its Secretary-General in the areas of peace-keeping, preventive diplomacy, and the maintenance of international peace and security. Immediately after the Cold War there was a blossoming of UN activity in this area, and commensurately the political role of the Secretary-General also *appeared* to be expanding. The question is, how did the historic developments of the 1980s have a bearing

44 B.Urquhart, 'The United Nations system and the future', *International Affairs*, vol.65, no.2, Spring 1989, p.225; 'Russia reveals a conciliatory face at the UN', *The Times*, 25 October 1988, p.39.

45 General Assembly Resolution 46/86, 16 December 1991.

46 B.Urquhart, 'The United Nations system and the future', p.226.

47 *The Times*, 5 December 1987, p.7.

upon this Office?

The Falklands Crisis

In many ways, the Falklands was "a curiously old-fashioned war", involving pride, principle and territory.⁴⁸ As such, it is not easily put into a historical context, for there was no strong Cold War dimension⁴⁹ or constraint to Pérez de Cuéllar's role, apart from that of the general condition of the UN at that time. The Falklands Crisis was also something of a "baptism by fire" for the new incumbent.⁵⁰

The crisis resulted from Argentina's seizure of the British Falkland Islands after a history of dispute between the countries.⁵¹ Legally, Britain was the victim of aggression, according to the UN Charter and Resolution 502, for which Britain's Permanent Representative Anthony Parsons mustered support with the utmost urgency. As he recalled, "we would obviously prefer implementation of the central paragraph of SCR502 - total Argentine withdrawal - but we would not in the meantime allow anything to inhibit us from exercising our inherent right to self defence under Article 51 of the Charter".⁵² However, there were colonial overtones to the British position - Argentina claimed that Britain had seized the territory by force in 1833. Yet the balance of opinion at the UN was in Britain's favour: "[a]ntipathy to the use of force had triumphed".⁵³ Britain activated a military response in parallel to the acceptance of diplomacy and mediation, notably through the US Secretary of State and the UN Secretary-General.

The first phase of mediation was under the auspices of US Secretary of State Haig's shuttle diplomacy. This is generally recognised as being a failure,⁵⁴ and some have speculated that the

48 L.Freedman, 'The War of the Falkland Islands', *Foreign Affairs*, vol.61, no.1, Fall 1982, p.196.

49 J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.153.

50 T.E.Boudreau, *Sheathing the Sword. The U.N. Secretary-General and the Prevention of International Conflict*, New York, Greenwood Press, 1991, p.84.

51 G.A.Makin, 'Argentine approaches to the Falklands/Malvinas: was the resort to violence foreseeable?', *International Affairs*, vol.59, no.3, Summer 1983, p.402; Anthony Parsons, 'The Falklands Crisis in the United Nations, 31 March - 14 June 1982', *International Affairs*, vol.59, no.2, Spring 1983; G.M.Dillon, *The Falklands, Politics and War*, New York, St.Martin's Press, 1989.

52 A.Parsons, *op.cit.*, p.172.

53 *Ibid.*, p.172; he suggests that Argentina did not expect Britain to react militarily, or Britain to win and hold the diplomatic initiative in New York, p.178.

54 For example, M.Hastings and S.Jenkins, *The Battle for the Falklands*, London, Michael Joseph, 1983, p.140.

outcome may have been different if Pérez de Cuéllar had taken the role earlier.⁵⁵ Pérez de Cuéllar remained courteously on the sidelines until Haig faltered, recognising the influence of the United States and the possibility that his South American background might jeopardize his credibility with the British.⁵⁶ However, he discreetly established a Falklands crisis team on 8 April in the Secretariat to consider contingency plans in the event of Haig's failure.⁵⁷ On 1 May, Pérez de Cuéllar subsequently offered to mediate,⁵⁸ and the UN mediation phase began, even though the Secretary-General was not mentioned in Resolution 502. We are concerned here as much with process as outcome: what was the authority and status of Pérez de Cuéllar, who did he have contact with, what leverage did he exert upon the parties? Could he have averted war, or was he an instrument of the diplomatic manoeuvring of the protagonists?

With regard to the Secretary-General's role as a mediator and intermediary, a certain amount of authority was self-evident. Immediately, he presented to Foreign Secretary Francis Pym and his Argentine counterpart a 'set of ideas' for a negotiated settlement. These involved a mutual withdrawal of military forces, the commencement of diplomatic negotiations for a full settlement, which could involve some form of interim UN administration, the lifting of sanctions and exclusion zones, and the establishment of transitional arrangements in the Falklands in advance of the outcome of the negotiations. Pérez de Cuéllar was seeking to freeze the situation and encourage the protagonists to commit themselves to a diplomatic solution before the military point of no return was reached, especially by the British. The 'set of ideas' implied that the question of ultimate sovereignty would be left open to negotiation, which would present a challenge.⁵⁹ On the basis of these ideas the parties accepted Pérez de Cuéllar's mediation. As Parsons explains:

The most intensive and vigorous series of negotiations, attended by maximum public interest, continued until 19 May. The Secretary-General saw myself and my Argentine colleague, vice-Minister Enrique Ross, once or more often twice a day throughout the whole period, weekends included, working in an orderly and systematic way towards the elaboration of an agreement which would embrace the points in his original document, and which would put the islands under temporary UN administration for a defined period during which negotiations for a final

55 I.L.Claude Jr., 'UN Efforts at Settlement of the Falkland Islands Crisis', in A.R.Coll and A.C.Arend ed., *The Falklands War. Lessons for strategy, diplomacy, and international law*, London, George Allen and Unwin, 1985, p.119.

56 Interview with a former senior Secretariat officer and member of Pérez de Cuéllar's Falklands Islands crisis team. Despite initial worries about Pérez de Cuéllar's background, his "quality of gaining confidence shone through." New York, June 1994.

57 *The Times*, 17 April 1982, p.4; A.Parsons, *op.cit.*, p.172.

58 *The Times*, 1 May 1982, p.1.

59 *The Times*, 8 May, p.5; *The Times*, 9 May 1982, p.1.

settlement would be carried out under his auspices.⁶⁰

This indicates a key creative mediatory role of the Secretary-General. By participating on this basis, Argentina had conceded its former demand that sovereignty be transferred to it as a prerequisite for talks. Britain had agreed to negotiate substantive issues - including the possibility of an interim UN administration - when it would have been within its legal rights to demand an unconditional return to the *status quo ante*, under Article 51 of the UN Charter and customary international law. Both sides had also committed themselves to the process; both had an interest in being seen by UN allies in trying to avoid war, so they had to listen and respond to the Secretary-General. Pérez de Cuéllar was also the chief channel of communication between the parties. After Parsons was recalled to London 15-16 May, the 'final position' of the British government was communicated to Pérez de Cuéllar immediately upon Parsons' return to New York, and the closing responses by both sides likewise were channelled through the Secretary-General.⁶¹

On the surface, the main obstacles to agreement appeared to be the nature of the interim administration, the time-frame for the negotiations during the interim period, some details of the withdrawal, and the geographical extent to the interim administration.⁶² If the obstacles were simply practical, then war might have been averted; the Secretary-General reportedly claimed that "[i]t was the sort of problem which would take ten minutes to solve if both sides were willing".⁶³ However, President Galtieri had incited a great deal of popular support for his stance, and so had Thatcher for the defence of people, territory, and "our honour as a nation".⁶⁴ Neither side could be seen to back down without an extremely effective face-saving device, and Pérez de Cuéllar provided the best hope for this.

As military skirmishes increased Britain made clear that it would veto any resolution for a cease-fire that was not tied to an Argentine withdrawal, as it did on 4 June. However, Council Resolution 505 had been passed on 26 May 1982, which asked the Secretary-General to "enter into contact immediately with the parties with a view to negotiating mutually acceptable terms for a cease-fire, including, if necessary, arrangements for the dispatch of United Nations observers to monitor

60 A.Parsons, *op.cit.*, p.173, and a personal correspondence, 12 August 1995.

61 *Ibid.*, p.174.

62 *The New York Times*, 10 May 1982, p.1. There were also difficulties regarding the monitoring of the withdrawal.

63 M.Hastings and S.Jenkins, *op.cit.*, p.325.

64 M.Thatcher, *op.cit.*, p.173.

compliance with the terms of the cease-fire."⁶⁵ This put a time-frame of seven days upon his efforts. He complained, "What can I do in seven days? ...The terms of reference may not provide a sufficiently clear and precise guidance either to the parties or to myself".⁶⁶ Indeed, by this stage few people expected a peaceful solution, and once fighting began or was close to beginning in earnest, all negotiating positions would be annulled. Whilst Pérez de Cuéllar had been making last minute appeals to Galtieri and Thatcher,⁶⁷ he admitted defeat in early June.⁶⁸

On a superficial level, the Secretary-General achieved status and influence in his mediatory role, through the structure of mediation, as a channel of communication, and as an organ of creative diplomacy. However, the wider picture is less positive. A number of observers have suggested that the protagonists' contact with the Secretary was largely a disingenuous manoeuvre. Inis Claude suggested that:

The UN was not simply used, unsuccessfully, to promote a peaceful solution to the conflict. It was also used by the parties and their sympathizers for purposes less related to settling than to winning the dispute, and the insistence of the parties on using it this way was undoubtedly the fundamental cause of the Secretary-General's failure in the use that he sought to make of the organisation.⁶⁹

If Thatcher's memoirs are to be believed, this opinion appears to be borne out and Pérez de Cuéllar's role was one more of procedure than substance. She was clearly proud of Britain fighting and winning the war, even making a casual comparison between herself and Churchill,⁷⁰ and appeared not to have much faith in the UN efforts. She stated, "I felt in my bones that the Argentineans would never withdraw without a fight and anything less than withdrawal was unacceptable to the country, and certainly to me".⁷¹ At key stages of the mediation effort there were clear signs that the British government was 'going through the motions' in order to maintain

65 Security Council Resolution 505, 26 May 1982, paragraph 4.

66 *The Washington Post*, 27 May 1982, p.1. Sir Anthony Parsons also outlined the pressure under which he and the Secretary-General were negotiating in a personal correspondence, 12 August 1995; "We had to complete them [talks], successfully or unsuccessfully, by late May before the landings took place. Given the South Atlantic weather the Task Force could not be kept hanging about indefinitely while we fought over words in New York."

67 *The Washington Post*, 20 May 1982, p.1; *The New York Times*, 20 May 1982, p.1.

68 *The New York Times*, 3 June 1982, p.1.

69 I.L.Claude, *op.cit.*, p.122. T.M.Franck wrote of the Secretary-General's honourable efforts, "he was summoned only after fighting had begun, but before either side was ready to abandon the tools of violence." *Nation Against Nation*, Oxford, Oxford University Press, 1985, p.152.

70 M.Thatcher, *op.cit.*, p.193.

71 *Ibid.*, p.184.

legitimacy for its own agenda, and American support.⁷² Most strikingly:

That Sunday [16 May] at Chequers was mainly spent in drafting our final proposals, to be put to the Argentines by the UN Secretary-General. The vital consideration was that we bring the negotiating process to an end - ideally, before the landings - but in such a way as to avoid appearing intransigent. It became clear that we would have to make a very reasonable offer. I accepted this because I was convinced that the Argentines would reject it, and strictly on a take-it-or-leave-it basis: the Argentines must accept the offer as a whole, or not at all, and once rejected, it would be withdrawn.⁷³

Even if there was some bravado in this, all was not how it seemed at the UN.

The *Rainbow Warrior* dispute

The *Rainbow Warrior* arbitration demonstrated the utility of face-saving through a public servant. The constitutional authority and personal reputation of the Secretary-General were theoretically brought into play in the interests of justice and international harmony, and in this sense the general environment and condition of the United Nations were not strongly reflected in this case. The eventual outcome of the case does, however, cast some doubt on the constitutional authority of the Secretary-General, especially when sensitive national interests are perceived to be at stake.

On 10 July 1985 the Greenpeace ship *Rainbow Warrior* was sunk in Auckland harbour whilst preparing to demonstrate against French nuclear testing in the Pacific. One member of the vessel died. At first the French government dissociated itself from the two French people arrested and tried for the crime, and its official enquiry was widely regarded as a whitewash.⁷⁴ It eventually became known that the two agents were members of an official operation to halt the activities of the *Rainbow Warrior* in a region which opposed nuclear testing. The French agents attracted a great deal of sympathy from their compatriots and pressure mounted upon the government to secure their release. Europe is New Zealand's largest market - comprising almost twenty percent of its exports⁷⁵ - and France was capable of tightening the European Community quota on New Zealand products.

⁷² *Ibid.*, pp.222-223.

⁷³ *Ibid.*, p.222. The British position can be found in the *Financial Times*, 21 May 1982, p.6. The Sunday Times Insight Team even claimed that "[i]t has to be said that the British never appeared anything except suspicious of the UN negotiations." *The Falklands War*, London, Sphere Books, 1982, p.172. However, Anthony Parsons later claimed that the negotiations were in good faith, in a personal correspondence, 12 August 1995.

⁷⁴ R.Thakur, 'A Dispute of Many Colours: France, New Zealand, and the 'Rainbow Warrior' Affair', *The World Today*, vol.42, no.12, December 1986, p.210. See also M.Pugh, 'Legal Aspects of the Rainbow Warrior Affair', *International and Comparative Law Quarterly*, vol.36, July 1987, p.656.

⁷⁵ R.Thakur, *ibid.*, p.210.

Under the threat of economic sanctions New Zealand reluctantly realised that the case had to be reopened. However, Prime Minister David Lange had taken a strong domestic line against the French attack, earlier insisting that justice had been served by the imprisonment of the agents. Public opinion was high; how could Lange bow to French pressure and compromise on an issue of principle?

The Secretary-General was well placed to provide a face-saving mechanism. In June 1986 the Dutch Prime Minister suggested third party mediation and Pérez de Cuéllar had a meeting with French Prime Minister Jacques Chirac.⁷⁶ The Secretary-General accepted, and as arbiter performed a role rarely undertaken by the Office; under Article 33(1) of the Charter he was able to accept such a role without a formal request from an organ of the UN. The decision was to be binding, which put significant authority and responsibility in Pérez de Cuéllar. He too had to accept the political realities of the situation, most notably the leverage which France holds within the Organisation.

The ruling eventually decided that the French government should pay seven million dollars in compensation to New Zealand, the two agents were to be confined to a remote island for three years, and the French government had to apologise and agree not to oppose access of New Zealand's products to Europe.⁷⁷ France was particularly happy with the outcome. Furthermore, to add to New Zealand's chagrin, the agents were allowed by their government to return home in advance of the agreed three years; the arbitration ruling was not fulfilled.⁷⁸

Did the final outcome challenge the authority and the legitimation role of the Secretaryship-General? Some might suggest that the outcome laid bare the Office's dependence on good-will and political realities. In fact, Thakur has questioned the decision of the Secretary-General to take the role, when the cooperation of France was necessary for his re-election, the effectiveness of the Organisation, and that of the Secretaryship-General; "Pérez de Cuéllar could not, therefore, afford to antagonise France."⁷⁹ Despite this, having committed itself to the process France could hardly have rejected it out of hand. The Secretary-General, whilst balancing political realities with the demand for organisational integrity, performed a useful task.

76 *The New York Times*, 17 June 1986, p.5.

77 *The New York Times*, 8 July 1986, p.1; *Financial Times*, 8 July 1986, p.3.

78 *Financial Times*, 7 May 1988, p.2; J.S.Davidson, 'The Rainbow Warrior Arbitration Concerning the Treatment of the French Agents Mafart and Prieur', *International and Comparative Law Quarterly*, vol.40, April 1991.

79 R.Thakur, *op.cit.*, p.211.

Afghanistan

The withdrawal of Soviet forces from Afghanistan was the result of diplomatic and military factors at a number of levels, in the context of the decline of Cold War tensions and particularly internal Soviet developments. According to one observer, "the agreement to withdraw resulted from a combination of military pressure and 7 years of farseeing and determined United Nations diplomacy."⁸⁰ This case is one of a number where external leverage came to bear upon a client-patron relationship and UN mediation provided a legitimation and facilitation framework for the negotiations. Simultaneously, military pressure on the part of the US and Pakistan was critical. This case was also one of a number of examples when the Secretary-General found it necessary to create some independence from the deliberative organs because of the history of the Organisation's resolutions and attitude towards the parties.

Since the 1979 Soviet intervention into Afghanistan an East-West proxy-war scenario became entrenched. The Soviets installed a puppet government and *mujahidin* rebels provided an Islamic oriented military opposition dependent upon Pakistani and American assistance. In the US attitudes were split between the 'bleeders' and the 'dealers'.⁸¹ The bleeders felt that the situation could be exploited to help bring the Soviet Union down. They sought to bleed the Soviets dry by perpetuating the costly Afghan adventure and harrying the pro-Soviet government at every opportunity. The dealers sought a negotiated withdrawal. The influence of these attitudes indicates how the US was more conciliatory towards the end of the 1980s. The Soviet Union would have been satisfied with a much earlier withdrawal if a suitable face-saving mechanism had existed, and if it received guarantees that the Americans and the Pakistanis would stop their support for the efforts of the *mujahidin*.

However, for many years the efforts of Pérez de Cuéllar and special representative Diego Cordovez were frustrated - and even obstructed - by the machinations engendered on all sides by the political climate. A General Assembly Resolution of 18 November 1981 instructed the Secretary-General to attempt to negotiate a political settlement and 'proximity talks' began in June 1982. The Assembly Resolution emphasised the importance of the sovereign territorial integrity of the country and the need for 'foreign' forces to withdraw.⁸² Pakistan would not recognise or communicate with

80 S.S.Harrison, 'Inside the Afghan Talks', *Foreign Policy*, no.72, Fall 1988, p.31.

81 G.R.Berridge, *Return to the UN. UN diplomacy in regional conflicts*, London, Macmillan, 1991, pp.59-60.

82 General Assembly Resolution 36/34, 62nd Plenary Meeting, 18th November 1981.

the Kabul regime, and as the Resolution called for immediate troop withdrawal, the Afghan and Soviet governments were not comfortable with it as a basis for negotiation. Therefore, Pérez de Cuéllar's approach involved distancing the talks from the Resolution in order to retain an element of manoeuvrability; "a variation of the 'Peking Formula'".⁸³ For many years Cordovez worked on the ground with frequent interventions by Pérez de Cuéllar, who was chiefly encouraging progress at the superpower level. It is important to consider that a patron-client conflict involves different levels of negotiations, both formal and informal. The changing global political climate was central, but it could take time to filter down to the warring factions. In addition, for a number of years the hawks in Washington were particularly unsupportive of Cordovez and there was therefore little incentive for Pakistan to curtail its support for the *mujihidin*. As Harrison observed, the divided Reagan administration often insinuated that the UN effort was being exploited for Soviet propaganda purposes, and when a breakthrough seemed possible early in 1983, "the administration sent negative signals ranging from scepticism to bitter hostility."⁸⁴

After the first Reagan-Gorbachev summit the US at least publicly supported Cordovez and the 'dealers' in Washington began to consider the UN framework for a monitored withdrawal of Soviet troops in exchange for US and Pakistani assurances that military assistance to the rebels would cease. So, "[i]t was only after Gorbachev took the diplomatic initiative that the dealers in Washington made their first tentative moves to assist Cordovez."⁸⁵ When the superpowers were willing to disengage - and in the case of the US, allow the Soviets to disengage - the UN was well situated to overcome the stalemate and facilitate the modalities, especially as Pakistan would not recognise Kabul. However, it would be wrong to believe that the US and the Soviet Union exerted complete control over their clients in this conflict. Satisfying the concerns of the local actors - particularly the Afghan government, Pakistan, and the *mujihidin* - was a difficult aspect of the process. Indeed, the perception by the *mujihidin* that they were not included in the 'endgame' to the

83 T.M.Franck and G.Nolte, 'The Good Offices Function of the UN Secretary-General', in A.Roberts and B.Kingsbury, *op.cit.*, p.149; and J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.153. The Peking Formula involves distancing the Secretary-General from the Security Council or Assembly in order to gain, when necessary, some measure of independence and credibility. The term derived from Hammarskjöld's mission to China to secure the release of American prisoners of war.

84 S.S.Harrison, *op.cit.*, p.32; according to R.Klass, in 1983 Cordovez stated that the negotiations were "95 percent complete", 'Afghanistan - the Accords', *Foreign Affairs*, vol.66, 1988, p.928. For an interesting analysis of the Secretaryship-General's "surrogates in the field" see D.J.Puchala, 'The Secretary-General and his Special Representatives', in B.Rivlin and L.Gordenker, ed., *The Challenging Role of the Secretary-General. Making 'The Most Impossible Job in the World' Possible*, Westport, Connecticut, Praeger Publishers, 1993.

85 S.S.Harrison, *op.cit.*, p.32.

extent they had wished eventually caused them to reject the role of Cordovez in the political reconstruction of the country after the signing of the accords in April 1988.⁸⁶

Throughout the 1980s Pérez de Cuéllar had been in contact with the Soviet Union and the US, both of whom were sensitive to the fate of post-Soviet Afghanistan and distrustful of each other regarding intervention and interference. The Secretary-General held talks with Reagan in January 1983, where he pushed the ideas of a timetable of phased Soviet withdrawal and the return of Afghan refugees, in return for assurances of non-interference and an eventual coalition government.⁸⁷ These were the bases of the eventual April 1988 accords,⁸⁸ but the UN efforts were stymied until the superpowers were prepared to use their leverage in the region. In March 1983 Pérez de Cuéllar had talks in Moscow with communist party leader Andropov and Foreign Minister Gromyko, whilst Cordovez held proximity talks in Geneva between the parties directly involved.⁸⁹ This was the pattern of UN mediation throughout, until Pérez de Cuéllar announced - after the accords had been signed - that he was taking personal charge of efforts to find a political settlement in the country.⁹⁰

The roles of the Secretary-General, in person or *inter alia* Diego Cordovez, involved creative mediation - for example through the development of a 'package of understandings' regarding Soviet withdrawal, guarantees against further intervention, and reconstruction⁹¹ - and face saving, in enabling the Soviet Union to make a dignified retreat. The utility of the Secretaryship-General was contingent upon the will of the US to exert leverage where necessary - in particular upon Pakistan - and to desist in its own support for the Afghan rebels. In addition, given that the US clients had the upper hand militarily, especially with the success of the 'stinger' anti-aircraft missiles, the peace process was largely tied to US willingness to allow the Soviet Union to make a negotiated withdrawal. Thus, a hawk might suggest that the 'stinger' was more responsible for the settlement

86 *Financial Times*, 7 July 1988, p.3.

87 *The New York Times*, 25 January 1983, p.10.

88 *The Washington Post*, 15 April 1988, p.1; R.Klass, *op.cit.*, p.923; G.R.Berridge, *op.cit.*, p.57. In four agreements: Pakistan and Afghanistan agreed not to interfere in each others' affairs; the superpowers agreed not to interfere and committed to urge others likewise; Pakistan and Afghanistan settled conditions for the voluntary return of refugees; and it was agreed that 'foreign troops' would be withdrawn between 15 May 1988 and 14 February 1989.

89 *The Washington Post*, 30 March 1983, p.18; according to *The Chicago Tribune*, 11 December 1987, p.3, and *The New York Times* 11 December 1987 p.17, in addition to the mainstream talks Cordovez had secret meetings with deposed King Mohammed Zahir Shah and *mujihidin* leaders.

90 *The New York Times*, 24 November 1988, p.7.

91 *Financial Times*, 14 June 1984, p.3.

than the UN Secretary-General. For the Soviet Union, internal changes and the wish by Gorbachev to improve relations with the West provided the impetus for a role by the UN. The Secretary-General was a facilitator through which these historical changes could have practical effect. Pérez de Cuéllar later suggested that "the UN role was essential but not decisive."⁹² In addition, in the midst of the civil war which continued to afflict the country, the UN and its Secretary-General were moving towards the 'new era' of domestic peace-building and reconstruction. In late 1989 the General Assembly adopted a resolution which asked the Secretary-General to "facilitate...a comprehensive political settlement."⁹³

Hostages held in Lebanon

The Office of Secretary-General has been involved in efforts to release prisoners or hostages on a number of occasions.⁹⁴ As with other UN activities this can involve mediation, facilitation, and face-saving. The humanitarian dimension is thought to make this area of activity particularly suitable for the Secretary-General. The Office is often the channel through which powerful forces are at work, and this was partly the case in Lebanon, through the influence of the US. However, there is also evidence that the hostages had simply outlived their usefulness and that the Secretary-General was a convenient mechanism through which their release could be facilitated.

After other intermediaries - in particular the Swiss foreign minister - failed to achieve the release the hostages, the Secretary-General began his efforts without any formal authorization from either the Council or Assembly. Special envoy Giandomenico Picco was sent to the area to negotiate with the groups and governments involved. Syria exerted considerable influence in Lebanon and Iran held sway over the fundamentalist groups in the territory which held the prisoners, in particular Hezbollah and Islamic Jihad. Among their objectives was the release of Islamic brothers-in-arms held in Israel or by its client militia, the South Lebanon Army. Israel had its own reasons for

92 J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.153.

93 General Assembly Resolution 44/15, 1 November 1989, paragraph 10.

94 The first prominent example was the celebrated case of Hammarskjöld assisting in the release of US pilots from China following the Korean War. This gave rise to the 'Peking formula', whereby the Secretaryship-General creates some measure of distance between itself and the deliberative organs. Waldheim was involved in the successful release of French hostages from Polisario and less successful attempts to secure the release of American hostages in Iran. Pérez de Cuéllar was also to attempt to secure the release of Western hostages in Iraq and Kuwait in 1990-91. In conflict situations the Secretary-General has also been involved in encouraging and facilitating the exchange of prisoners and hostages, for example in Cyprus and during the Iran-Iraq war.

exchanging some of the prisoners it held, in particular to secure the return of seven Israeli prisoners held in Lebanon. However, the influence of the US in encouraging Israel to release some of the 375 shiite 'prisoners' was important to the freedom of many Western 'hostages'.⁹⁵ Pérez de Cuéllar and Picco were therefore important in encouraging the various parties to bring their influence to bear upon the situation, and in representing the public face of the releases.

During 1991, whilst Picco was spending considerable time in the Middle East, Pérez de Cuéllar presented proposals to Iran's representative to the UN, Kamal Kharrazi. The Secretary-General stated that he enjoyed the personal confidence of all the actors as an impartial third party.⁹⁶ Kharrazi suggested that "[t]he Secretary-General came up with a package that took into account that the Lebanese people wanted their own detainees, the Western countries wanted their hostages and the Israelis wanted their servicemen. It was a step-by-step approach."⁹⁷ Pérez de Cuéllar was evidently able to help convince Iran that its post-Gulf War position in the region and its relations with the West would be served by using its influence to hasten the release of the Israelis and Western captives. Similarly, he urged Israel to release the Islamic prisoners, realizing that a reciprocal arrangement would appear the most honourable. Given that the UN Secretary-General did not enjoy a particularly favourable relationship with Israel, this involved urging the US to exert pressure upon Israel. The US clearly took the Secretary-General's plan seriously, for Pérez de Cuéllar had a secret line to President Bush via National Security adviser Brent Scowcroft; apparently the two had meetings which were not even known to US Ambassador to the UN Thomas Pickering.⁹⁸

When Briton John McCarthy was released by Islamic Jihad in August 1991 he held a confidential message to Pérez de Cuéllar from his captors: "[t]hey repeated again and again that I must not let anyone but de Cuéllar see the letter."⁹⁹ McCarthy was certain that "these people wanted this business concluded, and that they had a huge trust in Pérez de Cuéllar as a man of honour." Surely Islamic Jihad also savoured the prospect of being taken seriously and raising their profile, both inevitable results of having John McCarthy as their envoy to the UN. Indeed, he later

95 *The Washington Post*, 14 August 1991, p.1.

96 *The New York Times*, 6 December 1991, p.1.

97 *Ibid.*

98 *The Los Angeles Times*, 8 December 1991, p.1; *The New York Times*, 6 December 1991, p.1.

99 J.McCarthy and J.Morrell, *Some Other Rainbow*, London, Corgi Books, 1994, p.467.

was to realise that his role was "little more than a publicity stunt."¹⁰⁰

The final chapter was signalled by a meeting between Pérez de Cuéllar and President Hashemi Rafsanjani in Teheran on 11 September 1991. The President promised that Iran would use its influence to end the plight of the hostages, and by the end of the year this was achieved.¹⁰¹ The hostages outlived their usefulness, and after the Oliver North controversies their captors and Iran realised they could not be used as bargaining chips on substantive issues. Although all sides denied the existence of deals there were inevitably rumours. The releases were linked by some to the speeding up of compensation to Iran resulting from the US impounding of Iranian assets as a result of the events of 1979-1980, and in December 1991 the Secretary-General issued a report which blamed Iraq for starting the Iran-Iraq war.¹⁰² Whilst the full story may never be known, it is clear that the constitutional authority and the personal reputations of Pérez de Cuéllar and Picco encouraged and facilitated the release of the hostages.

Western Sahara

Since Spain ceded Western Sahara to Mauritania and Morocco in November 1975, Morocco's occupation of the territory has been a source of tension with Algeria and the secessionary Polisario movement. Polisario proclaimed the independence of the territory as the Sahrawi Arab Democratic Republic, and it was the beneficiary of Algerian support. Serious fighting was frequent in Polisario's war of national liberation, and a number of external actors recognised the need for a referendum on the future of the territory and had sympathy for the group's cause. US policy towards the issue has been described as "somewhat ambivalent"; the West generally desired stability in the area and this was likely to result from a settlement of the conflict and improved relations between Algeria and Morocco.¹⁰³ The US had, however, come to accept *de facto* Moroccan administration and was providing the moderate and secular government with military support. This was later to provide a valuable source of leverage. There were likewise reports that the Soviet Union and Libya, in

100 *Ibid.*, p.542. B.Rivlin wrote that "the release of the hostages was due not to any powers, magical or otherwise, inherent in the office of Secretary-General, but rather to a chain of international political factors." 'The Changing International Political Climate and the Secretary-General', in B.Rivlin and L.Gordenker ed., *op.cit.*, p.15.

101 *The New York Times*, 6 December 1991, p.1.

102 *Ibid.*

103 Y.H.Zoubir, 'The Western Sahara Conflict: Regional and International Dimensions', *The Journal of Modern African Studies*, vol.28, no.2, 1990, p.232.

addition to Algeria, were supporting Polisario.¹⁰⁴

In 1975 the General Assembly passed a resolution affirming the right of the people there to self-determination and asked the Secretary-General to "make the necessary arrangements for the supervision of this."¹⁰⁵ For a decade there was little movement. In 1985 an Assembly resolution called for direct negotiations between the parties, and the Secretary-General and the Organisation of African Unity were involved in encouraging the process. However, King Hassan of Morocco would not communicate with Polisario, and although he acknowledged in principle the need for a referendum many felt that he looked upon it as a means of confirming Moroccan rule.¹⁰⁶ Furthermore, Polisario would not accept a referendum under the 'occupation' of Morocco. A number of factors came together towards 1988 making timely the proposal of a plan by Pérez de Cuéllar. Improved relations at the superpower level resulted in a decrease of superpower support to both sides, an increase of pressure by the US upon Morocco to accept a referendum, and a consensus amongst the Security Council to bring the conflict to an end. Relations between Algeria and Morocco were improving, and more than seventy countries and the Organisation of African Unity had recognised Polisario as the representative of the territory.¹⁰⁷ In addition, the Secretary-General was a suitable intermediary between Morocco and Polisario. After presenting his findings to the Council the Secretary-General was requested to "transmit to it as soon as possible a report on the holding of a referendum for self-determination."¹⁰⁸ Pérez de Cuéllar broke the deadlock on the ground with a plan which envisaged that Morocco withdraw two-thirds of the estimated 150 000 troops from the territory and confine the remainder to barracks during the UN supervised referendum.¹⁰⁹ A further point of importance was the criteria upon which the right to vote would be based.

The proposals were accepted in principle, and once again the Secretary-General managed to cajole interested parties towards a settlement. However, the referendum did not occur during Pérez de Cuéllar's tenure and fighting flared-up. It appeared that - in contrast to certain other conflicts - external actors did not have sufficient weight or will to push the parties to compromise and evidently Morocco was still reluctant to hold the referendum. The Secretary-General's proposals still

104 *The New York Times*, 11 June 1983, p.3.

105 General Assembly Resolution 3458 A(XXX) 10 December 1975.

106 Y.H.Zoubir, *op.cit.*, p.242.

107 *The New York Times*, 1 January 1992, p.2.

108 Security Council Resolution 621, 20 September 1988.

109 *The New York Times*, 31 August 1988, p.7; *The Washington Post*, 12 August 1988, p.23.

held and were accepted by the Security Council at the end of Pérez de Cuéllar's tenure.¹¹⁰ The manner in which the Western Sahara conflict was not overtly driven by Cold War dynamics - and more by the politics of a secular struggle against Islam in a North African context - may help to explain why the end of the Cold War did not enable the Secretary-General to facilitate a solution at that time.

Cyprus

Pérez de Cuéllar inherited a frustrating and tedious "treadmill for diplomacy".¹¹¹ In the early 1980s there was "a sentiment growing of 'a plague on both their houses'": little or no blood was being spilled, there appeared to be no impending crisis, the communities were relatively comfortable, and the situation was increasingly deadlocked.¹¹² During Pérez de Cuéllar's tenure the catalogue of disappointments continued. Moreover, compared to Waldheim, he did not have as many opportunities to involve his Office in low-level peace-keeping and peacemaking efforts because of the *de facto* partition which had evolved.

Pérez de Cuéllar was intimate with the details of this issue from his work in Cyprus during the 1970s.¹¹³ Nevertheless, his personal skill and reputation could not overcome the entrenched, and sometimes intransigent, positions of the parties. This was apparently worsened by the Greek efforts to further internationalise the issue, which had the result of hardening the position of the Turkish Cypriots. The Security Council requested, on a regular basis, that the Secretary-General "continue his mission of good-offices."¹¹⁴ In 1983 Pérez de Cuéllar attempted to restart talks by introducing 'three indicators' which sought to establish parameters for negotiation.¹¹⁵ However, these efforts were overtaken by the Turkish Cypriot unilateral declaration of independence in November. As their leader explained, "[t]he way to make the world face reality was to assert our right of self-determination and declare our Statehood. Only then would the world realise that two nations lived

110 Security Council Resolution 691, 6 May 1991.

111 A.J.R.Groom, 'Cyprus, Greece and Turkey. A Treadmill for Diplomacy', in J.T.A.Koumoulides ed., *Cyprus in Transition 1960-1985*, London, Trigraph, 1986.

112 *Ibid.*, p.133.

113 For example, in January 1977 when Archbishop Makarios and Rauf Denktash met in person for the first time in 15 years it was partly the result of Pérez de Cuéllar's efforts, and he was present at the meeting, *The Washington Post*, 28 January 1977, p.1.

114 Security Council Resolution 510, 15 June 1982; the same every six months afterwards.

115 *Financial Times*, 16 November 1983, p.19.

in Cyprus and that the Greek Cypriots had no mandate to speak for the Turkish Cypriots."¹¹⁶ This solidified the Turkish defended northern enclave and was met with wide condemnation. However, it did have the effect of forcing the Greek Cypriot's hand somewhat and the following year Pérez de Cuéllar judged that progress was possible.

The Secretary-General was still working on the basis of a bicomunal federal framework with certain shared central institutions, which was established in principle in the 1970s. On 16 March 1984 Pérez de Cuéllar gave each party a five-point paper involving confidence-building measures, ideas for the development of a governmental structure, and territorial adjustments. On the basis of these, 'proximity talks' began in September 1984 in New York. Progress was made on a number of issues under Pérez de Cuéllar's auspices, and a package arrangement was worked out.¹¹⁷ His formula involved a reduction of Turkish Cypriot territory down to 29 per cent of the island and agreement on a bizonal, bicomunal federation, with the withdrawal of a proportion of Turkish troops, a bicameral legislature and a Greek Cypriot President.¹¹⁸ On the basis of apparent agreement the Secretary-General scheduled a summit to publicly conclude the new arrangements. The proximity talks were handled by Pérez de Cuéllar - involving creative mediation - and a summit was subsequently planned for January 1985. The role of outside parties was important, but not decisive. The US and Britain were, in particular, keen to prevent serious conflict between two Nato members, and both supported the UN effort.¹¹⁹ Pérez de Cuéllar reportedly required US pressure upon Turkey to encourage Denktash to make concessions.¹²⁰ Indeed, according to one analyst, the January 1985 summit "resulted in large part from an important reversal of US policy toward the Cyprus problem."¹²¹ He suggested that the two sides were brought together by Congressional pressure and a letter in November 1984 from President Reagan to Turkish officials, urging Turkey and the Turkish Cypriots to make concessions.¹²²

Pérez de Cuéllar played an important part in arranging the first face-to-face meeting between Kyprianou and Denktash in six years. However, the summit was yet another disappointment.

116 R.R.Denktash, *The Cyprus Triangle*, London, K.Rustem & Brothers, 1988, p.117. Also P.Oberling, *Negotiating for Survival. The Turkish Cypriot Quest for a Solution to the Cyprus Problem*, Princeton, Aldington Press, 1991, p.16.

117 *The Washington Post*, 13 December 1984, p.21.

118 *The New York Times*, 21 December 1984, p.21.

119 *The New York Times*, 26 February 1985, p.2.

120 *The Financial Times*, 23 January 1985, p.2; *The New York Times*, 26 February 1985, p.2.

121 L.H.Bruce, 'Cyprus: A Last Chance', *Foreign Policy*, no.58, Spring 1985, p.115.

122 *Ibid.*

Denktash was under the impression - apparently with the Secretary-General - that the summit was essentially to formally agree upon the 'package' accepted during the proximity talks in 1984. However, it appears that "Mr. Kyprianou made it clear that he came to the summit to negotiate."¹²³ There is evidence that there may have been some confusion in the differing expectations of the two leaders, but the failure has also been attributed to last-minute pressure from Athens.¹²⁴

After the summit collapsed Denktash realised that he had conceded too much and seemed relieved that he would not be held to what he had offered. Furthermore, he felt that he might not make such concessions again.¹²⁵ Such a setback was typical of the history of this issue and the volatility of the parties. Pérez de Cuéllar could bring them together but the will of the communities, and the pressure of external actors, was not great enough to take advantage of the opportunity for progress. Kyprianou complained - correctly - that the Secretary-General did not have the necessary leverage to bring to bear.¹²⁶

Even with the lessening of East-West tensions and the declining threat to Nato, the increasing climate of the cooperation within the UN and the international community could not induce substantive progress during Pérez de Cuéllar's incumbency. The Secretary-General continued to mediate, although it seemed that a solution was possible only through significant outside pressure; the parties themselves, and in particular the Turkish community, were not very uncomfortable with the situation as it stood. Pérez de Cuéllar presented a 'Draft Framework Agreement' in March 1986,¹²⁷ and brought Denktash and the new Greek Cypriot leader Vassiliou together in August 1988 in Geneva. This led to talks later that year, and in 1989 and 1990. Pérez de Cuéllar continued to produce 'ideas' to little avail. Furthermore, the relationship between the Secretary-General and Denktash became strained from July 1989; Denktash believed that Pérez de Cuéllar had overstepped his authority through one particular 'set of ideas'.¹²⁸ This perception may well have derived from the successful efforts of the Greek Cypriots and Greece to internationalise the issue and to consolidate opinion at the UN for its cause. The Office of Secretary-General was consequently

123 Z.M.Necatigil, *The Cyprus Question and the Turkish Position in International Law*, Oxford, Oxford University Press, 1989, p.252.

124 P.Oberling, *op.cit.*, p.17; Z.M.Necatigil, *op.cit.*, p.256.

125 R.Denktash, *op.cit.*, p.142.

126 *The New York Times*, 3 March 1985, p.8.

127 *The Washington Post*, 19 September 1986, p.24.

128 P.Oberling, *op.cit.*, pp.31 and 39.

tainted and its credibility with the Turkish side jeopardised. The peace-keeping force meanwhile continued its work in crisis diffusion and truce maintenance, but perhaps helped reduce the urgency of the situation.¹²⁹ Greek President Papandreou and Turkish premier Ozal met at the Swiss resort of Davos in January 1988, giving hope of a wider political agreement necessary for settlement. Unfortunately the interests at stake continued to defy settlement.

Namibia-Angola

The course of developments in south western Africa was strongly connected to developments outside, and especially the attitude of the US. A number of levels of patron-client relationships existed and provided the opportunity for leverage by outside actors. In the early 1980s Reagan and Thatchers' New Right agenda of 'constructive engagement' with South Africa involved alleviating pressure from Pretoria and steering clear of UN mediation. Berridge has suggested that "[h]ad it not been for the election of Ronald Reagan, Secretariat efforts, spearheaded by Brian Urquhart, could have been especially fruitful in late 1980 and early 1981."¹³⁰ Whilst the US was indeed the decisive influence upon South Africa, South Africa itself had clearly rejected a substantive role for the UN many years before Reagan's election. Frequent attacks upon South Africa's domestic and regional practices and the support of such groups as the South West Africa Peoples' Organisation and the ANC by the General Assembly had undermined the Secretary-General's mediation efforts and the Assembly was out of step with the balance of power in the Security Council. Whilst the Office had managed to create some independence from the deliberative organs in cases such as Cambodia, Afghanistan and Iran-Iraq, the history of hostility between South Africa and the UN majority was simply too great for the Secretary-General to overcome. This was compounded by the US attitude. Initially, the Reagan administration was wary of UN involvement, and even later when the attitude improved the State Department wished to keep the thrust of the mediation under Chester Crocker and US auspices. Nevertheless, when the December 1988 accords were signed it was with an element of UN facilitation and the Organisation was to play a leading role in the reconstruction of Angola and Namibia.

In 1970 the General Assembly declared that the occupation by South Africa of Namibia was illegal and declared support for SWAPO in 1973. The general framework for the decolonisation of

129 A.James, 'The UN force in Cyprus', *International Affairs*, vol.64, no.3, 1989, p.499.

130 G.R.Berridge, *Return to the UN*, p.82.

Namibia was agreed amongst the Western Contact Group - Canada, Britain, France, Germany and the US - in its work towards the end of the 1970s, and embodied in Security Council Resolution 435.¹³¹ However, the position of South Africa under P.W.Botha hardened, SWAPO and the frontline states became impatient, and with Reagan came a more conciliatory attitude toward South Africa. Indeed, the new administration saw the question of Namibia in the context of Soviet-sponsored aggression throughout southern Africa, and viewed South Africa as a bastion of capitalism. Therefore, the US administration felt that the decolonisation of Namibia should be linked to Soviet or communist concessions, especially in Angola. Subsequently, "their opposition led to the *de facto* end of the joint Western effort, which became essentially a US diplomatic venture after 1982."¹³² The Security Council continued to condemn South Africa's occupation of Namibia and unrealistically mandated the Secretary-General to "undertake consultations with a view to securing the speedy implementation of Security Council resolution 435."¹³³

The approach of Chester Crocker and 'constructive engagement' was that of linkage. As Thatcher recalled, in 1980 "I knew that the Americans would not press the South Africans to withdraw from Namibia unless the 20 000 or so Cubans also withdraw from neighbouring Angola. What is more, I privately thought they were fully justified in asserting this linkage."¹³⁴ The Botha government appeared to be "emboldened by the more sympathetic policy of the Reagan administration," launching military attacks against Angola. Support for the US-sponsored rebel group UNITA increased, as did Soviet support for the Angolan government: "the two superpowers supplied the means for the conflict to continue and escalate to new levels of intensity."¹³⁵ Simultaneously, Crocker was chairing talks which sought to assure South Africa's withdrawal and security, an eventual end to South African and US support of UNITA, Cuban withdrawal, and guarantees against outside aggression. He sought to employ face-saving tactics and the self interest of the parties.

Pérez de Cuéllar was out of touch with the realities of the situation by rejecting US efforts to link the withdrawal of Cuba from Angola with that of South Africa from Namibia.¹³⁶ This, in addition to the South African and American attitude to the UN, ruled out a substantive role for the Secretary-

131 Security Council Resolution 435, 29 September 1978 established the UN Transition Assistance Group.

132 R.S.Jaster, *The 1988 Peace Accords and the Future of South-Western Africa*, Adelphi Papers 253, International Institute for Strategic Studies, Autumn 1990, p.13. Also V.Jabri, *Mediating Conflict. Decision-making and Western Intervention in Namibia*, Manchester, Manchester University Press, 1990.

133 Security Council Resolution 532, 31 May 1983.

134 M.Thatcher, *op.cit.*, p.157.

135 R.S.Jaster, *op.cit.*, p.15.

136 *The New York Times*, 9 February 1983, p.8.

General. He did make the first visit to Namibia by a Secretary-General in 1983,¹³⁷ and visited South Africa in 1988 in preparation for a settlement. However, the latter visit - the first since 1983 - was largely the result of progress made by Crocker, and was primarily to assure South Africa of the impartiality of the UN in the transition of Namibia to independence.¹³⁸ On that occasion Pérez de Cuéllar made clear that it would not be proper for him to speak to Cuba on the subject of its withdrawal from Angola, or to involve himself in the next round of talks between Angola, South Africa, Cuba and the US. The Security Council was still demanding the unilateral withdrawal of South Africa, and the Secretary-General's status was conditioned by this.¹³⁹ It was clear that the US, whilst hardly an impartial mediator, could exert leverage upon all the parties, and help give rise to a settlement which was basically acceptable to all.¹⁴⁰ The Angolan government in fact rejected US mediation in 1986 - partly as a result of substantial US aid to UNITA - but was forced back to the table by the military realities.¹⁴¹ The Secretary-General's Special Representative, Martti Ahtisaari, played a key role in negotiating in the wake of Crocker's momentum and informally building on the work of the US whilst carefully trying not to appear out of step with UN declarations.¹⁴²

By mid-1988 military stalemate and war weariness on the ground coincided with Soviet 'new thinking' and the general climate of cooperation between the superpowers.¹⁴³ The "superpower midwifery" of the US,¹⁴⁴ and the realisation by Angola and the Soviet Union that this was backed-up by superior firepower,¹⁴⁵ provided the momentum which resulted in the 1988 accords. In turn, Soviet diplomatic pressure upon Angola and Cuba to induce flexibility was significant.¹⁴⁶

137 *The Washington Post*, 25 August 1983, p.1.

138 *The Washington Post*, 23 September 1988, p.35.

139 Security Council Resolution 602, 25 November 1987.

140 See V.Tome, 'Maintaining Credibility as a Partial Mediator: United States Mediation in Southern Africa, 1981-1988', *Negotiation Journal*, July 1992.

141 *Ibid.*, pp.273 and 287 and C.A.Crocker, *High Noon in Southern Africa. Making Peace in a Rough Neighborhood*, New York, W.W.Norton and Company, 1992, p.335.

142 C.A.Crocker, *op.cit.*, pp.336-337.

143 For example see G.R.Berridge, 'Diplomacy and the Angolan/Namibian accords', *International Affairs*, vol.65, no.3, 1989, p.465.

144 J.E.Spence, 'A Deal for Southern Africa?', *The World Today*, vol.45, May 1989, p.80. For C.W.Freeman Jr., the US was the "indispensable mediator of peace", 'The Angola/Namibia Accords', *Foreign Affairs*, vol.68, no.3, Summer 1989, p.126.

145 R.Weitz, 'The Reagan Doctrine Defeated Moscow in Angola', *Orbis. A Journal of World Affairs*, vol.36, no.1, Winter 1992.

146 *The New York Times*, 9 August 1988, p.1. Crocker had contact with Deputy Foreign Minister Anatoly Adamshin, *The Los Angeles Times*, 23 December 1988, p.4.

Crocker was largely correct in stating that "[i]t has been a case study of superpower effort to support the resolutions of regional conflicts."¹⁴⁷ The UN role was then one of implementation; assisting in the transition of Namibia to independence, monitoring the withdrawal of Cuban troops, and legitimising the guarantees for the settlement. This was in itself an achievement. Pérez de Cuéllar had gone some way towards mending relations with South Africa. Furthermore, when violence threatened the accords in 1989 Pérez de Cuéllar was at the forefront - with undersecretary-general Marrack Goulding - of efforts to investigate the problems and report to the Council.¹⁴⁸

Iran-Iraq War

In his first tenure Pérez de Cuéllar's involvement in the Iran-Iraq war demonstrated his understanding of the constraints inherent in the international environment and an entrenched conflict. Similarly, when the military circumstances of the parties and the diplomatic climate were later to change, he urged the Security Council into action. The Secretary-General's efforts may be divided into four interlinked areas: his attempts to limit the targets and destructiveness of the war, urging the Council to adopt the cease-fire resolution, mediating the acceptance and implementation of the resolution, and after the cease-fire mediating the modalities of the peace-keeping operation. This was in the context of - and partly responding to - regional and international changes.

The 1979 revolution in Iran had upset the regional balance. Saddam Hussein believed that there existed the opportunity to quickly establish regional hegemony and to deter or preempt a future Iranian attack.¹⁴⁹ Years of territorial and religious differences were thrown into crisis by the fundamentalist upheaval. For Iraq there was a mixture of fear and opportunity: the time to strike "was unlikely to be better than in 1980, before the revolution put down its roots, while its forces were in disarray, and while its relationship with both superpowers and most regional states were at best strained."¹⁵⁰

The reaction of the international community was somewhat muted and the West perhaps even gave tacit approval to Iraq's attack. As Brian Urquhart observed, the Security Council behaved in

147 *The Washington Post*, 14 December 1988, p.1. For ten years the Security Council had never officially recognised 'linkage', thus contributing to the constraints of the Secretaryship-General. Nevertheless, it welcomed the accords by Resolution 628 of 16 January 1989.

148 *The New York Times*, 4 April 1989, p.1; *The Chicago Tribune*, 9 April 1989, p.3.

149 P.Robbins, 'Iraq in the Gulf War: Objectives, Strategies and Problems,' in H.W.Maull and O.Pick, *The Gulf War. Regional and International Dimensions*, London, Pinter, 1989, p.46.

150 S.Chubin, 'Iran and the War: from Stalemate to Ceasefire', in H.W.Maull and O.Pick, *op.cit.*, p.6.

a way which would have made the writers of the Charter turn in their graves.¹⁵¹ Security Council Resolution 479 referred lamely to "the situation between Iran and Iraq", called upon the countries to "refrain immediately from any further use of force" and casually supported the "efforts of the Secretary-General and the offer of his good offices."¹⁵² As the victim of aggression, Iran felt that these non-mandatory words were far too even-handed. However, the West feared the prospect of a fundamentalist hegemony in a strategically important area and the collapse of the Shah's regime "effectively demolished a decade of US strategy in the Persian Gulf region."¹⁵³ Furthermore, the US and the Soviet Union appeared to be in tacit agreement that a major change in the region's power balance or direct intervention by either superpower was undesirable.¹⁵⁴ Subsequently, in the context of the general problems and inadequacies of the UN before 1987-1988, the Security Council was not disposed to take positive action as long as the flow of oil was not interrupted. There was an air of bias against Iran, from which Pérez de Cuéllar struggled to dissociate himself.

Whilst Iraq had superiority in weaponry and organisation, Iran's soldiers were motivated and plentiful. The war settled into an entrenched and bitter struggle, lurching from stalemate to advantage for one side or the other. The war was characterised by the targeting of civilians and cities, the use of chemical weapons, and the targeting of other Gulf states in the 'tanker war' in 1986.¹⁵⁵ Whilst both Iran and Iraq favoured a military solution and harboured hope of victory, and while the Council remained indifferent, efforts by Pérez de Cuéllar were stymied. He followed the two-track approach that Olof Palme had introduced as Waldheim's personal representative between 1980 and 1982. This involved seeking to end the conflict, but also the cessation of attacks upon civilian areas, the use of chemical weapons, and attacks upon non-belligerent shipping and aviation.¹⁵⁶ In March 1985 Pérez de Cuéllar met with both sides separately in New York and presented his 'eight-point plan', embracing these objectives.¹⁵⁷ He subsequently presented his proposals to the Security Council and then visited the region in April. In ten days he visited Iran,

151 Interview between Urquhart and Leon Gordenker, 30 May 1984, Dag Hammarskjöld Library, UN Headquarters, Oral History Programme (02)/U79.

152 Security Council Resolution 479, 28 September 1980, paragraphs 1 and 4. Resolution 514, 12 July 1982 used stronger language but on largely the same terms. In theory the Council could and should have taken mandatory action under Chapter VII of the UN Charter.

153 G.Sick, 'The United States and the Iran-Iraq War', in H.W.Maull and O.Pick, *op.cit.*, p.129.

154 H.Hubel, 'The Soviet Union and the Iran-Iraq War', in H.W.Maull and O.Pick, *op.cit.*, p.140.

155 See D.Segal and E.Karsh, 'Lessons of the Iran-Iraq War', *Orbis*, Summer 1989; D.Segal, 'The Iran-Iraq War: A Military Analysis', *Foreign Affairs*, vol.66, no.5, 1988.

156 C.R.Hume, 'Pérez de Cuéllar and the Iran-Iraq War', *Negotiation Journal*, April 1992, pp.176-177.

157 *Ibid.*

Iraq and Saudi Arabia, Iraq's largest financial backer for the war. Apparently, the Secretary-General made his visits conditional upon their consent to discuss all aspects of the conflict, and he reportedly received such assurances.¹⁵⁸ Pérez de Cuéllar was essentially the only channel of communication between the two countries and he had won the confidence of both the protagonists.¹⁵⁹ Indeed, Iran had rejected the resolutions of the Council, perhaps correctly perceiving them to be politicised, yet was prepared to receive the Secretary-General.

In April 1985 Pérez de Cuéllar made no progress on a cease-fire so continued efforts to limit fighting. He had, in 1984 and 1985, sent observers to both countries to investigate the use of chemical weapons. In June 1984 he brokered a moratorium on attacks against cities, which held for six months, and in early 1985 he sent a team of experts to both countries to investigate the treatment of prisoners of war.¹⁶⁰ These efforts to alleviate suffering and to manage the conflict were of the greatest significance, in a context where substantive progress towards a cease-fire was not possible. Boudreau suggested that "[t]hrough these initiatives, the Secretary-General created, in effect, a humanitarian regime in the midst of a savage and bloody war."¹⁶¹

By January 1987 the political climate of the Security Council was improving and Pérez de Cuéllar urged the Permanent members to coordinate informally their influence with him to find a settlement. He called publicly for the Permanent Five to act and also "arranged" for them to meet informally.¹⁶² For the next six months representatives of the Permanent Members discussed issues for the most part suggested by Pérez de Cuéllar: responsibility for the war, protection of merchant shipping, chemical weapons, the supply of weapons, a cease-fire and withdrawal of troops, and reparations.¹⁶³ The Permanent members finally worked out a mandatory cease-fire resolution

158 *The New York Times*, 1 April 1985, p.9; *The New York Times*, 8 April 1985, p.9.

159 Brian Urquhart, interviewed by Leon Gordenker, 30 May 1984, Dag Hammarskjöld Library, UN Headquarters, Oral History Programme (02)/U79.

160 *The New York Times*, 8 April 1985, p.9; T.E.Boudreau, *Sheathing the Sword*, pp.91-93.

161 *Ibid.*, p.92. Security Council Resolution 540, 31 October 1983, recalled the report of the Secretary-General on civilian damage and appreciated a "factual, balanced and objective account." Subsequent to this, Resolution 582, 24 February 1986 deplored the bombing of civilian areas. On the basis of a further report by Pérez de Cuéllar, Security Council Resolution 612, 9 May 1988, condemned the continued use of chemical weapons.

162 J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.163; C.R.Hume, *op.cit.*, p.178.

163 C.R.Hume, *ibid.*

which represented a juncture in the Council approach to this conflict and in a wider sense.¹⁶⁴ Resolution 598, acting under Articles 39 and 40 of the Charter, demanded that Iran and Iraq immediately observe a cease-fire and withdraw forces to recognised boundaries. It also authorised an inquiry into responsibility for the war, and gave the Secretary-General a clear mandate to negotiate the implementation of the resolution. His role thereafter theoretically had the backing of Chapter VII Security Council action.

In September 1987 Pérez de Cuéllar made a four day visit to the Gulf in an effort to gain compliance with the cease-fire resolution, which Iran was resisting.¹⁶⁵ Iran placed great emphasis on the inquiry into responsibility for the conflict, wishing this judgement - against Iraq - be reached before cease-fire and withdrawal. Iraq maintained that the resolution should be implemented according to the order of its paragraphs, beginning with the cease-fire. Pérez de Cuéllar's efforts in the Gulf and in trying to push the Security Council into action to back up Resolution 598 did not have much impact. Serious fighting continued, including the use of chemical weapons and the bombing of cities. Iraq had taken the military advantage, and it was now Iran which sought a way out of the conflict. With a loss of morale and a number of serious battlefield blows, Rafsanjani needed to settle. The accidental loss on 3 July 1988 of an Iranian civilian airliner to US forces provided the opportunity to announce compliance with the cease-fire.¹⁶⁶ It should be noted that Iran expressed its intention to Pérez de Cuéllar.¹⁶⁷

Following the cease-fire, Iran and Iraq met officially under Pérez de Cuéllar, in proximity, in Geneva.¹⁶⁸ In effect, the Secretary-General "renegotiated" the Security Council cease-fire resolution with the parties, perhaps to remove the political taint.¹⁶⁹ He told Iranian Foreign Minister Akbar Valayeti and Iraqi Foreign Minister Tarik Aziz of his proposals for a timetable for

164 Security Council Resolution 598, 20 July 1987. In July US special envoy Vernon Walters was in Moscow seeking support for a new US bid to settle the war under UN auspices. Pérez de Cuéllar had also been in Moscow, and the Soviet attitude appeared to favour UN mediation rather than US pressure. Even with declining Cold War tensions, therefore, the UN had a role to play in making direct superpower intervention unnecessary. *The Washington Post*, 2 July 1987, p.23. Pérez de Cuéllar wrote of dramatic and profound change in 1987, 'Reflecting on the Past and Contemplating the Future', p.161.

165 *The Los Angeles Times*, 16 September 1987, p.23; C.R.Hume, *op.cit.*, pp.180-181. According to one report, Secretary of State George Shultz said the Security Council wanted the two sides to "sit down with the Secretary-General." *The Chicago Tribune*, 22 July 1987, p.6.

166 F.Halliday, 'Iran-Iraq: the Uncertainties of Peace', *The World Today*, vol.44, no.10, 1988.

167 *Newsday*, 19 July 1988, p.5.

168 *Newsday*, 26 August 1988, p.7.

169 Interview with James Sutterlin, a former aide of Pérez de Cuéllar, 17 June 1994, New York. Apparently Pérez de Cuéllar felt that his involvement in the Iran-Iran and Central American conflicts were his two greatest achievements.

negotiations on the exchange of prisoners, the withdrawal of troops, and an investigation into responsibility. Pérez de Cuéllar shortly appointed Jan Eliasson as his personal representative and the Secretary-General continued to enjoy the confidence of the parties.¹⁷⁰ On 9 August the Security Council adopted Resolution 619, setting up the UN Iran/Iraq Military Observer Group. Although progress was slow, the two foreign ministers met in person under Pérez de Cuéllar. However, it was Iraq's invasion of Kuwait which appeared finally to result in a full withdrawal from Iran. Nevertheless, in his relationship with the parties, and his nudging of the Security Council, the Secretary-General helped to hasten the settlement.

Central America: El Salvador and Nicaragua

Under the Reagan administration US unilateralism and confrontationalism was perhaps most evident towards Central American. The US has a long history of hegemony and protectiveness over the southern Americas, based on material and security interests. Chomsky, although hardly an impartial observer, suggested that "[n]o region of the world has been more subject to US influence over a long period than Central America and the Caribbean."¹⁷¹ The upsurge of Cold War proxy confrontation in the Third World from the 1970s and the ascendancy of the New Right in Washington provided the pretext for a rigorous defence of US interests around the world. Pro-western or capitalist regimes and insurgencies - even those of a totalitarian nature - were deemed worthy of support against the forces of communism, and Central America was a stark example of this. Indeed, Nicaragua was a test case for the 'Reagan doctrine'.¹⁷² So confrontational and unapologetic was US policy in this case that it was found by the International Court of Justice, for its support of right-wing contra rebels, to have acted "in breach of its obligation under customary international law not to intervene in the affairs of another state."¹⁷³

170 C.R.Saivetz, *The Soviet Union and the Gulf in the 1980s*, Colorado, Westview Press, 1989, p.107.

171 N.Chomsky, *Turning the Tide. US Intervention in Central America and the Struggle for Peace*, Boston, Pluto Press, 1985, p.4. In a similar critical vein, J.Pearce, *Under the Eagle. US Intervention in Central America and the Caribbean*, London, Latin American Bureau, 1982; H.Smith, *Nicaragua. Self-determination and Survival*, London, Pluto Press, 1993; and K.Roberts, 'Bullying and Bargaining. The United States, Nicaragua, and Conflict Resolution in Central America', *International Security*, vol.15, no.2, Fall 1990.

172 For example P.Kornbluh, 'The Covert War', in T.W.Walker ed., *Reagan Versus the Sandinistas. The Undeclared War on Nicaragua*, Boulder, Colorado, Westview Press, 1987, p.21.

173 Cited in H.W.Briggs, A.D'Amato, R.Falk, T.M.Falk et.al., 'Appraisals of the ICJ's Decision: Nicaragua v. United States', *American Journal of International Law*, vol.81, no.1, 1987, p.79.

During the Reagan administration the UN was almost as marginalised from the Central American conflicts as it had been from the Vietnam war. Yet the El Salvadoran settlement at the end of Pérez de Cuéllar's tenure was a victorious parting achievement. It had been another client-patron proxy conflict with indigenous causes and superpower support. Thus, whilst the civil war between the rightist government, supported by the US, and the rebel Farabundo Martí National Liberation Front was largely at a stalemate in 1984,¹⁷⁴ a settlement to the conflict had to wait until international political changes came to bear.

During at least the Reagan period there was little incentive for the government to compromise with the FMLN because of the steady flow of US aid. Similarly, the rebels were the beneficiaries of Soviet aid via the Sandinista government in Nicaragua. Neither side, but especially the government of El Salvador, was interested in serious negotiations whilst a military solution appeared to be possible, and whilst their external sponsors continued to support their efforts. Negotiations subsequently failed during much of the 1980s.

The government of El Salvador wanted the FMLN to disarm and to accept the constitution, an amnesty, and elections. The rebels, however, would not accept the constitution or elections in a climate of oppression. They wanted power-sharing, land reform, a reform of the army and the brutal police, and an investigation of abuses of human rights. By the end of the 1980s certain internal and extraneous developments pushed the parties towards an acceptance of mediation on a more serious basis. The decline of Cold War hostility was decreasing external aid, and in particular the US was increasingly doubtful of the nature of the El Salvadoran practices. The hard-line approach of the Reagan administration had given way to a more flexible policy that could no longer justify supporting a regime associated with atrocities; the murder of six Jesuit priests brought this home. In El Salvador a military stalemate and the realization that external aid was drying up convinced the parties, and most importantly the government, that a negotiated settlement was unavoidable. The new President, Alfredo Cristiani, was also more appropriate to a new, although gradual, air of pragmatism. The military officers under him remained reluctant to give away their power, however.

In November 1989 FMLN leaders contacted the UN and met Pérez de Cuéllar's mediator, Alvaro de Soto, in December.¹⁷⁵ Concerned Central American presidents also invited the UN to take a greater role and in April 1990 Pérez de Cuéllar announced that he would oversee a political

174 T.L.Karl, 'El Salvador's Negotiated Revolution', *Foreign Affairs*, vol.71, no.2, Spring 1992, p.148.

175 *Ibid.*

settlement.¹⁷⁶ Subsequently, Mexico, Colombia, Venezuela, and Spain formed the 'Group of Friends' to assist the Secretary-General's efforts. The two broad strands of the mediation concerned political issues and a cease-fire. The central obstacles appeared to concern the reform of the armed forces, a purge of human rights abusers, and the integration into the army of the FMLN, before genuine reconstruction could be achieved. However, whilst deadlock existed here Alvaro de Soto managed to maintain momentum by the achievement of smaller agreements on human rights and a consensus to place greater emphasis on the role of the Secretary-General and his representative.¹⁷⁷

It was no coincidence that the flexibility on the part of the El Salvadoran government correlated with pressure and a reduction of aid from the US, its chief external sponsor. The US public, Congress, the European Community, the Group of Friends, and Central American presidents had been urging the US to press Cristiani. It was interesting to see how a Cold War patron-client relationship could be modified to exert leverage. Similarly, Soviet pressure and an agreement between the superpowers to push the 'endgame' and Pérez de Cuéllar's role therein were crucial. In the Summer of 1991 Bush and Gorbachev expressed their desire for the Secretary-General to become directly involved, and on 1 August Secretary of State Baker and Soviet Foreign Minister Aleksandr Bessmertnykh wrote a letter to Pérez de Cuéllar asking him to take personal charge.¹⁷⁸ In accepting, Pérez de Cuéllar made it clear that he expected external actors to exert as much leverage as possible and he made specific suggestions to the US and Soviet Union, asking that the superpowers help him "to cut the Gordian knot" facing the peace talks.¹⁷⁹

With the genuine backing of the Security Council - both formally and informally - the key issues could be addressed. Council Resolution 693 was fully supportive of the Secretary-General's efforts and established a UN Observer Mission in El Salvador to monitor all agreements made. After eighteen months of inconclusive and fractured talks Pérez de Cuéllar invited Cristiani and five rebel commanders to New York in mid-September.¹⁸⁰ It was here that the Secretary-General tackled the central problem: instead of the FMLN occupying positions throughout the army, which the government rejected, it would be allowed representation in the new civilian police force. In addition,

176 *Ibid.*, p.154.

177 J.G.Sullivan, 'How Peace Came to El Salvador', *Orbis. A Journal of World Affairs*, vol.38, no.1, 1994, pp.86-87.

178 *The New York Times*, 21 August 1991, p.7.

179 *Ibid.*

180 *The New York Times*, 24 September 1991, p.1.

the National Commission for the Consolidation of Peace, agrarian reforms, and a committee to evaluate the armed forces were agreed. This was in the context of superpower support and pressure. For example, the US pledged a multi-million dollar assistance plan to help Salvadoran soldiers return to civilian life, in response to the government's acceptance to reductions in the army. Pérez de Cuéllar had "revitalised" the negotiations.¹⁸¹

In December 1991 the international community - the EC, the Group of Friends, and the Central American Presidents - and the US channelled their influence into the peace process under the auspices of the Secretary-General. The parties were persuaded to return to New York in the middle of the month for an all-out effort before Pérez de Cuéllar's tenure expired at the end of the year, which would risk upsetting the momentum. The redoubling of US efforts was signified by the presence in New York of Assistant Secretary of State Bernard Aronson with several State Department aides, US ambassador to El Salvador William Walker, and Colonel Mark, head of the US military advisers in El Salvador.¹⁸² The influence of such people behind Pérez de Cuéllar's efforts was crucial.

The El Salvadoran government agreed to purge the officer corps, incorporate former rebels into the police, and embark upon a more reformist agrarian policy. The FMLN dropped its demands for broader socio-economic reform and participation in the army, and accepted the National Commission for the Consolidation of Peace, the Truth Commission, and the UN as the guarantor of security. Together with the constitutional, electoral, and political reforms accepted earlier, an accord was reached. Pérez de Cuéllar delayed his departure from the UN to see the agreement signed, late at night on 31 December 1991; "a dramatic farewell gift."¹⁸³ The historical context - the reversal from a supportive patron-client scenario into superpower leverage through the decline of Cold War hostility - was central to the successful outcome. In addition, the realisation of military stalemate amongst the parties coincided with this external pressure.¹⁸⁴ The conflict was clearly ripe for settlement. However, this should not detract from the creative mediation and momentum provided by Alvaro de Soto and Pérez de Cuéllar in providing an impartial framework for agreement and

181 J.G.Sullivan, *op.cit.*, p.93.

182 *The Washington Post*, 30 December 1991.

183 T.L.Karl, *op.cit.*, p.159. For J.G.Sullivan, "a great triumph for the secretary-general in his final hour in office." *op.cit.*, p.96. For *The Times*, 2 January 1992, 'El Salvador pact crowns UN leader's 10-year reign'; *The Guardian*, 2 January 1992, p.1, and *The Los Angeles Times*, 1 January 1992, p.1, also focused on the Secretary-General's 'key role'.

184 J.G.Sullivan suggested that "[i]t is uncertain whether any amount of outside pressure could have brought the parties to the table considerably before they were ready for final agreement." *op.cit.*, p.97.

helping both parties to feel that they had won.

The Nicaraguan conflict and the various mediation efforts therein resembled the same dynamics at work in El Salvador. During much of the 1980s US policy sought to dislodge the Sandinistas through the support of contra rebels and to circumvent regional efforts at a political settlement formed around the Contadora peace process. Much of the literature reflects the attitude that the US had "alternately ignored and criticised Contadora while pursuing its military options throughout the region."¹⁸⁵ Simultaneously, the Nicaraguan government received support from the Soviet Union. Thus, mediation efforts were frustrated until a decline in Cold War hostility, a reduction of external support for the parties, and momentum for a negotiated settlement engendered flexibility in the positions of the protagonists. The regional Contadora process - and the framework of the Esquipulas Agreement - comprised Panama, Mexico, Venezuela and Colombia and sought to separate Central American conflicts from the Cold War and thus hasten their settlement.

In late 1986 when the Contadora framework was losing steam, the Secretaries-General of the UN and the Organisation of American States became informally involved.¹⁸⁶ The role of the UN Secretary-General primarily involved providing impartial assistance to the agreements which were brokered from 1989, and also in helping to diffuse the hostility which existed on the border between Nicaragua and Honduras, where many of the contra bases were.¹⁸⁷ Efforts by the UN, OAS and Contadora Group resulted in a cease-fire in Nicaragua by 1988, an agreement on elections and contra demobilisation in 1989 with an International Commission for Verification and Support, and in 1990 a national reconciliation commission.¹⁸⁸ Eventually, internationally supervised elections resulted in a relatively peaceful transition of power to an opposition coalition. The Esquipulas framework, and in particular the leadership of Oscar Arias, provided the main impetus to these accomplishments. However, when the timetable for elections became disrupted Pérez de Cuéllar

185 P.Wehr and J.P.Lederach, 'Mediating Conflict in Central America', *Journal of Peace Research*, vol.28, no.1, 1991, p.89. See W.S.Smith, 'Lies about Nicaragua', *Foreign Policy*, no.67, Summer 1987.

186 T.M.Franck, 'The Good Offices Function of the UN Secretary-General', p.152. See also H.Caminos and R.Lavalle, 'New Departures in the Exercise of Inherent Powers by the UN and OAS Secretaries-General: the Central American Situation', *The American Journal of International Law*, vol.83, no.2, April 1989, p.395.

187 Nicaragua proposed that Pérez de Cuéllar form a 'commission of inspection' to visit the area and report on the causes of tension, *The New York Times*, 9 December 1986, p.1. Later, after fighting between the government and contras on the border, the Security Council approved a decision by the Secretary General to send a team of UN military observers, *The Washington Post*, 19 March 1988, p.1.

188 P.Wehr and J.P.Lederach, *op.cit.*, pp.90-98.

mediated talks in New York, with the OAS Secretary-General, between Nicaraguan President Daniel Ortega and the rebels.¹⁸⁹ Subsequently, talks on the demobilisation and the cease-fire were reestablished.

In addition, the implementation and verification of many aspects of the peace process were performed and guaranteed by the UN and its Secretary-General. The establishment of the UN Observer Mission to verify the electoral process in Nicaragua and the UN Observer Group in Central America (ONUCA) were central to post-conflict reconstruction, and its creation and implementation was under the operational auspices of the Secretary-General.¹⁹⁰ Furthermore, the following year the Council mandated, upon the Secretary-General's suggestion, an expansion of the tasks of ONUCA to undertake the "complete demobilization of the Nicaraguan resistance."¹⁹¹ In common with other cases, Central America was interesting in the depth of international involvement and the extent to which the Secretary-General had interaction with non-state actors.

Lebanon

For much of the 1980s Lebanon's travails continued whilst the UN remained on the sidelines. As was the case in the 1970s, the country suffered from a number of indigenous conflicts exacerbated by regional and international struggles. The President of Lebanon wrote, "we are a nation of minorities".¹⁹² The conflict within this environment was exploited by the PLO in its war against Israel. Attacks and reprisals continued, until, in the Summer of 1982, "[f]or the Israeli government PLO provocation was intolerable."¹⁹³ Consequently, Israel's Operation 'Peace for Galilee' overran the UN Interim Force in Lebanon and sought to rout the PLO bases and reestablish a buffer between Israeli settlements and hostile forces north of the border. The 'multinational force' of US, French, Italian, and later British contingents, designed to facilitate the withdrawal of Israeli troops,

189 *The Los Angeles Times*, 3 November 1989, p.1; *The Los Angeles Times* 9 November 1989, p.17.

190 Security Council Resolution 637, 7 November 1989. This built upon the results of the International Support and Verification Commission, representing the UN and OAS Secretaries-General.

191 Security Council Resolution 653, 20 April 1990.

192 A.Gemayel, 'The Price and the Promise', *Foreign Affairs*, vol.63, no.4, Spring 1985, p.760. Also E.E.Azar and R.F.Haddad, 'Lebanon: an anomalous conflict?', *Third World Quarterly*, vol.8, no.4, 1986, pp.1344-1348; E.C.Hagopian, 'Maronite hegemony to Maronite militancy: the creation and disintegration of Lebanon', *Third World Quarterly*, vol.11, no.4, 1989; F.Ajami, 'Lebanon and its Inheritors', *Foreign Affairs*, vol.63, no.4, Spring 1985; H.Sirriyeh, 'Lebanon: Dimensions of Conflict', *Adelphi Papers* 243, International Institute for Strategic Studies, Autumn 1989.

193 J.Laffin, *The War of Desperation. Lebanon 1982-85*, London, Osprey Publishing, 1985, p.22.

seemingly epitomized the 'crisis of multilateralism' and US illusions of global unilateralism. As Urquhart recalled, it represented a rebuff to the UN: the US felt it could perform peace-keeping better than the UN.¹⁹⁴ There was similarly little support by the Reagan administration for UN mediation efforts in this area, and sometimes actual competition.¹⁹⁵ The outright hostility of the Israeli government towards the Organisation continued to rule out a substantive UN role, and continued to help undermine UNIFIL, despite the Council's ruling that the Secretary-General "undertake all possible efforts" to encourage the cessation of the conflict.¹⁹⁶

At a press conference in September 1982 Pérez de Cuéllar suggested that UNIFIL could reach Beirut in a short time,¹⁹⁷ and in early 1984 there were calls for a replacement of the multinational force by UN peacekeepers. Again, Pérez de Cuéllar noted that the UN was "available and ready."¹⁹⁸ The Soviet Union reportedly blocked a French proposal for such a replacement,¹⁹⁹ perhaps so that the US continued to be held down in an uncomfortable situation.²⁰⁰ Another source suggested that the US itself was unsupportive of a UN role because it might entail a Soviet involvement and restrict US options.²⁰¹ Moreover, the US had consistently supported Israeli interests, and Israel was clearly against any substantive UN role. The invasion of Lebanon, brushing aside as it did UNIFIL, was a blow to the UN at a difficult time. As the Secretary-General noted, "the credibility both of the United Nations and of peace-keeping operations as such is severely shaken."²⁰² The multinational force was, firstly, a challenge to the UN, and after massive American losses, a humiliation to the West. Pérez de Cuéllar could only express frustration, although he undertook measures to coordinate the activities of humanitarian agencies to help alleviate suffering.²⁰³

194 Brian Urquhart, interview, May 1994, New York. Sir Brian had been involved for decades in developing the peaceful consent-based norms of UN peace-keeping; he warned George Schultz, "if you really think you're going to get away with peace-keeping by force you are going to get a very nasty shock."

195 B.Skogmo, *UNIFIL. International Peacekeeping in Lebanon, 1978-1988*, London, Lynne Rienner Publishers, 1989, p.214.

196 Security Council Resolution 508, 5 June 1982.

197 *The New York Times*, 21 September 1982, p.16.

198 *The New York Times*, 8 February 1984, p.9.

199 *Financial Times*, 2 March 1984, p.3.

200 *The New York Times*, 8 February 1984, p.9.

201 J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.153, and R.Fisk, *Pity the Nation. Lebanon at War*, Oxford, Oxford University Press, 1990, p.448.

202 J.Pérez de Cuéllar, *Report on the Work of the Organisation*, September 1982.

203 Security Council Resolution 512, 19 June 1982.

In UNIFIL the Secretary-General was saddled with the problems which resulted from its flawed terms of reference of 1978, and the Israeli invasion of 1982. The mandate remained as unrealistic as ever, because of the presence of PLO, Syrian and Israeli forces or client forces. UNIFIL did not represent an uninterrupted cordon along the Lebanese border. It appears that the initial rush and political pressure upon Waldheim to deploy left a legacy of political and organisational problems to his successor. In 1978 General Erskine did not have time to overcome "problems of time, leadership and politics."²⁰⁴ The Secretary-General's efforts in the 1980s - personally and through Brian Urquhart and then Marrack Goulding - to bring peace to southern Lebanon and 'restore' Lebanese authority were largely frustrated.

However, at a more local level opportunities to quell small scale fighting, facilitate communication, and protect the local population were fulfilled to an impressive extent.²⁰⁵ In terms of humanitarian assistance UNIFIL was performing "quasi-governmental functions that have instilled a commensurate sense of trust and loyalty on the part of the local people towards the United Nations Organisation and its peacekeeping force."²⁰⁶ The UN continued to communicate with senior representatives of the principal parties, achieving minor agreements in an exercise of conflict management. For example, Pérez de Cuéllar and Urquhart's proposals in April 1984 led to the Naqoura talks of December 1984 to January 1985, which included the possibility of UNIFIL providing protection for Palestinian camps in the Sidon area.²⁰⁷ As well as the Secretariat role in the negotiating framework, the Secretary-General continued the interaction with the troop-contributing countries.²⁰⁸ This involved the precarious management of finances and the difficulties inherent in maintaining a viable force with an operation which had a particularly hazardous reputation. The Secretary-General's Office continued to issue frank and sometimes outspoken public reports on the status and frustrations of UNIFIL, thereby exerting at least some leverage upon the parties. In addition, Pérez de Cuéllar frequently suggested methods of improving the UN's performance and extending its mandate, most notably in 1982 and 1984 when he suggested that UNIFIL extend north to Beirut to assist in the withdrawal of Israeli and multinational force troops.

204 J.Mackinlay, *The Peacekeepers. An assessment of peacekeeping operations at the Arab-Israel interface*, London, Unwin Hyman, 1989, p.57.

205 H.Sirriyeh, *op.cit.*, p.52.

206 R.Thakur, *International Peacekeeping in Lebanon. United Nations Authority and Multinational Force*, London, Westview Press, 1987, pp.68-9.

207 B.Skogmo, *op.cit.*, pp.120 and 166.

208 *Ibid.*, chapters 7 and 8.

Whilst this was politically unrealistic, it demonstrated the Secretary-General's wish to involve the UN substantively in an area where it was formerly something of a badly supported pawn. On these occasions, Pérez de Cuéllar notably suggested making UNIFIL's mandate address the wishes of the factions, the absence of which thus far had contributed to the problems.²⁰⁹

At the operational peace-keeping level the Secretary-General was able to maintain some authority in trying circumstances and within a difficult mandate. This at least helped to keep UNIFIL operational, when troop-contributing countries may otherwise have withdrawn their support. Similarly, the operation improved the lives of the local population, and had some deterrent effect upon localised fighting except in the 1982-1984 period. However, on the substantive issues of Lebanon's regional problems the UN was hampered by the attitude of Israel and the condition of the Arab-Israeli dialogue.

Cambodia

The October 1991 Agreements on the Comprehensive Political Settlement of the Cambodian Conflict were the result of a convergence of interests of the Security Council and the diplomatic support of actors who had previously prolonged the conflict through the sponsorship of the warring factions. There was "a new configuration of relations among the United States, China and the Soviet Union that g[ave] both China and Vietnam reasons for wanting an early settlement."²¹⁰ Superpower, regional, and Cambodian actors had become war weary - for humanitarian, financial or military reasons - and more pragmatic, accepting the UN to facilitate the transition of the country.

There were a number of layers of patron-client support for the factions in Cambodia; it was indeed a kind of "Southeast Asian Lebanon."²¹¹ Anti-Vietnamese opposition groups were sponsored by Thailand, China, and a number of Western states. The Vietnamese-supported government, since 1979, was dependent upon Vietnam which was in turn supported by the Soviet Union. The peace process, of which Pérez de Cuéllar played a significant part, had therefore to satisfy the Cambodian factions but also their external patrons if it was to be lasting. For the Office of Secretary-General, "his role as a neutral good officer was affected by a history of resolutions

209 *The New York Times*, 8 February 1984, p.9.

210 G.Porter, 'Cambodia: Sihanouk's Initiative', *Foreign Affairs*, vol.66, no.4, Spring 1988, p.808.

211 S.J.Solarz, 'Cambodia and the International Community', *Foreign Affairs*, vol.69, no.2, Summer 1990, p.99.

passed by the political organs."²¹² Indeed, the General Assembly continued to seat opposition factions, including the Khmer Rouge,²¹³ and frequently demanded Vietnamese withdrawal. Subsequently, the Secretary-General had to assert some independence from the deliberative organs - *à la* 'Peking Formula' - in order to gain the confidence of the parties. His efforts were clearly in conjunction with the weight of international pressure behind the peace process, and perhaps the image that the UN had in some ways cleansed itself from the overtly politicised and biased stances of the past.

In early 1985 Pérez de Cuéllar visited the region, conferring with the influential Association of South East Asian Nations and Vietnam.²¹⁴ Although they received his overtures seriously, they still had faith in the military option and there was external support to encourage this thinking. Nevertheless, the Secretary-General outlined a "number of elements which seemed to be generally acceptable as a basis" for a settlement.²¹⁵ Vietnam would not consider any settlement in which the Khmer Rouge would have a role, and China refused to negotiate. Crucially, the external parties which could encourage a more cooperative attitude through diplomatic and material pressure - primarily the Permanent Five - were still entrenched in a geopolitical and ideological struggle in that and other areas. The Secretaryship-General was stymied.

By 1988 regional and international developments engendered flexibility amongst the parties external to Cambodia, and this forced the warring parties to adopt a more cooperative attitude.²¹⁶ Vietnam was looking for an end to its expensive occupation of Cambodia, and the Soviet Union was seeking to reduce its commitment to Vietnam. In December 1987 and January 1988 Prince Sihanouk, the leader of the opposition coalition, met with the Vietnamese puppet Hun Sen.²¹⁷ Pérez de Cuéllar informally submitted further ideas to the parties in June 1988.²¹⁸ In the Summer of 1988 and early 1989 the government of Indonesia hosted the Jakarta Informal Meeting, and for

212 T.M.Franck and G.Nolte, *op.cit.*, op.151.

213 According to R.M.Jennar, after 1979 "Asian and Western countries, led by China and the USA, gave strong support to the mass murderers." 'UNTAC: International Triumph in Cambodia?', *Security Dialogue*, vol.25, no.2, 1994, p.151. See also S.R.Ratner, 'The Cambodian Settlement Agreements', *American Journal of International Law*, vol.87, no.1, 1993, p.3.

214 *The New York Times*, 2 February 1985, p.3.

215 The Secretary-General's Report, cited by T.M.Franck and G.Nolte, *op.cit.*, p.151.

216 J.Pedler describes the attitudes converging towards a settlement, 'Kampuchea and peace prospects in Indochina', *The World Today*, vol.43, no.10, October 1987, p.173. N.Chanda also wrote of the "growing degree of realism" in the attitudes of the Cambodian and foreign parties, 'Civil War in Cambodia?', *Foreign Policy*, no.76, Fall 1989, p.32.

217 See S.R.Ratner, *op.cit.*, pp.3-5 for a simple outline.

218 T.M.Franck and G.Nolte, *op.cit.*, pp.151-152.

the first time all directly involved parties met. In April 1989 Vietnam announced that it would withdraw from Cambodia. Importantly, the strongest force for national unity and a figure who was essential to any settlement, Prince Norodom Sihanouk, was evidently supportive of a mediation role for Pérez de Cuéllar.²¹⁹ Nevertheless, although the Secretary-General participated in the July-August peace conference in Paris, it was largely on the basis of proposals of how the UN could assist in impartially implementing an agreement.²²⁰

In 1990 the major UN states began to put their weight behind the peace process and an enhanced UN peacemaking role. Moreover, the Permanent Five were particularly supportive of an initiative by the Australian Foreign Minister designed to overcome the power-sharing stalemate. The UN would assume responsibility for the administration of Cambodia - with the parties' consent - between the cease-fire and election, and the Council asked the Secretary-General to continue "preparatory studies" regarding the form this would take.²²¹ In Paris on 23 October 1991 the accord was signed, and the Security Council endorsed it on 31 October. This involved a verified withdrawal of foreign forces, mine clearance, the disarmament and cantonment of factions, a UN administration to organise elections, ensure law and order, the repatriation of refugees, and the introduction of a rehabilitation and reconstruction program.²²²

The peace-keeping mission was, as Pérez de Cuéllar observed "probably the most important and most complex in the history of the United Nations."²²³ Indeed, this was an example of what Boutros-Ghali later would describe as post-conflict peace building; a wide involvement of international agencies to build a lasting peace.²²⁴

Although there was no simple Cold War - post-Cold War dichotomy between old and new types of peace-keeping, the UN Transitional Authority in Cambodia was archetypal of the 'new generation'.²²⁵ The width and depth of UN involvement in a domestic context, involving security

219 *The Washington Post*, 28 July 1988, p.23. The factions were the Khmer Rouge, the Khmer Peoples National Liberation Front, Sihanouk, and the Hun Sen government.

220 For example, Pérez de Cuéllar's offer to send a small group to Cambodia to pave the way for peace-keeping was accepted in principle, *Financial Times*, 2 August 1989, p.18.

221 Security Council Resolution 688, 20 September 1990, paragraph 10.

222 H. Annabi, 'The United Nations Plan for Cambodia', in B. Kirnan ed., *Genocide and Democracy in Cambodia*, New Haven, Yale University Southeast Asia Studies, 1993, p.286.

223 *The New York Times*, 24 October 1991, p.1.

224 B. Boutros-Ghali, *An Agenda for Peace*, Report of the Secretary-General, 1992, paragraphs 55-59.

225 See B. Urquhart, 'Beyond the 'sheriff's posse'', *Survival*, vol.32, no.3, 1990. However, his experience taught him that many peace-keeping operations in the past, and certainly the Congo, also involved complicated and sensitive practices, *interview*, New York, 25 May 1994.

and political and civil administration, was a historical development for international organisation. Even when the Khmer Rouge withdrew its consent the process continued. Nothing short of peace enforcement could have been further from the 'classical' interpositional model of UN peace-keeping between two sovereign states.

Moreover, within the context of this internal peace operation the Security Council had authorised the Secretary-General to prepare a plan for the UN mandate, and then to deploy UNTAC "as rapidly as...possible" in accordance with "his plan."²²⁶ The UN was involved in a seemingly unprecedented situation at the implementation stage, exercising authority and undertaking tasks normally the responsibility of sovereign states. By extension, the Secretary-General, as executive head of such an operation, was on new ground. In combination with cases such as Central America, Namibia and Mozambique, this idea is given more support. The Secretary-General exercised his operative peace-keeping role to a qualitative and quantitative extent not experienced before 1988.

Iraq-Kuwait

The Iraqi invasion of Kuwait, an attack by one state upon another, was characteristic of the phenomenon that that United Nations was established to deter and deal with. Paradoxically, this scenario has been a rarity in comparison with the bulk of UN activities which evolved through the failure of collective security. Whilst the activities at the UN during this episode have a plethora of serious implications, perhaps one should therefore be cautious of drawing conclusions with reference to the future of the Secretaryship-General. The Iraq-Kuwait scenario could continue to be a rarity compared to the trend of civil war, state failure, and fragmentation, so it may not appear appropriate to place too much emphasis on one case.

However, even though the circumstances which existed in August 1990 were fortuitous, this case is significant in indicating possible trends in the Office of Secretary-General when the Security Council is in consent or under the will of activist states. With the existence of such consent and activism, although the quantitative burden of the Office may flourish, the room for manoeuvre and quasi-independence of the Secretaryship-General may decrease in critical situations. This can be seen as a corollary from the Cold War context, when the Office often gleaned room for manoeuvre - with the informal support or acquiescence of major states - as a result of the inactivity of the deliberative organs.

226 Security Council Resolution 745, 28 February 1992.

In the case of the Iraq-Kuwait crisis it was rather the agenda of the US, and to a lesser extent Britain, rather than the collectivity of the Council, which lay at the heart of Pérez de Cuéllar's marginalised status and the dominance of the activist states over the UN. This was indicated early by the manner in which the US and Britain had maintained the right to act independently under Article 51 of the Charter and customary international law.²²⁷ In addition, the galvanised Security Council - under the coaxing of the United States - was resolute that the UN live up to this post-Cold War test case. When the Security Council was in a consensus, before France and Russia indicated flexibility towards Iraq, the key resolutions were adopted and these were explicit in their demand for Iraqi withdrawal. No room for manoeuvre existed for the Secretary-General. Resolution 660 of 2 August 1990, under Articles 39 and 40, condemned the Iraqi invasion of Kuwait and demanded an immediate and unconditional withdrawal. Further Resolutions - chiefly 661, 662, 664, 665, 666, 667, 669, 670, 674, 677, 678 - established a rigorous sanctions regime, established a withdrawal deadline, and authorised the use of force to compel Iraq to withdraw. As Taylor and Groom observed,

There is little evidence to suggest that the Americans and the British made much effort to involve the Secretary-General more closely in their campaign....From the point of view of the activist states, involving the Secretary-General looked like a commitment to mediation, which was excluded early on in the development of the crisis. It was only at the end that the Secretary-General's intervention, like those of the Russians and French, *accidentally* proved to be very useful: it demonstrated that Saddam simply would not yield and that no deal was possible.²²⁸

Nevertheless, in late August 1990 Pérez de Cuéllar claimed to be acting on his own initiative when he met Iraqi Foreign Minister Tariq Aziz in Jordan.²²⁹ The Secretary-General was attempting to persuade Iraq to release the remaining Western hostages and to convince Aziz that the Council was serious. The experience of a decade earlier, when the West had essentially acquiesced in the face of Iraqi aggression, could not have helped. Pérez de Cuéllar's personal relationship with Aziz was reasonably good. However, the Secretary-General notably announced that his mission was defined by the parameters of the Council resolutions.²³⁰ The resolution of 29 October asked him "to make available his good offices and, as he considers appropriate, to pursue and undertake diplomatic

227 J.Pérez de Cuéllar has "no doubt" that the US would have acted unilaterally if necessary, 'Reflecting on the Past and Contemplating the Future', p.164.

228 P.Taylor and A.J.R.Groom, *The United Nations and the Gulf War, 1990-91: Back to the Future*, London, The Royal Institute of International Affairs, 1992, pp.20-21.

229 *The New York Times*, 27 August 1990, p.10.

230 *The Washington Post*, 2 September 1990, p.21; interview with a former senior member of the Executive Office of the Secretary-General, New York, June 1994.

efforts in order to reach a peaceful solution to the crisis."²³¹ Pérez de Cuéllar was actually only able to communicate the Council's demand for unconditional withdrawal. There was no room for manoeuvre, no independence from the Council in the tradition of the Peking formula. This was without doubt a source of frustration to Pérez de Cuéllar,²³² who may have had greater success towards providing some form of face-saving mechanism for Iraqi withdrawal if given more authority.

Pérez de Cuéllar's second trip was even less productive, regarding both the conflict and the Office of Secretary-General. After a number of mediation efforts by the Arab group, France, Russia and the US, there had been a 'pause of goodwill' leading up to the 15 January deadline for final diplomatic efforts, but the US was not particularly comfortable with independent efforts which threatened to split the consensus. It was a sign of Saddam's lack of judgement that he remained defiant, for any meaningful concession might have postponed the use of allied force. Despite the 'pause of goodwill' in January, "[t]he Bush administration was, however, determined to remain the dominant figure in any discussions or mediation with Iraq."²³³ Secretary of State Baker failed to budge Aziz in Geneva, and the latter appeared not to have any authority to make concessions.²³⁴ It was only after this failure and a telephone call by Baker that Pérez de Cuéllar was prompted to 'go through the motions' again. He spoke with Bush by telephone and at Camp David,²³⁵ and there was a strong feeling that he represented the last chance for peace. Theoretically he still represented the hope that Iraq might accept some form of face-saving capitulation. In reality he was caught between the stalling tactics of Iraq and the desire of the activist states to be seen to have exhausted all peaceful channels. Pérez de Cuéllar stated that "[i]t is my moral duty as Secretary-General of the United Nations to do everything in order to avoid war. My only strength is a moral strength."²³⁶ However, he clearly could not do much. Pérez de Cuéllar may have supported a tenuous linkage to a Middle East conference *after* withdrawal to attempt to create a possible face-saving scenario, but he did not have the authority to negotiate on this basis and was unhappy with

231 Security Council Resolution 674, 29 October 1990, paragraph 12.

232 Interview with a senior member of the Executive Office of the Secretary-General under Pérez de Cuéllar, New York, June 1994.

233 R.Dannreuther, *The Gulf Conflict: A Political and Strategic Analysis*, Adelphi Papers 264, International Institute for Strategic Studies, Winter 1991/92, p.41.

234 *The Sunday Times*, 13 January 1991.

235 *The Los Angeles Times*, 11 January 1991, p.1.

236 *The New York Times*, 10 January 1991, p.1.

this.²³⁷ His mission failed and had given support to the activist argument that the international community had given Iraq every opportunity to withdraw and restore the rule of law. The restrictions were overwhelming in the context of US and Council faith in a policy of coercion rather than 'stick and carrot'.²³⁸ Richard Falk lamented that the UN and Pérez de Cuéllar should have been more active in preventing war and that "[t]he secretary-general became almost invisible."²³⁹ He claimed that the last-ditch visit by Pérez de Cuéllar was "belated and halfhearted and was explicitly restricted to the Bush guidelines that deliberately provided no room whatsoever for diplomatic manoeuvre."²⁴⁰

During the fighting the UN played even less of a role; "[t]here were no reports to the Council, or to the MSC, or to the Secretary-General."²⁴¹ The UN had no preparatory framework for any such military campaign and dependence upon US forces and command and control was unavoidable. The Security Council can act quickly in certain circumstances, but cannot as effectively conduct the command and control. The Secretary-General is even less disposed to be involved.

After the war, however, the wide and unprecedented involvement of UN agencies in Iraq *did* constitute a significant array of activities that the Secretary-General was involved in, albeit again under the influence of the activist states. The 'mother of all resolutions', 687, and those thereafter, established an unprecedented width and depth of activities for humanitarian, arms control, compensation, peace-keeping, and boundary demarcation under Chapter VII of the Charter. At the ground level the Secretary-General's Office, by extension, was on new ground, working under mandatory Council authority. This chiefly involved organising the modalities of the Gulf War settlement and the monitoring, verifying, and assessing the implementation of the terms. The

237 Interview with a former senior member of the Executive Office of the Secretary-General, New York, June 1994; *The Sunday Times*, 13 January 1991; L.Freedman and E.Karsh, *The Gulf Conflict 1990-1991. Diplomacy and War in the New World Order*, London, Faber and Faber, 1993, p.268.

238 S.Greffenius and J.Gill, 'Pure Coercion vs. Carrot and Stick Offers in Crisis Bargaining', *Journal of Peace Research*, vol.29, no.1, 1992.

239 R.Falk, 'Twisting the U.N. Charter to U.S. Ends', in H.Mowlana, G.Gerbner and H.I.Schiller ed., *Triumph of the Image. The Media's War in the Gulf - A Global Perspective*, Colorado, Westview Press, 1992, p.176. He warns of a new Pax Americana with the UN as its rubber stamp and the Secretary-General its "errand boy." p.179.

240 *Ibid.*, p.178. Andre Gunder Frank claimed that between the Iraqi invasion and the start of the war, "President Hussein gave clear indications of his willingness to negotiate an Iraqi withdrawal on at least six occasions," including at least once to the Secretary-General. However, "[a]ll these Iraqi and other initiatives came to naught because the Bush administration wanted and arranged for them to fail." 'A Third-World War: A Political Economy of the Persian Gulf War and the New World Order', in H.Mowlana, G.Gerbner and H.I.Schiller ed., *op.cit.*, p.9. Yet according to R.Dannreuther, "[a]t no time did Iraq give any indication that it might reverse its annexation of Kuwait." *op.cit.*, p.34.

241 P.Taylor and A.J.R.Groom, *The United Nations and the Gulf War, 1990-91: Back to the Future?*, p.25.

Commission on weapons of mass destruction - seemingly a post war precedent in arms control enforcement - under Rolf Ekeus involved a multitude of innovative powers and investigative methods. The humanitarian agenda in the north and south - albeit with its political dimensions²⁴² - was of great significance. It gave rise to a number of organisational changes at the UN, such as the creation of the Department of Humanitarian Affairs, which saw an enhancement of the Secretary-General's organisational apparatus. The peace-keeping operation likewise broke new ground in including military observers from the Permanent Five and having the threat of enforcement action behind it. This tripwire with teeth invested a significant level of operational authority in the Secretaryship-General.

With the implementation of the settlement of the Gulf War the Secretary-General's authority and quantitative functions were enhanced, largely by extension of the Security Council's appearance of consensus and activism. However, before Desert Storm the Office was marginalised by the activism of the Council and the concern of the leading powers to maintain control over the situation, in rather unusual circumstances.

Institutional Framework for the Maintenance of Peace and Security

The Secretaryship-General has, since its inception, developed roles in early warning, preventive diplomacy, and international responses to conflict. The Office holders constantly struggled against the constraints inherent in the organisational and political environments. These constraints had resulted in a reactive, *ad hoc*, and politicised institutional framework, which had lapsed into cynicism and almost disuse in the 1980s. Pérez de Cuéllar made an admirable attempt to fight this condition, an effort which transpired to be before its time. His celebrated first annual report urged:

In order to avoid the Security Council becoming involved too late in critical situations, it may well be that the Secretary-General should play a more forthright role in bringing potentially dangerous situations to the attention of the Council within the general framework of Article 99 of the Charter. My predecessors have done this on a number of occasions, but I wonder if the time has not come for a more systematic approach. Most potential conflict areas are well known. The Secretary-General has traditionally, if informally, tried to keep watch for problems likely to result in conflict and to do what he can to preempt them by quiet diplomacy.²⁴³

Although this report created a great deal of discussion, the condition of the UN at that time stifled

242 E.Newman, 'The Realpolitik and the CNN Factor of Humanitarian Intervention', in D.Bourantonis and J.Wiener ed., *The United Nations in the New World Order. The World Organisation at Fifty*, London, Macmillan, 1995, pp.196-197.

243 J.Pérez de Cuéllar, *Report on the Work of the Organization*, September 1982.

any genuine progress in early warning and preventive action in the attitude of members. In institutional terms the creation of the Office for Research and the Collection of Information (ORCI) in March 1987 did represent an important development, although evidently superficially. According to the Organisation Manual the functions of the Office were to assess global trends; to prepare country, regional, and issue-related profiles; to provide early warning of developing situations requiring the Secretary-General's attention; to maintain current information in data systems; to monitor factors related to refugee flows and comparable emergencies; to carry out *ad hoc* research and assessments for the Secretary-General; to receive, consolidate and distribute political information from the media and from the United Nations information centres on developments related to peace and security for use by the Secretary-General; and to prepare drafts of the Secretary-General's public reports and statements.²⁴⁴ The office was practically important because it provided a support network for the Secretary-General's everyday tasks and sought to enhance his institutional early warning capability by way of information gathering and "perceptive analysis".²⁴⁵ Given that the Secretaryship-General is endowed with an early warning function under Article 99 of the Charter, such a body was overdue. ORCI was also symbolically significant: a quasi-independent office of international civil servants performing fact-finding and analysis under the auspices of the Executive Office of the Secretary-General.

The immediate attitude of many UN members was that ORCI represented an intrusive intelligence gathering operation which was not befitting of the international bureaucracy.²⁴⁶ This was in spite of the fact that ORCI worked largely upon the basis of public information and the sources from Secretariat officials around the world. Nevertheless, political support for the new office was weak. In addition, there were bureaucratic and administrative problems: "it was not managed well, [and] it faced enormous internal opposition from people within the Secretariat who, for one reason or another, thought it was going to be an invasion of their camp."²⁴⁷ Subsequently, ORCI became a rather disheartened collection of individuals who spent their time reading the newspapers

244 *A description of the functions and organization of The Office for Research and the Collection of Information*, ST/SGB/Organization Section: ORCI, 3 October 1988, p.1.

245 Interview with a founder of ORCI, New York, June 1994.

246 Interviews with former ORCI officials, New York, May and June 1994. Also J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.153.

247 Interview with a founder of ORCI, New York, June 1994. This was also reflected in a discussion with a former UK Permanent Representative to the UN, interview, London, 29 February 1996.

and writing the Secretary-General's speeches.²⁴⁸ The fate of ORCI cannot be wholly attributed to a hostile external political environment, although ultimately one could locate the frustrations of early warning and preventive diplomacy in the context of a statist system. The systemic context is such that anything which appears remotely intrusive, especially under the auspices of the Secretary-General, is regarded with suspicion by member states. Nevertheless, one is surprised at the scepticism which exists within the UN Secretariat to the concept of early warning; the systemic constraints appear to have deterred creativity in this area.

Although the easing of Cold War tensions did encourage discussion of early warning and preventive diplomacy, it is still too early to judge if this can overcome the systemic obstacles which exist. In the case of Iraq-Kuwait the Office of Secretary-General may have had access to information which would have enabled preventive action. For practical and political reasons this was an organisational failure.²⁴⁹ Evidence has indicated that Pérez de Cuéllar was aware of the movement of Iraqi troops toward the Kuwaiti border prior to the invasion, yet discreet approaches to Arab representatives did not shed much light on the situation. However, at that point the US and Russia held satellite photographs which indicated massive forces. Pérez de Cuéllar believes that if he had known this he would have brought the threatening situation to the Council, possibly through the formal use of Article 99, and that may well have dissuaded Iraq from a dangerous course of action. Given that Iraq was allowed to attack Iran a decade earlier with little Council hindrance, and that Saddam Hussein may not have expected the response he provoked in August 1990, Pérez de Cuéllar may well be right in suggesting that a Council challenge to Iraq *before* it had actually invaded Kuwait would have given Saddam Hussein cause for pause. Saddam Hussein still believed that the Council was in a Cold War mode of operation. If the Secretary-General had access to an effective early warning and analysis office, he might have helped prevent the Gulf War. Perhaps, as Brian Urquhart lamented, "anything that makes the Secretary-General either more influential or more independent, governments will resent."²⁵⁰

248 Interviews with former ORCI officers, New York, May and June 1994. Until Boutros-Ghali establishes an alternative, the day-to-day duties of ORCI have devolved to the UN's departments. In the Department of Political Affairs, where they still cut out newspaper clippings, the author was involved in, amongst other things, drafting country profiles and 'talking points' in the summer of 1994.

249 This account derives from an interview with a former senior member of the Executive Office of the Secretary-General, New York, June 1994.

250 Interview, 25 May 1994, New York.

Conclusion

The first half of Pérez de Cuéllar's tenure reflected the frustrations and constraints which were a result of the condition of the Organisation. In turn, this 'crisis of multilateralism' was a reflection of historic trends which coalesced around an upsurge of Cold War hostility and Third World discontent and militancy. Major actors - and most notably the US - circumvented the UN at critical stages, and proxy Cold War confrontations were impervious to constructive intervention by the UN. Financial crises and disillusionment within and outside the UN compounded the Organisation's despair. Subsequently, the Office of Secretary-General was stymied both as a result of the ill-will and lack of support invested by the major members towards the UN in general, and the involvement of Security Council members in many of the regional conflicts and hence their obstruction to a substantive UN involvement. The institutional improvements urged by Pérez de Cuéllar for maintaining peace and security and early warning went largely unheeded; the innovative Office for Research and the Collection of Information foundered under member states' suspicions and lack of support. Nevertheless, the intervention of the Secretary-General in cases such as the *Rainbow Warrior* arbitration and the Falklands crisis illustrated the inherent utility of the Secretaryship-General in spite of a difficult political climate in Pérez de Cuéllar's first tenure. Similarly, the attempts by the Office at conflict management during the Iran-Iraq war, indicated the opportunities possible with a skilled Secretary-General.

From 1987 the international political tide changed and the Organisation's activities flourished, especially in the settlement of conflict. The Permanent members of the Security Council had rediscovered the utility of the UN and appeared to support the Organisation in the areas of international peace and security. Former Cold War patron-client relationships between warring parties and their superpower sponsors underwent an important transformation with the decline of Cold War hostility. In areas such as Central America, Afghanistan, Iran-Iraq, Western Sahara and Cambodia, this global change coincided with an internal movement towards political settlement on the part of the combatants. The new climate of cooperation was manifested in the Security Council with a consensus amongst the Permanent Five and the application of collective leverage upon these conflicts in tandem with, and often under the auspices of, the Secretary-General. Thus, from a position of frustration and in some cases even irrelevance until 1986-7, the Secretaryship-General came to represent an organ of authority and facilitation in the roles of creative mediation, face-saving, and facilitation. In the context of the historical and external factors which came to bear upon

the Secretaryship-General, one must also note the personality factor. Throughout his tenures Pérez de Cuéllar had always been very careful never to sour his relationship with the Permanent members of the Council.²⁵¹ This was an acceptance of political realities - in contrast perhaps to Trygve Lie - which some may have regarded as over-compliance until 1987. However, when the time came he was reprieved by the involvement he played in conflict settlement, and this undoubtedly derived in large part from the confidence and trust built up over the years.²⁵²

In cases such as Iran-Iraq and Central America the Secretary-General informally urged the Council to work in unison with him and on an informal basis in a manner rare before 1987. Clearly the activism of the Security Council, and the determination of the Secretary-General to be involved as a vanguard of the new climate of consensus, was resulting in a quantitative and possibly qualitative expansion of the Secretaryship-General's roles. In the window of opportunity between 1987 and 1992, the Secretary-General was a useful instrument through which a superficially united Security Council could bring to an end some of the residual conflicts of the Cold War. It is interesting therefore that the source of Pérez de Cuéllar's earlier marginalisation - superpower involvement - was later to pave the way to his activism as one 'general environment' gave way to another. As he recalled, "[t]he necessary objective was, as it will continue to be, to mobilize the constructive efforts of the major powers toward an identified goal and to make known to them the particular contribution the United Nations could offer in bringing a solution. The contribution in each case was indispensable."²⁵³

During this process another important feature was the extent to which the Secretary-General communicated and interacted with non-state actors with the support of the Security Council. Moreover, in a number of peacemaking efforts - such as El Salvador and Afghanistan - the superpowers explicitly called upon the Secretary-General to increase his involvement, and put their weight behind him. For the Soviet Union, this was a departure from more than forty years of attitude and practice towards the international secretariat. Another notable characteristic of the Council's support of the Secretary-General in the 1987-1992 period was that it was positive and cooperative, in tandem with Pérez de Cuéllar and in the context of an apparent resurgence of internationalism. In the past, numerous examples saw the Secretary-General acting in the face of Council paralysis

251 Interview with a former close colleague of Pérez de Cuéllar, New York, June 1994; also supported by a personal correspondence from Sir Crispin Tickell, former British Permanent Representative to the United Nations, 31 May 1995.

252 Interview, *ibid.*

253 J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', p.163.

and ill-will, or fulfilling a need for a cynical trade-off between Council members, whose support of the Office was negative or acquiescence. In contrast, for example, one former senior Secretariat officer suggested that Central America was the first time in history that the US allowed the UN to take the lead through the Secretaryship-General.²⁵⁴ Pérez de Cuéllar's tenures have been a case study of how activism need not mean confrontation.

At the implementation stage of the settlements, the post-conflict reconstruction programmes in many states involved a seemingly unprecedented depth and width of UN involvement in areas traditionally the preserve of the state. At the level of coordination the Secretaryship-General, by extension, enhanced its authority in the context of this 'new generation' of peace-keeping. Again, within this framework the Office of Secretary-General is elevated because it still maintains operational command. This can be both a blessing and a curse, recalling Hammarskjöld's experiences in the Congo. It still could be the case that "peace-keeping is a graveyard for the reputations of Secretaries-General."²⁵⁵ Nevertheless, for one international civil servant, the expansion of the UN's activities is quantitative rather than qualitative, and the role of the Secretary-General is commensurate with this; the Organisation is still a "passive reactive" actor which reflects the dynamics of the major states.²⁵⁶

Many of the cases presented here demonstrate what could be achieved when the Secretary-General and a superficially united Security Council work together. However, this period saw the Office of Secretary-General blossom in clearing the residue of the Cold War. This mode of operation was not to continue in the patterns of conflict which emerged in the 1990s in the context of state failure, civil war, fragmentation and ethnic strife, especially when the leading Council members did not perceive that they had an interest. In spite of a plethora of Council resolutions under - or alluding to - Chapter VII, earlier optimism has been undermined and the Secretaryship-General often thrown into disarray by lack of political will and support, financial constraints, isolationist tendencies, and splits within the Council. Moreover, when the Security Council is in superficial consent - or acquiescing to the will of its dominant members - the Secretary-General's role and room for manoeuvre have contracted. To a large degree the celebrated latter years of Pérez de Cuéllar represented the post-Cold War honeymoon and not the multilateral issues and problems of the international civil service in the post-Cold War world. Nevertheless, Pérez de Cuéllar's final

254 Interview, former colleague of Pérez de Cuéllar, New York, June 1994.

255 A. James, 'Kurt Waldheim: Diplomat's Diplomat', *The Year Book of World Affairs*, vol.37, 1983, p.87.

256 Interview, Department of Political Affairs, United Nations, New York, June 1994.

achievements indicated the utility of his Office when the Security Council works on the basis of coherence in issues it has an interest in.

Chapter 7 Boutros Boutros-Ghali

The post Cold War Secretaryship-General has reflected a number of constraints and opportunities. There is an air of transition at the UN as the Organisation adjusts to the systemic changes and challenges of international relations, and especially the wider concept of peace and security. The complexion of global economic and political-military power remains in transition. In addition, the UN continues to be buffeted by uncertainty both in terms of its role and the support of its chief sponsors. In the context of this, a post Cold War 'model' of the Office of Secretary-General may be illusory as it continues to reflect a tumultuous international environment. One must be cautious of identifying or extrapolating post Cold War 'trends' in international relations or multilateralism on the basis of often tenuous experience, although there are pressures to do so. In fact, there has been a multifaceted and, perhaps, paradoxical evolution of the Secretaryship-General. Thus, whilst there have been opportunities for the Office as an extension of the blossoming of UN activity, the Secretaryship-General has encountered constraints, frustration and precariousness. The following are the themes which have been reflected in the Secretaryship-General under Boutros-Ghali's tenure:

- The UN as an instrument of activist states.
- The absence of direction of the international community, a vacuum of overarching structures, and an element of transition.
- The Permanent Five directorate and closed Security Council meetings.
- The quantitative increase of the Secretaryship-General's roles.
- The redefinition and expansion of UN roles, especially into the domestic context. Experimentation in UN peace operations and then caution, especially in the face of state failure, civil war, and fragmentation. The qualitative expansion of the Secretaryship-General as a result of the expansion of new areas of activity, especially within the domestic context.
- The Secretaryship-General in the context of UN overload and financial crisis.
- The Secretaryship-General in relation to the explosion of resolutions alluding to, or under, Chapter VII, and resolutions sometimes not supported in practice.
- The movement of peace operations towards the use of force.
- The Secretaryship-General and use of force: the influence of this upon its classical roles.
- UN support for, or legitimisation of, regional peace-keeping.
- Volatility of members' support for UN operations, fatigue in multilateralism, and political

prioritisation in Security Council's decision-making and resource allocation.

- The lack of Great Power interest from many UN involvements, in contrast to the successes of 1988-92.
- The Secretary-General expressing frustration toward missed/lost opportunities and dashed expectations; attempting to wield declaratory leverage to lead the Organisation into a wider conception of governance and wider responsibilities, and the implications of this upon the classical roles.

BOUTROS BOUTROS-GHALI

Boutros-Ghali was a diplomat of great experience when he became UN Secretary-General. He was in many ways suited to an environment which offered the UN and the Secretaryship-General opportunities to increase their activity in international peace and security. The post-Cold War period, at least initially, was such that the personality of the incumbent could help to shape the post-Cold War model of the Secretaryship-General. The forthright, outspoken, and perhaps confrontational style of Boutros-Ghali has certainly helped to stamp an activist demeanour upon the Office, and some within the Secretariat applaud this effort and think it is necessary and unavoidable.¹ Others feel that Boutros-Ghali is something of a loose cannon, high-handed, distant, and even arrogant toward his staff.² Moreover, he has been known to grate against the sensibilities of UN members' representatives by disregarding certain procedural courtesies and asserting unreserved opinions. Boutros-Ghali has been particularly outspoken in the area of peace and security, employing public declaratory leverage and the Office's inherent "charismatic capacity"³ to push political leaders and the Security Council. Given an almost free hand in 1992 to publish innovative recommendations on preventive diplomacy, peacemaking and peace-keeping, the Secretary-General since then continued to make proposals in the light of developments.

Boutros-Ghali's style has contributed to the activist stances of his Office, although the environment has allowed and encouraged this. One must judge his performance in the context of the constraints and opportunities which exist within the political framework. One commentator suggested that Boutros-Ghali has been the "most stubbornly independent" Secretary-General and that

1 Interviews, Department of Political Affairs and the Executive Office of the Secretary-General, UN, May-June 1994.

2 *Ibid.*

3 L.Gordenker, 'The UN Secretary-Generalship: Limits, Potentials, and Leadership', in B.Rivlin and L.Gordenker ed., *The Challenging Role of the UN Secretary-General. Making the 'Most Impossible Job in the World' Possible*, Westport Connecticut, Praeger Publishers, 1993, p.275.

he has made the Office "an international player in a way that has not been seen since the days of the Congo crisis".⁴ The other side of this is the argument that he is over-stepping his authority, forcing the hand of governments in support of unrealistic UN operations.⁵ Whether Boutros-Ghali could have had such an impact remains to be seen.

The General Political Environment: From the New Era to Uncertain Multilateralism

In the international and organisational climate of optimism and expectation in 1992, there had been reason to believe that a historical juncture had occurred in the evolution of multilateralism. Cooperation had breathed new life into the UN and the leadership of the Security Council Permanent Five had underscored conflict settlement between 1988 and 1992. This process culminated in the historic Security Council Summit meeting of January 1992. This symbolized the New World Order ethos which was to give way to disillusionment and uncertainty in the following years.

After major upheavals in international relations, and particularly those which involve conflict followed by systemic change, there is a tendency for the leading actors to agree to certain norms and structures through which to maintain stability and standards of conduct. The Treaty of Westphalia of 1648, the Congress of 1815, the Versailles Treaty of 1919, and the territorial agreements together with the UN Charter of 1944-45, reflected this concept. Although the Cold War was not directly comparable to these earlier times, it did represent a prolonged conflict followed by systemic upheaval against the backdrop of normative values. The values which underpinned the New World Order were economic and political liberalism, democracy, state territorial integrity, commitment to the peaceful settlement of disputes and international organisation, and respect for human rights. In light of the 'End of History' thesis and the liberal basis, the New World Order was an attempt to transpose and reassert Western enlightenment themes on to the rest of the world in the belief, or hope, that the post-Cold War Order was universal. The structure of the new order was believed to be that of US leadership in cooperation with like-minded middle powers through the legitimisation and functional framework of the United Nations.

4 S.Meisler, 'Dateline UN: A New Hammaraskjold?', *Foreign Policy*, no.98, March 1995, pp.101-2.

5 J.Gedmin, 'The secretary-generalissimo: United Nations Secretary General Boutros-Ghali's influence on the foreign policy of the United States', *The American Spectator*, November 1993; "Since Bill Clinton doesn't seem to want to do it, U.N. Secretary-General Boutros Boutros-Ghali is finding it easy to run U.S. foreign policy". p.117.

At the broader level, some academics perceived shifts in the human condition which went much deeper than those touted by politicians and mainstream commentators. Moreover, these alternative approaches conflicted with the popular conception of the New World Order. For example, Rosenau observed sources of global turbulence resulting from the proliferation of actors, a crisis of authority in a multi-centric world, the impact of technology, the globalization of economics, the advent of interdependence issues, the weakening of states and the restructuring of loyalties, subgroupism and fragmentation, and the spread of hunger and poverty.⁶

The credibility of UN diplomacy was reborn in the late 1980s as the superpowers sought to facilitate the settlement of conflicts which they had directly or indirectly supported. The reversal of Iraqi aggression against Kuwait, although dominated by the US and to a lesser extent Britain, also bolstered the UN because the operation, in theory, represented collective security under Security Council resolutions. The theme pushed by the activist states was that Desert Shield and Desert Storm represented mobilisation on the part of the international community to uphold shared values and accepted norms of behaviour: exactly the process of collective security that the UN and the League of Nations before it were established to uphold.

The directorate of the Permanent members continued its cohesion into the 1990s, at least superficially, and the "almost sacred principle" of not using the veto.⁷ In fact improvement in the working methods and procedures within the Security Council, and particularly the P5, prompted UN members to express their concern and request greater transparency, representation, and increased consultations.⁸

Debate existed regarding the nature of the New World Order, around the poles of the cautious neo-realists and the liberal internationalists. Whilst the former more pessimistic school of thought had its eminent advocates,⁹ in the immediate post-Cold War honeymoon the popular feeling was of a new era of cooperation in international relations and at the UN. Moreover, when it became

6 J.N.Rosenau, *The United Nations in a Turbulent World*, International Peace Academy Occasional Paper, London, Lynne Rienner Publishers, 1992, p.24.

7 J.O.Jonah, 'Differing State Perspectives on the United Nations in the Post-Cold War World', *ACUNS Reports and Papers*, no.4, 1993, p.14.

8 Letter dated 8 December 1995 from the Representatives of Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, the Czech Republic, Denmark, Egypt, Finland, France, Germany, Greece, Honduras, Ireland, Italy, Japan, Malaysia, The Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Spain, Sweden, Romania, Turkey, Ukraine, The United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the President of the Security Council, S/1995/1025, 11 December 1995.

9 K.N.Waltz, 'The New World Order', *Millennium*, vol.22, no.2, 1993; A.Parsons, 'The United Nations in the Post-Cold War Era', *International Relations*, vol.xi, no.3, 1992.

clear that the new era was likely to be one of "great instability in the world",¹⁰ the early hopes were that the UN would adapt to the new challenges. These included the evolving theoretical basis of peace and security. Peace was increasingly seen not only as an absence of war between states, and conflict was increasingly seen to have domestic roots. Security was moving away from the narrow military definition, to embrace social and economic security. Human rights were increasingly internationalised and even thought to transcend political boundaries. Indeed, the boundaries between domestic and international politics were believed to have become more and more blurred. In fact, inter-state wars such as the Gulf War, the kind of war the UN was created to deter and deal with, are a rarity. The collapse of Cold War empires has contributed to a rash of ethno-nationalist civil wars, state collapse, and state fragmentation. This poses a fundamental challenge to the UN, for its Charter is premised on the relationship between stable sovereign states. In 1992 many people felt that the UN could meet the challenges. Boutros-Ghali wrote of "the start of a new phase in the history of the Organisation", and a "new chapter in history".¹¹

The Secretary-General was certainly given reason for optimism in the Security Council Summit Meeting of 31 January 1992, a symbol of liberal internationalist rhetoric which was subsequently not fully borne out by the behaviour of the leading UN members. Security Council President John Major echoed the other participants in observing the "common purpose" of the Council and its commitment "to reinforce collective security and to maintain international peace and security".¹² He pledged to the new Secretary-General the Council's "full backing" in his "vital role". The Declaration of the Security Council invited Boutros-Ghali to prepare recommendations on ways of strengthening and making more efficient preventive diplomacy, peace-keeping and peacemaking. Thus, the process of redefining and evaluating the machinery of peace and security was set in motion in what, in hindsight, was an over-optimistic climate. The Summit submerged itself in the New World Order ideas of universalism, democratisation, justice and international society ideals of collective security without a full realization of the cost or practical problems involved. It was in this context that Boutros-Ghali began his tenure, in many respects on false premises. The Council's unequivocal statements of support to the UN and an expanded role of the Secretary-General puts Boutros-Ghali's later outbursts of frustration into perspective.

Throughout 1992 there was a great deal of verbal support for the improvement of instruments

10 B.Boutros-Ghali, 'Report on the Work of the Organization', New York, September 1992, paragraphs 2-3.

11 B.Boutros-Ghali, *An Agenda for Peace. Preventive Diplomacy, Peacemaking and Peace-keeping*, Report of the Secretary-General, New York, United Nations, 1992, paragraph 6.

12 Security Council Summit Meeting, New York, 31 January 1992, p.1.

of preventive diplomacy and the settlement of conflict, coalescing around the *Agenda for Peace* process. Boutros-Ghali appeared to be determined to overhaul the Secretariat in order to shed the bureaucratic deficiencies of the past and meet the challenges of the future. Simultaneously, the Security Council was adopting a number of resolutions committing the international community to deeper and wider peace operations in 'domestic' conflicts or peace settlements, such as the former Yugoslavia, Haiti, Angola and Somalia. Thus, the Organisation was attempting to reassess its roles at the same time as experimenting in ever more ambitious activities. The misunderstanding was prevalent in 1992, including in *Agenda for Peace*,¹³ that the deficiencies of the Organisation during the Cold War emanated primarily from the Council vetoes - 279 of them - and so as a corollary the absence of vetoes in the post-Cold War era would enable the UN to address the ills of the world. This impression was bolstered by the successful UN involvement in the settlement of conflict in Iran-Iraq, Namibia-Angola, Central America and facilitating the Soviet withdrawal from Afghanistan, in the 1988-92 period. However, the buoyancy of 1992 was mistakenly based on the successful 1988-92 period, when the UN facilitated the settlement of a number of regional conflicts in which the superpowers had been involved; the US and Soviet Union had an interest in supporting the UN in its activities then. It was a mistake to believe this level of support would continue. Again, Boutros-Ghali began his tenure on false premises.

At the beginning of Boutros-Ghali's tenure, the Organisation was involved in unprecedented levels of activity quantitatively and, perhaps, qualitatively. The clearest indication was the burgeoning agenda of domestic peace-keeping, peacemaking and peace-building, involving humanitarian assistance, civil administration, mediation and security. This contrasted pointedly with the classical inter-state military observation of the past. There was almost an unconscious acceptance on the part of many governments and the UN Secretariat that the UN could address any manner of security issue, and that the methods and guidelines of previous UN operations were sufficient. In 1992 a choice confronted the international community regarding the future of the UN. It concerned the question of the UN adapting to the wider agenda of peace and security which embraces the domestic realm, with the Secretary-General at the forefront. Whilst many believed that a united Security Council had made the choice to embrace a wider definition of collective security, the members continued to have their own perceptions of the UN in relation to their own foreign and domestic policies.

As a result of experimentation, financial problems, over-reach and even crisis in certain peace

13 B.Boutros-Ghali, *Agenda for Peace*, paragraph 14.

operations, and an evidently endless list of cases which warranted UN attention, the fortunes of the UN and Boutros-Ghali began to turn in 1993. Earlier pledges of support by many members were forgotten as the cost - in human and material terms - of the 'new' agenda was realised. As one Secretariat officer put it, the "experiences of Somalia most particularly but also Yugoslavia and other places, have revealed very, very real limitations about what member states are willing to do."¹⁴ Ideas of nation-building were abandoned and an environment of cautious realism and multilateral fatigue subsequently pervaded the Organisation.

As the chief sponsor of the United Nations and the country which sets the tone of multilateralism in the post-Cold War world,¹⁵ it is necessary to give particular attention to the United States. In 1991-92 the US, under the triumphalist influence of Bush, projected an image of leadership through the UN. Within the concert of Great Power cooperation, the US was to promote action and vision and maintain stability.¹⁶ As the remaining superpower many believed that US support of public services and international security structures would be renewed after something of a lapse over the preceding fifteen years. Joseph Nye, observing the need to encourage democracy, market liberalism and effective organisation, suggested that the position of the US in world politics may have changed but it was still 'bound to lead'.¹⁷ What Ruggie described as 'pragmatic Wilsonianism' was at the fore during the 1990-92 period.¹⁸ In the context of this New World Order ethos humanitarianism played an important part.¹⁹ However, this internationalism was not to last long, if it really ever existed at all; according to Nye, the Bush administration "thought and acted like Nixon, but borrowed the rhetoric of Wilson and Carter".²⁰ Indeed, there was a strong element of media-oriented domestic politics to the latter period of Bush's administration. The internationalist rhetoric was made before the realisation of the burdens of hegemonic leadership in the post-Cold War world.

Initially, the Clinton administration upheld the internationalist theme with its Representative to

14 Interview, member of the Department of Political Affairs, UN, New York, June 1994. This was reflected in remarks by Sir David Hannay, former UK Permanent Representative to the UN, telephone interview, London, 29 February 1996. See also D.Rieff, 'The Illusions of Peacekeeping', *World Policy Journal*, vol.xi, no.3, 1994, p.16; and G.Simons, *UN Malaise: Power, Problems and Realpolitik*, Basingstoke, Macmillan, 1996.

15 Interview with a member of the Executive Office of the Secretary-General, New York, 28 June 1994.

16 J.Wiener, 'Leadership, the United Nations, and the New World Order', in D.Bourantonis and J.Wiener, ed., *The United Nations in the New World Order*, London, Macmillan, 1995, pp.41-46.

17 J.S.Nye Jr, *Bound to Lead. The Changing Nature of American Power*, New York, Basic Books, 1990.

18 J.G.Ruggie, 'Peacekeeping and US Interests', *The Washington Quarterly*, Autumn 1994, p.15.

19 A.S.Natsios, 'Food Through Force: Humanitarian Intervention and U.S. Policy', *The Washington Quarterly*, Winter 1994, p.81.

20 J.S.Nye jr., 'What New World Order?' *Foreign Affairs*, vol.71, no.2, 1992, p.84.

the UN, Ambassador Madeline Albright, under the banner of 'assertive multilateralism'. This took even further the idea of US leadership in support of the UN and peace and security. It was in this context that much was expected and hoped of the United Nations and its Secretary-General in peace and security, where there was thought to be a commitment to the idea that peace and security was a collective interest and responsibility. The dubious logic within the Security Council was that "[o]ur triumph in the Gulf is testament to the United Nations mission: that security is a shared responsibility".²¹ Amidst this optimism the Security Council passed an unprecedented quantity of Resolutions in the years 1990-93, many under or alluding to Chapter VII. Whilst a historic debate addressed the issues of the UN's roles and structures the Organisation was already entering the fray of the new era.

From around the end of Boutros-Ghali's first year, the climate at the UN and in many capitals was increasingly negative. A plethora of Security Council resolutions and field operations were running into serious problems. The foundering and costly experiments in the former Yugoslavia and Somalia caused a crisis of credibility and finance in the UN and a decline of confidence and commitment on the part of many states. The realization dawned that early optimism had been premature and "the extent to which the UN relies on political will and not pious rhetoric for the performance of tasks was under-estimated".²² From October 1993 the US Congress began to cut-back its support to the UN. A wave of public opinion and Republican attacks were directed against the UN, and when the Republicans took Congress, they immediately embarked upon further legislation. A mixture of unilateralism and to a smaller degree, neo-isolationism, underpinned the 'America First' and 'Contract with America' policy guidelines. Republican Bob Dole, although a believer in US leadership and not an isolationist, promised that "when we recapture the White House, no American boys are going to be serving under the command of Field-Marshal Boutros Boutros-Ghali".²³ The Republican majority in Congress backed their words with various financial sanctions - such as the unilateral capping of its contribution to the peace-keeping budget to 25% - and by the beginning of 1996 the Secretary-General announced that the Organisation was on "the edge of insolvency".²⁴ In January 1996 the Under-Secretary-General for Administration and

21 President Bush, Security Council Summit Meeting, p.33.

22 M.R.Berdal, 'Fateful Encounter: The United States and UN Peacekeeping', *Survival*, vol.36. no.1, Spring 1994, pp.30-31.

23 *The Guardian*, 20 February 1995, p.9.

24 *The Washington Post*, 7 February 1996, p.16. \$1.6 billion was owed to the regular budget and \$1.7 billion for peace-keeping; the US was approximately \$1.5 billion in arrears.

Management, Joseph Connor, reported to the High-Level Open-Ended Working Group on the Financial Situation of the United Nations that the Organisation was owed \$3.3 billion; \$1.6 billion for the regular budget, \$1.7 billion for the peace-keeping budget, and \$4.9 million for the international tribunals.²⁵ In response to Boutros-Ghali's proposal of modest levies on certain transactions to help address the financial crisis and his desire for the UN to operate on a "secure and steady independent financial foundation",²⁶ all the political parties in the US vied to challenge the idea; Presidential candidate Bob Dole immediately introduced the 'Prohibition of United Nations Taxation Act' in January.²⁷

Not so long after Bush had proclaimed the New World Order and commitment to the UN "mission",²⁸ many politicians in the US and the West had become acutely wary of collective internationalism as the "slippery slope".²⁹ The manner in which many US politicians blamed the UN falsely for the US casualties in Somalia in October 1993 was typical of this attitude and put into the context of "irresponsible internationalism", in the words of Dole.³⁰ Perhaps unsurprisingly, the Heritage Foundation called for "no more Somalias" and Kissinger warned of a "recipe for chaos" in US involvement in hazardous situations on the basis of vague ideas of humanitarianism and collective internationalism.³¹ The Clinton administration also reflected the trend. The starkest example of this was Presidential Policy Directive 25 of 1994, which imposed severe constraints on the use of US soldiers in UN operations.³² It stated that such a use must be tied to the national interest, risks must be acceptable, an end-point for US participation must be identified, and public and Congressional support must exist. The waning of political and material support and commitment

25 United Nations News Summary, London, NS/1/96, 7 February 1996. By the end of 1995 only 94 countries had paid their regular budget payments in full and 22 had made no payment at all. For the first time in its history the UN had been unable to repay revenue borrowed from the peace-keeping budget.

26 The Secretary-General's Cyril Foster Lecture, Oxford University, 15 January 1996, Federal News Service transcript.

27 Congressional Press Releases, 22 January 1996.

28 Security Council Summit, p.33.

29 J.R.Gerlach, 'A UN Army for the New World Order?', *Orbis. A Journal of World Affairs*, vol.37, no.2, Spring 1993: "[w]ho is going to fight, and possibly die, for this new world order?", p.227. Also, J.G.Ruggie, 'No, the World Doesn't Need a United Nations Army', *International Herald Tribune*, 26 September 1992; J.Kirkpatrick, 'Refusing to Subordinate U.S. Policy to United Nations isn't Isolationism', *Sacramento Bee*, 12 January 1995.

30 *Boston Globe*, 3 April, 1995, p.1.

31 T.P.Sheehy, 'No More Somalias: Reconsidering Clinton's Doctrine of Military Humanitarianism', *Heritage Foundation Reports*, backgrounder no.968, 20 December 1993; H.Kissinger, 'Recipe for Chaos', *The Washington Post*, 8 September 1993, p.19.

32 Unofficial US document made available at the United Nations, May 1994.

for UN peace operations has also manifested itself in the atmosphere of the Security Council.

In the context of this new realism, Boutros-Ghali's statements have become less optimistic. After the immodest language of *Agenda for Peace* he later admitted that "[t]he pace [of history] is alarming. The direction is not entirely known",³³ and "[t]he task is daunting and may indeed seem overwhelming".³⁴ In 1995 he likewise reported that "we are still in a time of transition. The end of the Cold War was a major movement of tectonic plates and the after-shocks continue to be felt".³⁵ In a Vienna speech in March 1995 Boutros-Ghali spoke of "hard decisions"; after Somalia, "we have learned a lesson: how and when to withdraw."³⁶

Perhaps Boutros-Ghali's most thoughtful linkage of the UN with international political trends was reflected in his January 1996 Oxford University speech. Here he presented the seemingly opposing forces of globalization and fragmentation as a dialectic which the Organisation must seek to help reconcile.³⁷ The second dialectic he identified relates to the disparity between increasing demands and resources.

A common theme is that the US has washed its hands of the responsibility of leadership.³⁸ This is unlikely as long as the US perceives that it has an interest in maintaining stability and free markets and the need for an organisation to help facilitate these. However, it is natural that the concept of interests, amongst all leading states, should become diffuse and ambiguous in the absence of a simple external threat. Despite the blurring of the distinction between domestic and international politics and the increasing recognition of the need to manage interdependence many states retain the traditional 'national interest' mind-set and seemingly fail to see the need for commitment to deeper structures of international governance. Moreover, the extent to which the United Nations requires leadership in the post-Cold War world is uncertain. What seems to be the case is that "[t]he international system lacks an overarching mission which requires leadership, and lacks a threat which can motivate a state to assume it".³⁹ Indeed, parallels between the New World Order and

33 B.Boutros-Ghali, 'An Agenda for Peace: One Year Later', *Orbis. A Journal of World Affairs*; vol.37, no.3, Summer 1993, p.332.

34 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1994, paragraph 7.

35 B.Boutros-Ghali, 'Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations', S/1195/1, 3 January 1995, paragraph 5.

36 B.Boutros-Ghali, 'Peacemaking and Peace-keeping for the Next Century', Transcript of a speech delivered 2 March 1995, City News Publishing Company Inc.

37 The Secretary-General's Cyril Foster Lecture, Oxford University, 15 January 1996.

38 T.G.Weiss, 'The United Nations and Civil Wars', *The Washington Quarterly*, vol.17, no.4, Autumn 1994.

39 J.Wiener, *op.cit.*, p.56.

those of 1945 and 1918 are weak. The occasion of the UN fiftieth anniversary commemorations in September and October 1995 was marked by the presence of an unprecedented number of heads of state in New York and a meeting of the foreign ministers of the Security Council comparable to that of January 1992. Amongst the celebrations of 1995, however, there was a distinct increase of realism.

In the context of this pendulum swing of the fortunes of the UN, the Secretaryship-General has often been in tumult. The elements of transition and experimentation have manifested themselves in a quantitative and qualitative new status for the Office, but also paradoxical trends of activity. That his Office is buffeted by the tumultuous new environment is not lost on Boutros-Ghali, who commented that it is the period which creates the man.⁴⁰

Institutional and Attitudinal Framework for Conflict Prevention, Management and Settlement

In 1992 Boutros-Ghali was the beneficiary of a wave of enthusiasm for collective internationalism and also an apparent consensus that the peace and security mechanisms of the UN could and should be improved under him. As we have seen, the Security Council summit expressed, in histrionic fashion, the post-Cold War progress in attitudes towards the nature of peace and security and the UN's role therein. The increased activity of the Organisation in election monitoring, human rights observance, the repatriation of refugees and displaced persons, non-military and domestic sources of instability, and an evolving conception of state sovereignty, were all manifestations of a 'new era'. The Security Council observed changes in state structures and non-military threats to peace in the economic, social, humanitarian and ecological fields and that "[t]he absence of war and military conflicts amongst States does not in itself ensure international peace and security."⁴¹ The involvement of the Organisation in post-conflict peace building in Nicaragua, El Salvador and Cambodia was already supporting these sentiments. The Summit pledged its commitment to the Secretary-General and invited him to recommend ways of strengthening the UN's capacity for preventive diplomacy, peace-keeping and peacemaking. This represented a seemingly historic juncture for the Secretaryship-General after years of struggle to win prerogatives in pursuance of peace and security: Boutros-Ghali was shown the green light to codify and expand the Secretariat's duties.

40 *The New York Times*, section 6, 2 January 1994, p.20.

41 Declaration of the Security Council Summit 31 January 1992, p.93.

The Secretary-General established a 'task force' of senior academics and Secretariat staff, although the *Agenda for Peace* was said to have been personalised by Boutros-Ghali.⁴² The Secretary-General had to balance a number of interests. Firstly, the Western desire for more effective multilateral instruments through which to maintain their perception of the order. As a counter to this, there were practical, legal, financial and political constraints which are inherent in an intergovernmental organisational structure. Finally, there was wariness within the non-Western towards a Western or Permanent Five directorate and a trend of intrusiveness in new attitudes to international peace and security. In light of the competing interests - and the nature of bureaucracy - it is not surprising that the final product was a compromise which reflected both old and new thinking, and a hint of contradiction

The recommendations of *An Agenda for Peace*, and the responses to it, are a useful means of exploring the evolving position of the Secretary-General in the UN peace and security apparatus in the post-Cold War, but it is imperative to keep in mind the events which shaped the debate. When the *Agenda* process was initiated the UN was in a climate of buoyancy and optimism; a "short-lived and illusory renaissance."⁴³ However the Organisation's experimentation and adventurism have resulted in almost a pendulum swing to caution and fatigue. When eventually some form of equilibrium is reached, it is likely to be on the basis of a new organisational realism. Until that time, the UN is in a state of transition as the majority of the membership grapple with the fundamental issues of the UN's role in international politics.

The main recommendations of *An Agenda for Peace*, with particular reference to the Secretary-General, are worth recalling. The document urges "an increased resort to fact finding...either by the Secretary-General, to enable him to meet his responsibilities under the Charter, including Article 99" or by the Security Council or General Assembly (paragraph 25(a)). The deliberative organs should send a fact-finding mission under their immediate authority "or may invite the Secretary-General to take the necessary steps" (paragraph 25(c)). With respect to early warning he suggested that there is a need to "strengthen arrangements in such a manner that information...can be synthesised with political indicators to assess whether a threat to peace exists and to analyse what action might be taken by the United Nations to alleviate it. The analysis and recommendations for preventive action that emerge will be made available by me, as appropriate, to the Security Council and other United

42 D.Cox, 'Exploring *An Agenda for Peace*: Issues Arising from the Report of the Secretary-General', *Aurora Papers*, 20, Canadian Centre for Global Security, Ottawa, 1993, pp.3-4.

43 B.Urquhart, 'Selecting the World's CEO. Remembering the Secretaries-General', *Foreign Affairs*, vol.74, no.3, 1995, p.25.

Nations organs" (paragraph 26). He also recommended that a "reinvigorated and restructured" Economic and Social Council provide reports on developments which might threaten international security (paragraph 26-27), and a greater role for regional organisations in maintaining peace (paragraph 64).

An interesting and contentious recommendation was that of preventive deployment. He suggested that a UN presence could be deployed to remove the likelihood of hostilities between two consenting countries (paragraph 31) and that in cases where one country fears attack, the Security Council should consider preventive deployment on one side of the border with the consent of only the requesting country (paragraph 32). This idea had an early endorsement with the preventive deployment in Macedonia, dispatched without the consent of Serbia.⁴⁴ As another form of prevention, the Secretary-General recommended the policy of a UN demilitarised zone on both sides of a border with the consent of both parties (paragraph 33). This appears to conform to the interventionist tendencies of the Organisation. If any such deployment occurs at the behest of just one party, the UN may jeopardise its strengths for evenhanded and impartial third-party assistance between the two parties.

In the area of peacemaking the Secretary-General highlighted a point of legal interest and recommended that his Office be authorised, under Article 96(2) of the Charter, to take advantage of the advisory competence of the World Court and that all UN organs make use of this more frequently (paragraph 38). In addition, he recommended that all members accept the general jurisdiction of the International Court of Justice, without reservation, by the end of the year 2000 (paragraph 39). The Secretary-General recommended an improvement in the inter-agency mechanism through which the Security Council, General Assembly or Secretary-General can mobilise the resources for "positive leverage" upon disputes (paragraph 40). When sanctions are required to exert pressure, the Secretary-General recommended that countries with special economic difficulties should have these taken into consideration (paragraph 41).

The Secretary-General sought to affirm the tenets of collective security by recommending that the Council "initiate negotiations in accordance with Article 43...which may be augmented if necessary by others in accordance with Article 47, paragraph 2 of the Charter" (paragraph 43).⁴⁵ Equally as contentious was the recommendation concerning the use of "peace-enforcement units in

44 A member of the UK Mission to the UN stated that "preventive deployments, on a case by case basis, can be useful." Interview, New York, 20 May 1994.

45 Article 43 calls upon UN members to agree to make available to the Security Council armed forces to contribute to the maintenance of international peace and security.

clearly defined circumstances...under the authorization of the Security Council and ...under the command of the Secretary-General" (paragraph 44).

In the area of peace-keeping the Secretary-General suggested that the expansion of peace-keeping should be financed from defence rather than from foreign affairs budgets (paragraph 48). The Secretary-General also recommended that clear standby arrangements be confirmed for the provision by UN members of personnel and equipment in advance of new operations (paragraphs 51 and 53). Similarly, the report requested the immediate establishment of a peace-keeping fund of \$50 million, and more flexibility for the Secretary-General in the placing of contracts (paragraph 73). The Secretary-General also urged a review of training for peace-keeping and police contingents and improvements in Secretariat field support for peace-keeping (paragraph 52).

In the area of post-conflict peace building the Secretary-General urged that concrete cooperative projects and economic, social and rehabilitation programmes be promoted (paragraphs 56,58,59). Other recommendations concerned the safety of personnel, the streamlining of the Secretariat and future Security Council minister-level meetings.⁴⁶

The most contentious ideas of the *Agenda for Peace* are the recommendations to fulfil Article 43, peace-enforcement units, standby peace-keeping arrangements, and preventive deployment. However, Thomas Weiss also speaks for some in expressing disappointment that the *Agenda for Peace* is based on conventional thinking: it fails to embrace non-state actors as far as it might have, and it is too entrenched in statist thinking; he questions the logic of restating Article 2(7) "as if no erosion in sovereignty or evolution in international norms had occurred since 1945".⁴⁷

The feeling amongst many governments was that *An Agenda for Peace* was too ambitious for their tastes, either on the basis of finance and practicalities, or on principle.⁴⁸ When the Security Council met in July 1992 to consider the document it was "generally cautious".⁴⁹ The developing world, embodied in the Jakarta Non-Aligned Conference, was conditioned by fears of Western

46 For summaries and analyses of *An Agenda for Peace*, see D.Cox, *op.cit.*; T.G.Weiss, 'New Challenges for UN Military Operations: Implementing An Agenda for Peace', *The Washington Quarterly*, Winter 1993; A.J.R.Groom and P.Taylor, 'Beyond the Agenda for Peace', *Peace and the Sciences*, December 1993.

47 T.G.Weiss, 'New Challenges for UN Military Operations', p.11-12. The Secretary-General's 1993 report sought to balance the paradox: "[i]ndividuals find identity in nations. And nations should find identity in universalism. There is no international community if there are no nations. So the opposition between nationalism and globalization is to a large degree false." 'Report on the Work of the Organization', September 1993, paragraph 15.

48 Interview, member of the UK Mission to the UN, New York, 20 May 1994.

49 D.Cox, *op.cit.*, p.13.

hegemony and the UN being used as an instrument of interference on the basis of human rights and democracy. They feared a dilution of sovereignty and ever-more intrusive peace-keeping techniques, whilst the West still failed to acknowledge its obligation to development. In addition, states committed to the classical model of peace-keeping feared its contamination by 'new techniques' such as preemptive deployment and peace-enforcement.⁵⁰

Nevertheless, Security Council statement S/24728 of 29 October 1992 encouraged members to inform the Secretary-General of their willingness to provide forces and equipment, and favoured an enhanced peace-keeping staff and operations centre. Security Council statement S/24872 of 30 November 1992 supported a wider use of fact finding as a tool of preventive diplomacy; members should provide the Secretary-General with detailed information "on issues of concern".⁵¹ In addition, the statement encouraged methods of improving information gathering and analysis in the Secretariat and the Council welcomed the Secretary-General's readiness to make use of his powers under Article 99.⁵² The General Assembly, after an extensive debate on *An Agenda for Peace*, adopted without vote an eight-point Resolution 47/120, of 18 December 1992. This also invited the Secretary-General to strengthen the UN's capacity for early warning, the collection and analysis of information, and confidence building measures. The General Assembly established the Informal Open-Ended Working Group of the General Assembly to look at each chapter of the document. The discussions, which were noted and summarised by the Secretariat, illustrate that the vocal developing states were impressed with the emphasis on post-conflict peace building and a wider integrated approach to peace and security, as long as it is based on economic and practical development and not on ideas of 'good governance'.⁵³ There were tangible reservations about the concept of preventive diplomacy and demilitarised zones; at most they could be considered on a case-by-case basis.⁵⁴

The Security Council guardedly set out a set of guidelines for peace-keeping which appeared to reflect the evolution from the classical interpositional model. In May 1993 a statement directed that: a clear and precise mandate must exist; the consent of the government or parties still stands except in 'exceptional circumstances'; emphasis must be on impartial peaceful settlement of conflicts and political solutions so that peace-keeping is not prolonged; an inherent right of peacekeepers to use

50 *Ibid.*

51 See *UN Chronicle*, vol.30, no.1, March 1993, p.2.

52 *Ibid.*

53 Secretariat Interoffice Memorandum, 19 March 1993.

54 Secretariat Interoffice Memorandum, 18 March 1993.

force in self defence and a right of the Council to authorise 'all means necessary' to carry out the mandate; and the readiness of the Council to take 'appropriate measures' against parties failing to comply with its decisions.⁵⁵

As a result of the momentum of *An Agenda for Peace*, and the response to developments on the ground, there have been concrete institutional advancements. The establishment of the Department of Peace-keeping, after years of informality, affirmed the Secretary-General's authority over coordination. The establishment of the Department of Political Affairs further rationalised and codified political-military matters in the Secretariat. The existence of the Department of Humanitarian Affairs acknowledges the centrality of the human dimension in contemporary conflict and seeks to improve the Secretary-General's overview of the whole network of Specialised Agencies and NGOs in this area, long an issue of contention.⁵⁶ The Secretary-General has a military adviser, and since 1993 a twenty-four-hour operations situation room.⁵⁷ Stand-by arrangements were later defined by the Secretary-General as "a precise understanding of the forces and other capabilities a Member State will have available at an agreed state of readiness, should it agree to contribute to a peace-keeping operation."⁵⁸ The logic of this has yielded some pre-planning. Indeed, the Secretary-General has gone some way towards identifying the 'building blocks' necessary to set an operation in motion.⁵⁹ Similarly, General Assembly Resolution 47/217 authorised a reserve peace-keeping fund of \$150 million, which exceeded the sum requested by the Secretary-General in *An Agenda for Peace*.

The rationalisation of Secretariat procedures through the creation of the Departments of Political Affairs, Peace-keeping and Humanitarian Affairs, and the coordinating role of the Secretary-General, suggests an elevation of the Office. Moreover, the Security Council has stated that regular meetings

55 Note by the President of the Security Council, S/25696, 30 April 1993.

56 L.S.Finkelstein, 'The Coordinative Function of the UN Secretary-General', in B.Rivlin and L.Gordenker ed., *op.cit.* A former senior member of the Executive Office of the Secretary-General was not confident that the present incumbent will succeed where his predecessors have largely failed. Interview, New York, June 1994.

57 A.James, 'UN Peace-keeping: Recent Developments and Current Problems', *Paradigms*, vol.8, no.2, Winter 1994.

58 Report of the Secretary-General to the Security Council, S/1994/777, 30 June 1994, paragraph 2. Paragraph 5 continues that "[t]o ensure its effectiveness, the system of stand-by arrangements requires detailed information about the numbers, volume and size of the units or other capabilities involved. The Secretariat will maintain a comprehensive database of these details for proper planning...". The Report of the Secretary-General on Standby Arrangements for Peace-Keeping, S/1995/943, 10 November 1995, noted that 47 members had confirmed their willingness to provide stand-by resources, but response times are still slow. The UN was far from having a rapid reaction capability.

59 B.Boutros-Ghali, 'An Agenda for Peace: One Year Later', p.327.

should be held between members of the Council, troop-contributing countries and the Secretariat to exchange information and views before the Council takes decisions on the extension, termination or significant changes in an operation's mandate. The meetings would be jointly chaired by the President of the Security Council and a representative of the Secretary-General.⁶⁰ The case-by-case approach of most states is likely to continue; it increases control and reduces commitment to situations which are not foreseeable. Given the hazards of contemporary UN peace operations and the domestic political repercussions of entanglements in 'messy' foreign conflicts, this is not surprising. This is one area where the Secretary-General's control will remain wanting.

There is also a top-level Task Force on United Nations Operations in the Secretariat, a forum for addressing major issues of policy. It instructed heads of mission to keep Headquarters more regularly and routinely informed by reports. The Task Force could, if necessary, report to the Secretary-General, who would then make a decision whether to take action.⁶¹ This mechanism has acknowledged, and improved institutionally, the role played by the senior Secretariat. The Task Force also spearheaded discussions regarding the relationship between the UN and regional organisations in the areas of preventive diplomacy, peace-keeping and peacemaking.⁶² Training and education in peace-keeping is gradually taking root, especially in countries with a history of involvement in peace-keeping.

There does appear to be progress in making peace operations less *ad hoc* and in rationalising lines of command and control. However, a year after the publication of *An Agenda for Peace* a top-level Secretariat Inter-department Working Group for the implementation of the recommendations indicated the pressures of establishing a viable early warning apparatus in response to General Assembly Resolution 47/120, with no increase in staff or money and old data systems; there was a desperate need for "information rationalisation".⁶³ The Secretary-General is noted for remarking

60 Statement by the President of the Security Council, S/PRST/1994/62, 4 November 1994. The statement also recommended meetings convened and chaired solely by the Secretariat for troop-contributing countries to discuss operational matters. Subsequently, there were reports of an office of Focal Point within the Department of Peace-keeping for contact with delegations. See United Nations News Summary, London, NS/1/96, 1 February 1996.

61 Task Force on United Nations Operations, informal note, New York, 13 June 1994.

62 *Ibid.*

63 Interdepartmental Working Group on Implementing the Recommendations Contained in *An Agenda for Peace*, New York, 1 June 1993. The plan was to continue the 'Orcidata' system from ORCI, now in the Department of Political Affairs. The working group sought to establish an information management system for the Departments of Political Affairs, Humanitarian Affairs and Peace-keeping, including early warning. In September 1993 the Secretary-General reported that a network of early warning systems was being developed to respond to environmental threats, natural disasters, mass population movements, the threat of famine and other risks. UN News Summary, London, NS/38/93, 7 October 1993.

that "the problem is not too little information but too much," and what is lacking is an analytical filter.⁶⁴ After disbanding the Office for Research and the Collection of Information the Secretary-General reported that the restructured Department of Political Affairs "can provide early warning of impending conflicts and analyze possibilities for preventive action".⁶⁵ Another member of the Secretariat was less positive: in the final analysis members "don't want the UN to have any significant, meaningful role in early warning. And because of that they would never give the UN the resources."⁶⁶ A former Permanent Representative to the UN, however, questioned this argument and suggested that the Secretariat itself had failed to fulfil the opportunities which existed, as a result of the inherent bureaucratic inertia of the organisation.⁶⁷ Earlier experiments in early warning and analysis - and most notably ORCI - had to contend with the heightened sensitivity towards intrusiveness engendered by the Cold War. However, it is increasingly apparent that the nature of the state system is not conducive to transparency and early warning, even if it is based on innocuous methods and information.

The institutional improvements and codification of activities in the area of peace and security acknowledge and improve upon work largely already performed by the Secretaryship-General, and as such may finally give a framework to many of the Office's vague roles. The Office's coordination of fact-finding missions, for example, is within his realm. In effect, the codification and institutional acknowledgement of the Office's political roles contribute significantly to the accretion of 'normal' and accepted practice. However, in certain respects, as Brian Urquhart has observed, the "beauty of that Office is its flexibility."⁶⁸ Indeed, the Secretaryship-General has derived important functions from tacit political agreements and trade-offs. It may not be possible to codify such discreet roles. Many members may quietly accept or acquiesce in certain roles but are not comfortable with anything which resembles supranationalism in an institutional form, such

64 B.Boutros-Ghali, 'An Agenda for Peace: One Year Later', p.325. A former senior member of ORCI described the need for "perceptive analysis". Interview, New York, June 1994.

65 Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations, A/50/60, S/1995/1, 3 January 1995, paragraph 26.

66 Interview, member of the Department of Political Affairs, UN, New York, June 1994. "In the regional divisions of DPA we are supposed to be doing preventive diplomacy...We don't do preventive diplomacy to any extent. We don't have the means to do it, we don't have the time to do it." However, a former UK Permanent Representative to the United Nations denied that there is an innate sensitivity amongst member states to ideas and institutions of early warning and preventive diplomacy, interview, London, 29 February 1996.

67 Interview, London, 29 February 1996.

68 Interview, New York, 25 May 1994. He recalled that Hammarskjöld once said that the Secretary-General can do much more in substance than in form.

as stand-by peace-enforcement units, or an independent Office. Thus, Urquhart remarked that the Office may derive significant political functions from time to time, but "don't try to write it down".⁶⁹

Two and a half years after *An Agenda for Peace* was published the supplement of the Secretary-General highlighted, albeit diplomatically, the frustrations and constraints which existed. One can detect an element of defensiveness in his comments about command and control and the need for peace operations to function as "an integrated whole" after the "experience in Somalia."⁷⁰ Regarding the availability of troops and equipment, "problems have become steadily more serious."⁷¹ Similarly, equipment and adequate training are of increasing concern.⁷² From this he concluded that the UN should give serious thought to the idea of a rapid reaction force. Brian Urquhart also gave weight to the concept in his call for a third category of activity in between peace-keeping and enforcement, an 'initial rapid deployment operation', to quell random and uncontrolled violence before the situation deteriorates irreparably beyond the stage where the Security Council will wish to intervene.⁷³

The Secretary-General also warned - in moderate terms - of the danger of pulling out of a post-conflict peace building situation too early,⁷⁴ a reflection of a growing tendency of impatience in the Security Council. In addition, the Secretary-General reported having difficulties in finding representatives and envoys for his burgeoning preventive and peacemaking activities.⁷⁵ Moreover, the Secretary-General suggested that in the long term the UN should develop a capacity to deploy, direct, command and control enforcement operations itself.⁷⁶ The implications of this, if it were possible, would increase the association of the Secretary-General's Office with the use of coercion. However, others have suggested that the tendency in future is more likely to involve the UN authorising states and coalitions to undertake such activities.⁷⁷

69 *Ibid.* He remarked that "there is nothing systematic in the way that Office works."

70 B.Boutros-Ghali, 'Supplement to An Agenda for Peace', paragraph 41.

71 *Ibid.*, paragraph 43.

72 *Ibid.*, paragraph 45.

73 Interview, New York, 25 May 1994. See also his 'The United Nations and International Security After the Cold War', in A.Roberts and B.Kingsbury ed., *op.cit.*, p.93.

74 *Ibid.*, paragraphs 51-52.

75 *Ibid.*, paragraphs 30-31. Consequently he suggested the possibility of a contingency fund to allow him to maintain his mediation work.

76 *Ibid.*, paragraph 77.

77 Interview with Sir David Hannay, London, 29 February 1996.

The *Agenda for Peace* process generated much discussion, and some institutional developments, which have had a bearing upon the status and the role of the Secretaryship-General in peace and security.⁷⁸ The more contentious proposals were not taken up, for practical and political reasons.⁷⁹ Developments on the ground - and most conspicuously in Bosnia and Somalia - contributed to a climate which was simply not receptive to substantial commitments to standing military-political arrangements or further entanglements in large-scale costly domestic operations. It is also at the heart of the reluctance to experiment and a growing unwillingness to improve the Secretary-General's coordination and control of UN political-military structures. In fact, a reaction against the Secretaryship-General's high profile status is possible, just as "[t]he United Nations renaissance remains in question."⁸⁰ The classical case-by-case intergovernmental attitude towards peace and security issues is likely to remain, despite the improvements in 'ear-marking' national forces and equipment in response to the Secretary-General's earlier requests.⁸¹ The structural constraints upon the Office will be commensurate with this.

78 For example, France produced an *aide memoire* in response to the supplement to *An Agenda for Peace*, proposing 'conflict moderation' forces authorised by the Security Council, a rapid reaction capacity, improvements in training, and early operation planning units within the Department of Political Affairs. See the Letter from the Permanent Representative of France to the United Nations addressed to the Secretary-General, A/50/869, S/1996/71, 30 January 1996.

79 Interestingly, one member of the UN Department of Political Affairs claimed that the Secretariat itself has not met the challenges and the opportunities of the new era due to a lack of creativity. Interview, New York, 26 June 1994.

80 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 25.

81 Report of the Secretary-General on Stand-by Arrangements, S/1994/777, 30 June 1994, paragraph 2: the Secretariat will maintain a database of this information. The Council has generally been supportive, at least officially, for example Presidential Statements S/PRST/1994/22, 3 May 1994 and S/PRST/1994/36, 27 July 1994.

Chapter 8 The Post-Cold War Secretaryship-General

The Secretary-General and Multifunctional Peace Operations

Typically, post-Cold War UN peace operations have involved peace-keeping, peacemaking and peace-building. In accordance with wider conceptions of peace and security these activities are also increasingly considered within an integrated and comprehensive approach. In contrast to the classical narrow military emphasis, the "forced development"¹ of post-Cold War peace operations has embraced wider spheres of human life. As the Secretary-General proclaimed, "[t]he second generation of peace-keeping is certain to involve not only military but also political, economic, social, humanitarian and environmental dimensions, all in need of a unified and integrated approach."² In parallel, there has been a movement towards recognising the importance of development to peace and security, culminating in the Secretary-General's *Agenda for Development*. The internationalisation of human rights has become irreversible; it was interesting for example that the United States warned that "the tension and instability within Nigeria could have an effect on the peace and security of the entire region."³ Moreover, in October 1995 the International Law Commission was working on a final draft code of crimes against the peace and security of mankind which reflected a much broader approach to the subject than that of traditional international political thinking.⁴ It is also worth noting that the Permanent Five members of the Security Council declared that "sustainable development is indispensable to the achievement and maintenance of peace and

1 M.Goulding, 'The evolution of United Nations peace-keeping', *International Affairs*, vol.69, no.3, July 1993, p.456. According to W.J.Durch, peace-keeping operations entered "unchartered territory." See his *The Evolution of Peace-keeping*, London, Macmillan, 1994, epilogue.

2 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 6. He emphasised the point in the Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEMIII), S/1995/588, 17 July 1995, paragraph 1. Sally Morphet has written of the "increased hybridization" of peace-keeping in 'UN Peace-keeping and Election Monitoring', in A.Roberts and B.Kingsbury ed., *United Nations, Divided World. The UN's Roles in International Relations*, Oxford, Clarendon Press, 1993, p.236.

3 Letter dated 17 November 1995 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General. S/1995/906, A/50/765, 17 November 1995. Even though there was undoubtedly an element of domestic politics to this, given that it related to Nigeria's execution of prominent environmentalists, it is nevertheless a bold statement.

4 United Nations News Summary, London, NS/21/95, 18 October 1995.

security among and between nations."⁵

After the relative success of domestic UN operations in facilitating the end of Cold War conflicts, the UN progressed to involvement - perhaps too hastily - in situations which had arisen out of this same historical process. Many commentators have argued that the UN operations in these contexts are qualitatively different from those of the past - with the exception of the Congo, which can be considered *sui generis* - which puts traditional methods into question. Indeed, James Jonah spoke of activities "inconceivable only five or six years ago."⁶ Certainly the language of the Secretary-General appeared to represent a departure from the classical model of the international civil service. A year after *An Agenda for Peace* was published, he wrote of "expanded peace-keeping": "[p]rotecting the flow of relief supplies, preventive deployment, and sanctions on commerce and communications are only part of what may be involved in the future. Beyond these measures, when established rules of engagement are no longer sufficient, United Nations forces may need authorization to use force."⁷

UN domestic involvement has its political and practical hazards, especially if fighting is still occurring. Ideas of 'success' or 'failure' are inherently illusive in this context.⁸ The commitment and consent of the parties may not be stable. The parties are factions rather than states, and may still be involved in a struggle: their attitude toward the UN will be a result of what they believe they can achieve from the operation, and that may change from week to week. Their cooperation will vary, their consent may be withdrawn, such as in Cambodia, the former Yugoslavia, Angola and Somalia. Factions are not subject to the international instruments of leverage and sanction that states are, so their accountability and respect for the 'blue helmet' will be less. The UN is not dealing with regular armies, as was often the case with the classical interpositional model of peace-keeping, but with irregulars and militias, and sometimes renegade and independent forces. Discipline may be weak, especially when passions are running high. The legal regime of a Status of Force Agreement may be worthless, and traditional Rules of Engagement - based on self-defence in the last resort -

5 Letter dated 27 September 1995 from the Permanent Representatives of China, France, the Russian Federation, the United Kingdom and the United States of America addressed to the Secretary-General, S/1995/827, 27 September 1995.

6 J.O.C.Jonah, *op.cit.*, p.15. One should note that Sir Brian Urquhart stated "the nature of peace-keeping has changed, though it hasn't changed as much as everybody thinks....we faced almost every problem they had in Somalia in the Congo." Interview, New York, 25 May 1994.

7 B.Boutros-Ghali, 'Agenda for Peace: One Year Later', p.328.

8 For example, in the midst of widespread criticism that the UN "withdrew in shame" from Bosnia, *The Washington Post*, 23 January 1996, p.9, Sir Michael Rose protested that "when measured against its mandate, the achievements have been heroic and significant." *The Guardian*, 3 May 1995, p.17.

may not be suitable.⁹ The domestic political situation is invariably less stable than that of peace-keeping at the border. Moreover, the impartiality of the UN is put under severe threat as multifaceted intervention invariably contributes something to the local power balance.¹⁰ These factors have clearly increased the political and practical hazards of involvement in domestic conflict.

Subsequently, the reassessment of UN peace operations has been reflected in a climate of caution in the Security Council which succeeded the immediate post-Cold War experimentation. In addition, there has been a shift to the idea of UN-authorized multinational forces rather than UN coordinated blue helmet forces.¹¹ The role of the media and improving techniques of communication in influencing the priorities of governments and the Council contributes to the air of volatility in contemporary peace operations.

After some painful experiences we can expect to see fewer, and more realistic, UN peace operations in the future. At a luncheon hosted by the Secretary-General in September 1994 the Permanent Five reflected the atmosphere of caution in proclaiming that "[a]ny new peace-keeping operation should only be established after careful study, and new commitments should not be entered into before such questions as mandate objectives, availability of forces and resources, security of United Nations personnel and duration of mission are satisfactorily answered."¹²

9 For example B.D.Berkowitz, 'Rules of Engagement for UN Peace-keeping Forces in Bosnia', *Orbis*, vol.38, no.4, Fall 1994.

10 For domestic peace-keeping and its hazards, see A.James, 'Internal Peace-keeping. A Dead End for the UN?', *Security Dialogue*, vol.24, no.4, 1993; A.James, 'UN Peace-keeping: Recent Developments and Current Problems', *Paradigms*, vol.8, no.2, Winter 1994; J.R.Rudolph, Jr, 'Intervention in Communal Conflicts', *Orbis*, vol.39, no.2, Spring 1995; T.G.Weiss, 'The United Nations and Civil Wars', *The Washington Quarterly*, vol.17, no.4, 1994; D.Rieff, 'The Illusions of Peacekeeping', *World Policy Journal*, vol.xi, no.3, 1994; T.G.Weiss, D.P.Forsythe, R.A.Coate, *The United Nations and Changing World Politics*, Boulder, Westview Press, 1994; T.G.Weiss, 'New Challenges for UN Military Operations. Implementing an Agenda for Peace', *The Washington Quarterly*, Winter 1993; B.Boutros-Ghali, 'Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations', A/50/60, S1995/1 3 January 1995.

11 Interview with a former UK Permanent Representative to the UN, 29 February 1996, and interviews with members of the Department of Political Affairs, June 1994.

12 Letter from the Permanent Representatives of China, France, the Russian Federation, Britain and the United States to the United Nations Addressed to the Secretary-General, S/1994/1122, 30 September 1994, paragraph 5. This reflected a Statement by the President of the Security Council, S/PRST/1994/22, 3 May 1994.

The Former Yugoslavia

The UN involvement in the former Yugoslavia epitomised the complexities and the political and practical hazards of multifaceted internal peace operations. The position of the Secretary-General was commensurate with this. Nevertheless, it remains to be seen if it is appropriate to judge all such types of operations on the basis of experiences in the former Yugoslavia, as is often done so. Yet the Balkan situation was typical, albeit at its most volatile, of the "Pandora's box"¹³ of ethno-nationalist and irredentist conflicts that the end of the Cold War has encouraged, and into which the UN has sometimes been reluctantly "sucked".¹⁴

The response of the international community to the fragmentation of Yugoslavia was inconsistent and fragmented.¹⁵ The involvement of the United Nations began with an attempt to support the Serb-Croat cease-fire in Croatia, and from that widened and deepened to other areas. Efforts involved preventive activities in Macedonia, peacemaking in support of a search for a negotiated settlement, an extensive range of peace-keeping tasks, efforts to bring to trial those guilty of war crimes, a major humanitarian operation, and the first steps towards reconstruction and rehabilitation.¹⁶

In terms of mediation the European Community and the Secretary-General's Office initiated the London Conference on a comprehensive settlement in August 1992 and established a Steering Committee under Cyrus Vance and Lord David Owen, which became the International Conference on the former Yugoslavia in August 1994 under Owen and Thorvald Stoltenberg. The Vance-Owen peace plan for Bosnia envisaged a canton Swiss-style arrangement, but was not acceptable to the parties or the US. Thereafter the partition of Bosnia was felt likely, and the boundaries of this were to be decided on the battlefield. New impetus was provided in early 1994 by the establishment of the Contact Group of France, Germany, Russia, the US and Britain. Whilst these countries had their own ideas and interests at stake, there was also a common interest in stability and some form of

13 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1992, paragraph 140. Also W.Zimmerman, 'The Last Ambassador. A Memoir of the Collapse of Yugoslavia', *Foreign Affairs*, vol.74, no.2, p.7; M.Thompson, *A Paper House. The Ending of Yugoslavia*, London, Vintage, 1992; J.Zametica, *The Yugoslav Conflict*, Adelphi Paper 270, The International Institute for Strategic Studies, 1992.

14 T.G.Weiss, D.P.Forsythe, R.A.Coate, *op.cit.*, p.77.

15 R.Higgins, 'The new United Nations and former Yugoslavia', *International Affairs*, vol.69, no.3, July 1993; "the fragmentation of decision-making on Yugoslavia has been remarkable." p.475.

16 B.Boutros-Ghali, *Building Peace and Development*, Annual Report on the Work of the Organization, New York, UN, 1994, paragraph 695.

settlement. However, the divisions amongst external actors have confused the peacemaking and peace-keeping activities, especially the cleavage between Russia and the West.¹⁷

The Contact Group, which presented a map for an overall settlement proposing 51 per cent of the territory to the Bosnian-Croat federation and 49 percent to the Bosnian Serbs, reflected the need for Great Power leverage on the parties and agreement amongst themselves. The Secretary-General's Office was chiefly involved in communicating and facilitating this process, such as his decision for Stoltenberg to go to Belgrade and Pale in August 1994 to seek to persuade the Bosnian Serbs to accept the Contact Group's map.¹⁸ In addition, in July 1994 the Secretary-General gave a letter to the Security Council recommending possible options if the parties continued to reject the peace proposals.¹⁹ In the Autumn of 1995 the UN role in mediation was finally overtaken by the US efforts under Assistant Secretary of State Richard Holbrooke.

The Secretary-General's involvement in peace-keeping has been more significant. His Office played a key role in proposing and then implementing the first ever preventive deployment under Security Council Resolution 795 in Macedonia on the borders with Albania and Serbia. Boutros-Ghali's report to the Council proposed "monitoring and reporting any developments in the border areas which could undermine confidence and stability."²⁰ The success of the force - which became the UN Preventive Deployment - in preventing a widening of the conflict in a sensitive area, especially if Serbia purged Kosovo's Albanian population, was a boost to the preventive emphasis of *An Agenda for Peace*.

In Bosnia the mandate of the Organization was "to help alleviate the consequences of the conflict, particularly by providing humanitarian relief to suffering civilians, and to facilitate in various forms the efforts of all parties to reach a negotiated solution."²¹ Beginning with an effort to assist the distribution of humanitarian relief, the mandate of the UN Protection Force snowballed with the passing of endless Resolutions - many under or alluding to Chapter VII - which had little practical or political effect in the field. This credibility gap between the resolutions and the will to support them has frustrated and imperilled the efforts of peacekeepers and the position of the

17 J.Hoey wrote that "Bosnia has become the theater of war in which the rivalries among the world powers are being played out...The people pulling the strings are in Washington, Bonn, London, Paris and Moscow." 'Policy Without Principle. The US 'Great Game' in Bosnia', *The Nation*, vol.260, no.4, January 1995, p.133.

18 B.Boutros-Ghali, *Building Peace and Development*, paragraph 703.

19 B.Boutros-Ghali, *Building Peace and Development*, paragraph 707.

20 *Agence France Presse*, 10 December 1992.

21 B.Boutros-Ghali, *Building Peace and Development*, paragraph 705.

Secretary-General. The ill-fated safe haven concept, designed to protect six chiefly Muslim areas, was perhaps the starkest manifestation of this. UNPROFOR never had the political or military support to respond effectively to the continuous violations of the areas. As the ultimate field director, this reflected upon the Secretary-General and is an example of the Office burdened with an unrealistic mandate as a result of earlier exaggerated expectations and shortsightedness.

The Secretary-General showed determination to be involved in policy making, and not only in its execution. For example, when the Council accepted in July 1992 a cease-fire negotiated by Lord Carrington, involving the location and collection of heavy weaponry and an increase in peacekeepers, Boutros-Ghali objected on the grounds that this would be at the expense of peace operations in Africa, and that European regional efforts had a greater responsibility.²² On a number of occasions developments to the UN's mandate were made on the basis of the Secretaryship-General's assessments and reports. One example was the decision to split the three main strands of the field operation into the UN Protection Force, the UN Confidence Restoration Operation, and the UN Preventive Deployment.²³ In terms of the execution of policy the Secretary-General has sought to be as closely involved as possible; in May 1994 he convened a meeting in Paris to discuss the problems and the sense of crisis faced by the peace-keeping operation.²⁴ As David Owen recalled, the Secretary-General 'prodded' the Security Council when he felt that it could be constructive.²⁵

In May 1995 the operation reached a turning-point and its flaws were blatant. Unable to protect civilians yet mandated to protect safe areas, the presence of lightly armed peacekeepers on the theoretical basis of impartial intervention prevented the possibility of more forceful measures because of their vulnerability to attack.²⁶ Some have bluntly questioned the concept of an impartial

22 *The New York Times*, 3 August 1992, p.1; *The New York Times*, 23 July 1992, p.3.

23 Details of the Secretary-General's suggestions regarding the implementation of the resolutions establishing UNCRO, UNPROFOR and UNPRDEP are included in the 'Letter from the Secretary-General to the President of the Security Council', S/1995/386, 12 May 1995. Resolutions 981, 982 and 983 restructured the peace operation, on 31 March 1995.

24 United Nations News Summary, London, NS/16/94, 12 May 1994, and D.Owen, *Balkan Odyssey*, London, Victor Gollancz, 1995, p.278.

25 *Ibid.*, p.68.

26 T.G.Weiss wrote that the UN is "a convenient forum for governments to appear to be doing something without really doing anything substantial to thwart aggression, genocide, and forced movement of peoples." 'UN Responses in the Former Yugoslavia: Moral and Operational Choices', *Ethics and International Affairs*, vol.8, 1994, p.20; also T.G.Weiss, D.P.Forsythe, R.A.Coate, *The United Nations and Changing World Politics*, p.78; T.G.Weiss, 'Triage: Humanitarian Interventions in a New Era', *World Policy Journal*, vol.11, no.1, Spring 1994. S.Meisler, *op.cit.*, p.108, wrote that "[t]he Bosnian mission illustrates two somewhat contradictory qualities of Boutros-Ghali: his acceptance of the hypocritical manipulation of the United Nations by the United States and Europe to hide their own unwillingness to act, and his stubborn insistence that he is an independent player on the world stage."

involvement, claiming that the UN made the situation worse and a long-term solution more elusive, damaging the reputation and legitimacy of the Organisation.²⁷ The peacekeepers on the ground suffered all manner of attacks, hijacking, hostage taking, and theft. They were not respected because they were not perceived to be impartial by the parties; the safe havens, for example, were seen by the Bosnian Serbs as harbouring Bosnian government forces.

To many people the experiences of UNPROFOR have borne out Rosalyn Higgins' observation that the provision of ancillary relief and peace-keeping without a cease-fire was a "totally unrealistic mandate" and "doomed to failure."²⁸ To the extent that this has been the case, the reputation of the Secretary-General was tainted along with that of the UN. His position certainly reflected the uncertainties and tensions of the external actors and the volatility of the combatants. On a personal level Boutros-Ghali's unpopularity with the population of Sarajevo when he visited there²⁹ was symbolic of the position of the UN in not satisfying the parties and providing a scapegoat for the lack of political resolution amongst the Security Council members.³⁰

In May 1995 Boutros-Ghali reported that the current role of UNPROFOR was untenable and had to be changed. It was based upon the principles of peace-keeping but had come to include elements of peace-enforcement and "[n]othing is more dangerous for a peace-keeping operation than to ask it to use force when its existing composition, armament, logistic support and deployment deny it the capacity to do so."³¹ The Bosnian Serb taking of UN hostages and the overrunning of the eastern Muslim enclaves in July 1995, and the continued deaths of peacekeepers on the ground, underlined the crisis.

Boutros-Ghali suggested that the Organisation faced a defining moment in its reaction to Bosnia and set out four options: withdrawal, greater use of force, a continuation as before, and a revision of the mandate to include only realistic tasks.³² Although he presented the report as a proposal of options, Boutros-Ghali clearly advocated the fourth course of action - unless a multinational force was prepared to take over - and therefore placed his Office in a policy influencing role, not merely in an administrative peace-keeping role. Since then, the Secretary-General advocated in essence a

27 M.N.Barnett, 'The United Nations and Global Security: The Norm is Mightier than the Sword', *Ethics and International Affairs*, vol.9, 1995; R.K.Betts, 'The Delusion of Impartial Intervention', *Foreign Affairs*, vol.73, no.6, 1994.

28 R.Higgins, *op.cit.*, p.468.

29 *The Los Angeles Times*, 1 December 1994, p.1.

30 Interview with a member of the Executive Office of the Secretary-General, New York, 28 June 1994.

31 United Nations News Summary, London, NS/13/95, 2 June 1995.

32 *Ibid.*

transition of the military command of the operation to NATO, arguing that peace-keeping should only be pursued where possible. The NATO Implementation Force under the authorisation of the Security Council, subsequent to the Dayton peace accord contrasted markedly with the UN operation it replaced, and the Secretary-General readily admitted that the UN was not suited to certain situations. Indeed, it was interesting to observe how the UN had learnt the lessons of the immediate post-Cold War peace-keeping extravagances. At the outset of the Bosnian operation certain members of the Secretariat were quietly reluctant to become involved.³³ Three years later the Secretary-General was openly reluctant for the UN to supervise the agreement for the return of Eastern Slavonia to Croatia and its demilitarisation in accordance with the Basic Agreement between Croatia and local Serbs, arguing instead that the task would be better suited to a coalition such as NATO.³⁴ He was over-ruled and subsequently Security Council Resolution 1043 of 31 January 1996 authorised the deployment of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium. He very clearly had reservations based on painful experience.

A further possible departure was the association of the Secretary-General with the use of NATO close air support in enforcing the no-fly zone, the heavy weapons exclusion zones, the protection of UN personnel and to a certain degree the safe areas. In January 1994 a NATO summit gave the go-ahead for NATO support for Tuzla and Srebrenica if peacekeepers were attacked, calling upon Boutros-Ghali to draw up plans for the operation and confirming that it would act if asked by the UN.³⁵ Officially the decision to use force would be a result of an assessment by the UN force commander in consultation with the UN civilian chief, Yasushi Akashi, who would make a request to the Secretary-General, who in turn would request action of NATO. Both Boutros-Ghali and Akashi were cautious of air strikes - some would say too much so - and given the large French and British forces on the ground and the danger of repercussions against them, it is probable that the two countries had a veto on strikes.³⁶ After the tragedy of the Sarajevo market place bombardment in early 1994 air strikes were possible not just in defence of peacekeepers but also civilian safe areas. Initially there was something of a turf-war between the UN and NATO regarding the question of the 'final say' on air strikes, and also in some senses between the Security Council and the

33 Interviews, Department of Political Affairs, New York, May-June 1994.

34 Report of the Secretary-General Pursuant to Security Council 1025(1995), S/1995/1028, 13 December 1995, paragraph 23. Apparently, Boutros-Ghali and Ambassador Albright had something of a clash over this issue, *The Washington Post*, 16 January 1996, p.10.

35 *The Washington Post*, 4 August 1993.

36 *The Times*, 4 August 1993.

Secretary-General. Boutros-Ghali felt that his Office could be the catalyst for air strikes under the authority of the Security Council, and apparently wrote to US Secretary of State regarding the use of air power in Bosnia.³⁷ However, it was not the case that Boutros-Ghali was keen to use this option; his insistence also implied that he be able to *block* airstrikes if he felt they might jeopardise other parts of the operation. This in fact occurred on a number of occasions, in opposition to the US.³⁸ However, following the February 1994 market place attack the Secretary-General was proactive in asking NATO to prepare urgently for air strikes. He requested, and received, a decision by the North Atlantic Council to authorise the Commander-in-Chief of NATO's Southern Command to launch strikes at the request of the United Nations in a form of dual-key approach.³⁹

NATO planes were called in to Bihac by UNPROFOR to protect UN troops in November 1994 on the same basis.⁴⁰ However, with the escalation of air strikes in September 1995 the dual-key was overridden and most observers agreed that NATO - in effect the US - was at the helm, in parallel to the US-dominated peace settlement process.⁴¹

The reinforcement of UNPROFOR with the Rapid Reaction Force also had implications for the Secretaryship-General in the context of the use of force. In the summer of 1995, France, Britain and the Netherlands proposed to the Secretary-General the deployment of well-armed mobile units to respond to threats to UN personnel. The force of around 4500 had Council authorization and was under the existing command of the UN and the direction of the Secretary-General and his Special Representative. However, although the troops were to be under the UN flag, they wore national uniforms instead of blue helmets and white vehicles.⁴²

There are a number of problems attached to the use of force in connection with a humanitarian peace-keeping mission and the Office of Secretary-General. Firstly, it is very dangerous to combine the use of force - even by theoretically separate NATO forces - with the presence of lightly armed blue helmets; it risks retribution against the latter and the humanitarian operation. This itself made air strikes few and largely symbolic until September 1995, even in the face of blatant violations of

37 United Nations News Summary, London, NS/31/93, 5 August 1993. The Secretary-General later informed the Council in a letter that he would not hesitate to initiate the use of close air support if UNPROFOR personnel were attacked while implementing plans to rotate peacekeepers, United Nations News Summary, London, NS/3/94, 3 February 1994.

38 *The New York Times*, 20 January 1994, p.8; *The New York Times*, 24 April 1994, p.1; D.Owen, *op.cit.*, p.321. Owen observed the tension which existed between NATO and the UN, p.78.

39 United Nations News Summary, London, NS/4/94, 10 February 1994.

40 United Nations News Summary, London, NS/38/94, 30 November 1994.

41 *The Guardian*, 12 September 1995, p.15.

42 Letter from the Secretary-General to the President of the Security Council, S/1995/470, 9 June 1995.

agreements and Council resolutions, thus strengthening the image of the UN as indecisive and toothless. The air strikes therefore appeared in some ways to have been an ill-thought-out response to a need to be seen to be doing 'something' and put the Secretary-General in a difficult position. However, one Department of Political Affairs officer suggested that this authority represented a 'qualitative difference', a significant escalation in the status to the Office.⁴³ In addition, the appearance of the Secretary-General having the final decision on air support was a burden which was likely to enable the Security Council to use the Secretary-General as scapegoat to cover their own divisions regarding the use of force.

The proximity of the Secretaryship-General to the use of force may have endowed the Office with unprecedented powers in the context of a blurring of the distinction between classical peaceful settlement and more coercive techniques. It may also represent a departure from the classical model of the international civil service. However, it is also possible that this trend threatens the Office's traditional roles as an impartial and innocuous third party with the potential for quasi-independent status from the Council. A former UN negotiator suggested that the "assumption of powers by the Secretary-General to manage the use of force may well be a suicidal embrace."⁴⁴ A former senior member of the Executive Office of the Secretary-General agreed that "giving orders as to whether or not people should be killed" has serious implications: "this *has* enhanced the role of the Secretary-General, but in my opinion it also threatens the role of the Secretary-General."⁴⁵ Moreover, the Secretary-General's Office is not endowed with the tools of executing force. For the Security Council to acquiesce or allow the Secretary-General to take decisions of a military nature can often mask their own indecision and thus be hazardous to the Secretaryship-General itself. Thus, it may not just be the use of force *per se* that has potentially adverse effects upon the Secretaryship-General but the use of force when poorly executed.

To counter this, one can argue that this trend does not necessarily damage the Secretary-General's traditional roles in *other* cases where an impartial third party is appropriate. In addition, as the Organisation evolves in accordance with the demands imposed upon it then so must the

43 Interview, UN, New York, June 1994. A member of the UK Mission to the UN, in contrast, remarked that "It is a gross simplification to say it's a question of Boutros-Ghali having the 'last word'," and "the air strikes which were threatened...were very much *sui generis*. That is to say, that by launching those air strikes one is not changing the nature of UN command and control with peace-keeping operations."

44 G.Picco, 'The UN and the Use of Force. Leave the Secretary-General Out of It', *Foreign Affairs*, vol.73, no.5, 1994, p.15. For I.L.Claude the use of force is "antithetical to the nonjudgemental approach expected of the third party in an attempt at pacific settlement." 'Reflections on the Role of the UN Secretary-General', in B.Rivlin and L.Gordenker ed. *op.cit.*, p.258.

45 Interview, New York, June 1994. He concluded that the use of force should therefore be leased out.

Secretaryship-General if it is to retain a role. This was argued by one DPA officer: "if the UN is to grow and change and adapt, it's part of the process," although he accepted that the "closer to real power, the more dangerous it becomes, because your actions will have consequences that are much more wide-ranging and significant than if you were a marginal player playing an innocuous role."⁴⁶

A former UK Permanent Representative to the United Nations likewise observed that although the apparent blurring of the distinction between classical peace-keeping and coercive techniques might complicate the role of the Office, this is part of the job in the modern world and the use of force should not be exaggerated.⁴⁷

Somalia

In Somalia the Secretary-General was again in proximity to the use of force. In addition, the Office was pushing innovative experimental ideas of nation-building in the belief that the Security Council would continue to support New World Order ideas of multilateralism and democratisation. It transpired that certain aspects of the operations were unrealistic and that the Secretary-General might have taken advantage of a somewhat directionless or impressionable US foreign policy at a transitional stage. Nevertheless, this episode displayed a policy-influencing, almost a policy-making, role for the Secretary-General in the widening and deepening of the UN involvement and a qualitatively unprecedented status for the Office in proposing and implementing precarious peace enforcement techniques. Such was the key position of the Secretary-General in the widening of involvement that when the US and UN policy unravelled in October 1993, he became an automatic target of disillusionment and criticism.

With the fall of Mohamed Siad Barre in January 1991 vying clans and drought wrought chaos and suffering upon the country. A cease-fire of sorts was established in March 1992 and the UN Operation in Somalia was formed under Council Resolution 751 to monitor it and provide security for UN personnel and humanitarian supplies. The operation was also to "support" the Secretary-General in "his continuing mission in Somalia to facilitate an immediate and effective cessation of hostilities and the maintenance of a cease-fire throughout the country in order to promote the process of reconciliation...".⁴⁸ Boutros-Ghali reported in the summer that banditry and looting were

46 Interview, Department of Political Affairs, UN, New York, June 1994.

47 Interview, London, 29 February 1996.

48 Security Council Resolution 751, 24 April 1992, paragraphs 2 and 7.

undermining efforts and "[h]umanitarian assistance must be provided regardless of whether or not there is an immediate political solution"; he was already thinking in terms of "nothing less than the reconstruction of an entire society and nation."⁴⁹ Resolution 767 and 775 authorised more men and widened the mandate but by the end of the year the situation was "intolerable", with as many as 3000 dying per day as a result of starvation and lawlessness.⁵⁰ Boutros-Ghali reported to the Council on 24 November 1992 that traditional peace-keeping techniques were not working and that it might be necessary to upgrade to peace-enforcement, although he couched his proposal in the context of a set of five options.⁵¹ A former US Assistant Secretary of State for International Organisation has revealed that President Bush had already presented a plan to Boutros-Ghali for US forces to provide limited security for the distribution of humanitarian assistance. It is significant that the US administration appeared to put the decision in Boutros-Ghali's hands: "[Acting Secretary of State] Eagleburger stressed that the United States would not proceed if the secretary-general opposed the plan."⁵² Despite the possibility that Bush's actions may have had an element of domestic politics behind them, they were, in collaboration with Boutros-Ghali, a response to a deteriorating humanitarian situation based partly on proposals made by the Secretary-General.

Security Council Resolution 794 of 3 December 1992, under Chapter VII of the UN Charter, seemingly set a precedent in mandating "all necessary means" to secure the distribution of humanitarian assistance, to "proceed at the discretion of the Secretary-General in the light of his assessment of conditions on the ground."⁵³ Under this authorization, the Unified Task Force embarked upon Operation Restore Hope on 9 December, under the US, with the intention of handing over to the UN when security had been established. Resolution 794 clearly put the Secretary-General in a key administrative position and explicitly tied the Office to the use of force. It is important to note that the Bush administration had a fairly limited conception of Operation Restore Hope: limited security for humanitarian assistance. However, Boutros-Ghali envisaged that the operation would contribute to a "comprehensive and multifaceted....reconstruction of an entire

49 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1992, paragraph 158 and 148.

50 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 428. Both Resolutions were adopted in light of the Secretary-General's reports.

51 *Ibid.*, paragraph 430; R.Thakur, 'From Peacekeeping to Peace Enforcement: the UN Operation in Somalia', *The Journal of Modern African Studies*, vol.32, no.3, 1994, p.394.

52 J.R.Bolton, 'Wrong Turn in Somalia', *Foreign Affairs*, vol.73, no.1, 1994, pp.58-59.

53 Security Council 794, 3 December 1992, paragraphs 6 and 7, on the basis of the "recommendation of the Secretary-General".

society and nation."⁵⁴ According to Bolton, the day after the task force arrived, Bush wrote to Boutros-Ghali to reemphasise the limited and specific nature of the mission whilst the Secretary-General was already talking about disarming the factions, setting up a civil administration and training the police.⁵⁵ As Bush's Presidency came to a close it appears that the immediate security concerns were eased, aid was getting through, and a low-key political process was underway involving most political groups.⁵⁶ Indeed, US ties with the prominent faction leader General Aidid had been reasonably cordial under UNITAF because US envoy Robert Oakley refrained from pursuing disarmament in return for a pledge that the warlords would not target US troops, although this broke down when Clinton came in.⁵⁷ Boutros-Ghali made no effort to dissociate his Office from the use of force; in fact he appeared to imply that the Secretaryship-General should have a greater role: "[i]f forceful action is taken, it should preferably be under United Nations command and control. If this is not feasible, an alternative would be an operation undertaken by Member States acting with the authorization of the Security Council."⁵⁸

It appears that the UN Operation in Somalia (II) took over prematurely in May 1993, and as violence continued Boutros-Ghali "concluded that UNOSOM II should be endowed with enforcement powers to enable it to establish a secure environment throughout Somalia."⁵⁹ The bullish Clinton administration, without the experience in foreign policy of Bush but revelling in New World Order concepts of US leadership and humanitarianism, melded with Boutros-Ghali's determination to widen and deepen the operation. Boutros-Ghali was unhappy with the idea of dealing with the factions and sought disarmament. Thus, with US backing, Resolution 814 brought the mandate into an experimental and perhaps precarious realm. Under Chapter VII, and explicitly tied to the Secretary-General, the UN undertook rigorous policing and disarmament objectives, albeit based theoretically on the Addis Ababa reconciliation process and agreements established therein. Ambassador Albright said that the objective was "nothing less than the restoration of an entire country."⁶⁰ Resolution 865 further embraced this 'nation-building'. Moreover, Resolution 837, in

54 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1992, paragraphs 147 and 148.

55 J.R.Bolton, *op.cit.*, p.60.

56 C.A.Crocker, 'The Lessons of Somalia. Not Everything Went Wrong', *Foreign Affairs*, vol.74, no.3, 1995, p.4.

57 *The Independent*, 30 June 1993, p.10; a good account is 'A Humanitarian Gesture Turns Deadly', *The Washington Post*, 10 October 1993, p.A1.

58 Letter from the Secretary-General to the President of the Security Council, S/24868, 30 November 1992.

59 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 433.

60 Cited by J.W.Bolton, *op.cit.*, p.62.

response to the death of a number of Pakistani peacekeepers in June 1993 and further attacks, "[r]eaffirms that the Secretary-General is authorized...to take all necessary measures against all those responsible for the armed attacks."⁶¹ According to one account, "[f]or the first time, the secretary-general directly commanded a military force deployed under Chapter VII."⁶² James Jonah similarly wrote of the "major transformation in the role of the Secretary-General, marked by the Council's approval of the transition from UNITAF to UNOSOM II."⁶³

The June 1993 attack was the first of a number of bitter clashes involving serious losses on all sides. In late September a US helicopter was brought down with the loss of three lives and on 3 October around 17 US soldiers were killed in Mogadishu. A number of journalists, aid workers and hundreds of Somalis had also died in between June and October 1993 in the violence which arose from the bungled campaign to arrest Aidid.⁶⁴ Much blame has been levelled at Boutros-Ghali and Admiral Howe for rejecting the conciliatory approach of Oakley, attempting to disarm all the factions, and placing key emphasis on the arrest of Aidid. Boutros-Ghali's record in the Egyptian foreign ministry indicated some association with Ali Mahdi Mohamed, Aidid's main rival, so by targeting Aidid's clan the UN and the US had entered the fray of Somali internecine conflict. With the loss of the appearance of impartiality and without even the tools or the will to do the job properly the operation was undermined by its casualties and the hostility it unintentionally aroused.

Aidid stated that "UN bureaucrats, from the secretary-general downwards, have failed time and again to demonstrate an understanding of the intricate political problems in Somalia."⁶⁵ Although this was somewhat disingenuous, many inside and outside Somalia felt that the US approach under Bush and Oakley, which envisaged a limited humanitarian-security operation with some level of dialogue and cooperation with the strong men on the ground, was upset by arrogant and unrealistic nation-building ideas by Boutros-Ghali and Howe. For example, it is reported that in late September

61 Security Council Resolution 837, 6 June 1993, paragraph 5. Robert Oakley, an advocate of a more conciliatory approach to Aidid than Boutros-Ghali and Howe, is reported to have called this a "stupid" decision, *The Toronto Star*, 10 October 1993, p.F1. Tom Farer, who investigated the 5 June attack on the Pakistanis and found "clear and convincing evidence" of Aidid's complicity, nevertheless said that Resolution 837 was hurried and ill-advised, *The Washington Post*, 7 October 1993, p.A37.

62 T.G.Weiss, D.P.Forsythe, R.A.Coate, *The United Nations and Changing World Politics*, p.80.

63 J.O.C.Jonah, *op.cit.*, p.18.

64 Boutros-Ghali was also reported to have 'instructed' the UN operation to apprehend the killers of four journalists in Mogadishu, United Nations News Summary, London, NS/28/93, 15 July 1993.

65 *Financial Times*, 6 January 1993, p.4. A press release from the Somali National Alliance of 11 April 1995 was extremely hostile to the UN and the Secretary-General, evidently identifying him with the UNOSOM coercion, appended to the Letter from the Secretary-General to the President of the Security Council, S/1995/322, 21 April 1995.

1993, shortly before the US losses in October, Secretary of State Warren Christopher told Boutros-Ghali that the US was uncomfortable with disarmament and the search for Aidid and wanted to get back to the conciliatory approach.⁶⁶ Perhaps Boutros-Ghali did not want the UN, or himself, humbled, for he apparently resisted Christopher's appeal. Similarly, reports existed that Howe and UN commanders actually rejected a secret deal offered by Aidid to end hostilities and begin a dialogue.⁶⁷ A record of the informal consultations of the Security Council indicated that in March 1993 members were already expressing worries about finance, the safety of UN personnel in general and the issue of sovereignty.⁶⁸

The dissent of UN representative Mohammad Sahnoun against the approach of the Organisation - leading to his premature departure - further damaged the position of Boutros-Ghali. He later proclaimed that "[n]othing is more precious to the United Nations than its reputation," and that rests upon impartiality, equity, efficiency and independence.⁶⁹ Yet in this and other cases the reputation of the Organisation and its Secretary-General was in danger of being jeopardised through their proximity to the use of force and as an instrument of certain states or alliances.

By September 1993 the US was beginning to have severe doubts about UNOSOM II as a result of the bungled raids and casualties on all sides since June. The 6 October disaster, involving a number of US casualties, finally swung Congress, the public and the administration against the operation and Clinton identified March 1994 as the date for US withdrawal. In the heat of the moment a number of US politicians implied that the US losses had been a result of UN command and control, although in fact the raid was under US command and the UN was only informed of it as it was launched. Nevertheless, it appeared that the United States had turned away from the operation, and indeed the whole concept of supporting hazardous UN operations in distant countries which were not tied to the 'national interest'. As Bolton remarked, "whatever the real meaning of 'assertive multilateralism', that policy died an early death in Somalia."⁷⁰

The administration backed away from earlier resolutions and rhetoric; Clinton proclaimed that "it is not our job to rebuild Somalia's society."⁷¹ To cement its disillusionment with the UN, and to Howe's chagrin, Clinton sent Oakley back to Somalia to talk with Aidid and his arrest was

66 *Toronto Star*, 10 October 1993, p.F1; *The New York Times*, 1 October 1993, p.1.

67 *Los Angeles Times*, 23 October 1993, p.1.

68 Informal consultations of the Security Council, 19 March 1993.

69 The Secretary-General's Cyril Foster Lecture, Oxford University, 15 January 1996.

70 J.R.Bolton, *op.cit.*, p.62.

71 *Washington Post*, 10 October 1993, p.A1.

abandoned. This was an admission that the UNOSOM II had been undermined and Aidid had effectively triumphed; the UN, and its chief, would be scapegoated. Boutros-Ghali remarked: "[t]he United Nations exists to help countries solve their problems. If it helps the Americans solve theirs by blaming me, I'll be a scapegoat."⁷² As Brian Urquhart remarked, the Secretary-General is still "the world's number one fig leaf and scapegoat."⁷³

One can defend Boutros-Ghali. The Secretary-General was acting on the basis of resolutions sponsored by the US, and disarmament appeared to be the best way to establish long-term peace; eleven Somali political organisations had apparently expressed full support for the disarmament objectives of UNOSOM in June 1993.⁷⁴ Moreover, Boutros-Ghali was supportive of all-party talks; he convened the Conference on National Reconciliation in accordance with agreements in Addis Ababa in January 1993 and his Special Representative was in contact with all factions, including General Aidid, in 1994.⁷⁵ Indeed, the Secretary-General continued efforts to set up a political presence in Somalia after the withdrawal of the UN by maintaining a small office in Nairobi, on his initiative, to assist reconciliation efforts.⁷⁶ This is significant in the face of dwindling media attention and disillusionment amongst the donor community.⁷⁷ Whilst a number of Somali leaders expressed the desire for more assistance "the financial crisis currently facing the United Nations militates against provision of the kind of support they want."⁷⁸ Nevertheless, the Secretary-General reported that he intended to maintain the UN Political Office in Somalia, perhaps with the implication that he, if not the international community, would not abandon Somalia.⁷⁹ What were the implications of UN involvement for the Secretaryship-General?

In taking advantage of an environment of experimentation and optimism in the UN and transition

72 *The New York Times*, 16 October 1993, p.1.

73 B.Urquhart, 'Selecting the World's CEO. Remembering the Secretaries-General', *Foreign Affairs*, vol.74, no.3, 1995, p.23.

74 United Nations News Summary, London, NS/22/93, 24 June 1993.

75 Report of the Secretary-General Concerning the Situation in Somalia, S/1994/1068, 17 September 1994.

76 Letter from the Secretary-General to the President of the Security Council, S/1995/451, 31 May 1995; Letter from the Secretary-General to the President of the Security Council, S/1995/322, 21 April 1995. Earlier he had promised that "I shall not hesitate to revert to the Security Council with recommendations for the continuation of some United Nations presence in Somalia beyond March 1995 if that is justified." Report of the Secretary-General Concerning the Situation in Somalia, S/1994/1166, 14 October 1994, paragraph 23.

77 Statement of the Inter-Agency Standing Committee on Somalia, in a Letter from the Secretary-General to the President of the Security Council, S/1994/1392, 7 December 1994.

78 Report of the Secretary-General on the Situation in Somalia, S/1996/42, 19 January 1996, paragraph 42.

79 *Ibid.*

in the US, Boutros-Ghali was able to play a key role in the escalation of UNOSOM firstly to UNITAF and then UNOSOM II. In UNOSOM II he held significant powers under Chapter VII at an operational and coordination level with the use of peace enforcement techniques. The Secretary-General was directing the use of force in a stark departure from the classical model of the international civil service. However, this position of authority - perhaps even power - transpired to be precarious as the support of the Council, and most importantly the US, was fragile. In addition, the use of force and the abandonment of impartiality undoubtedly affected the utility of the Secretary-General in mediating in this conflict and possibly tainted the reputation of the Office in a wider sense. It is possible too that the use of force in any instance is incompatible with the role of an innocuous and impartial third party. Alternatively, history has shown that the international civil service can and must adapt, and must embrace the new demands thrust upon the Organisation. Yet the reluctance of member states and the Secretariat to consider peace-enforcement since Somalia casts doubt upon this. The Secretary-General observed, as the operation was withdrawn three weeks ahead of the deadline, that there are "important lessons to be learned about the theory and practice of multifunctional peace-keeping operations in conditions of civil war and chaos and especially about the clear line that needs to be drawn between peace-keeping and enforcement action."⁸⁰

Angola

In Angola the Secretary-General and his representatives were encumbered by an over-burdened and complex UN peace-keeping workload and an emergent climate of multilateral fatigue. Chester Crocker, who represented the US at the negotiations which brought the 1991 Angola accords, observed that "faced with mounting worldwide peace-keeping costs and peace accords that limited the UN's implementing role, the Security Council decided to bring peace to Angola on the cheap."⁸¹ Margaret Anstee, former head of the UN mission in Angola, agreed that the mandate and resources were "woefully inadequate".⁸²

The September 1992 election should have brought some seventeen years of conflict to an end. It was the culmination of a number of processes which yielded the May 1991 Bicesse accord. The end of the Cold War had encouraged the transition of Namibia and the withdrawal of Cuban troops

80 Report of the Secretary-General on the Situation in Somalia submitted in pursuance of paragraph 13 of Security Council Resolution 954, S/1995/231, 28 March 1995, paragraph 65.

81 C.A.Crocker, 'Can This Outrageous Spectacle be Stopped?', *The Washington Post*, 13 October 1993, p.21.

82 Letter in *The Daily Telegraph*, 7 September 1993, p.16.

from the area, and the end of South African efforts at regional domination.⁸³ Soviet and US support to the MPLA government and the UNITA rebels theoretically ceased and there were grounds for national reconciliation. The role of the UN was to monitor the elections and the other elements of the accord.

However, the number of personnel assigned to the country - compared to the high profile settlement in Cambodia, for example - was widely felt to be inadequate to help to organise the elections in time and promote confidence to the whole process.⁸⁴ The second UN verification mission - the first being that which monitored Cuban withdrawal following the 1988 Namibia settlement - comprised 350 military and 126 police observers, with an additional 400 at the time of the elections, to monitor the cease-fire and demobilisation and witness the ballot.⁸⁵

Another problem was the nature of the election, which was largely winner takes all - not an appropriate framework for national reconciliation after so many years of conflict and no experience of democracy. In addition, the UN had not insisted on thorough demobilisation and disarmament so both sides had the means to take up arms if the outcome of the election did not suit. The UN Secretariat had to work within the confines of an increasingly wary Security Council, especially as the country did not have much political importance or media attention. As long as oil continued to flow and Western commercial interests were not threatened it did not warrant a substantial allocation of resources. Another factor working against the UN and contributing to the failure of UNAVEM II was the private relations of external actors to Angolan factions and former Cold War acquaintances. The US did not recognise the government even after the 1992 election and no pressure was put on Zaire to end its support for UNITA rebel leader Savimbi. Some have subsequently suggested that UNITA had tacit approval from the West to fight it out after the 1992 elections and that the West's appeasement has prolonged the conflict.⁸⁶

The governing MPLA won a majority in the National Assembly and dos Santos won the first round of the Presidential ballot. Savimbi claimed there had been vote rigging and quickly mobilised his forces, taking control of Huambo, a UNITA stronghold. The troika of the US, Russia and Portugal led international efforts and South Africa joined the fray, although without the leverage it

83 See C.Pycroft, 'Angola - 'The Forgotten Tragedy'', *Journal of Southern African Studies*, vol.20, no.2, 1994, p.242.

84 *Ibid.*, and C.A.Crocker, *op.cit.*; M.Anstee, *op.cit.*; A.W.Pereira, 'The Neglected Tragedy: the Return to War in Angola', *The Journal of Modern African Studies*, vol.32, vol.1, 1994, p.27.

85 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 311.

86 *The Guardian*, editorial, 19 February 1996.

once had. According to Boutros-Ghali, with the renewal of hostilities - which saw the most bitter fighting of the whole civil war - UNAVEM II "actively engaged in efforts to reach a peace settlement between the Government and UNITA."⁸⁷ Special Representative Margaret Anstee and Marrack Gouling reportedly sought to do this in October and November 1992 whilst Savimbi accepted one of many cease-fires.⁸⁸ Pycroft has suggested that, by acting as a neutral arbiter, the UN had strengthened Savimbi's claim to equal status and therefore "inadvertently legitimised UNITA's decision to return to war."⁸⁹

This seems unfair. The UN effort, presumably along with those of the 'troika' and South Africa, was directed towards the cessation of violence and UNITA's acceptance of the 1992 election. It is a reflection of the 'new era' of UN activities that the Secretary-General has had to shake hands with Jonas Savimbi, a man regarded by many to be a warlord, and risk giving legitimacy to UNITA before it had irreversibly committed itself to the peace process. UN Special Representative Alioune Blondin Beye, from July 1993, was said to have conducted "intensive consultations aimed at the resumption of peace talks."⁹⁰ The talks in Lusaka were essentially under UN auspices and sought initially a cease-fire, acceptance of the elections, a withdrawal by UNITA of territory taken since the renewal of hostilities, and secondly the completion of the electoral process, the new mandate of the UN, and reconciliation. Under the threat of Council sanctions and the offer of concessions UNITA announced a suspension of hostilities and, with the government, agreed to a cease-fire in August 1994. There was still some doubt - due to Savimbi's absence from the process - and Boutros-Ghali wisely stated that peacekeepers would not be sent until an "effective cease-fire" took hold.⁹¹ Even on the eve of deployment the Secretary-General reaffirmed that "I shall not hesitate to recommend" the postponement or cancellation of deployment if the parties fail to fulfil their commitment to the peace process.⁹²

Boutros-Ghali was responding to the widely felt alarm that the Organisation had committed resources and personnel prematurely in some areas which had become embroiled in continuing

87 B.Boutros-Ghali, 'Building Peace and Development', paragraph 447.

88 *Ibid.*

89 C.Pycroft, *op.cit.*, p.253; Victoria Brittain wrote that "Every round of negotiations with the UN has given him [Savimbi] another lease of respectability." *The Guardian*, 12 August 1995, p.T21. C.A.Crocker is more sympathetic toward Savimbi, *op.cit.*

90 B.Boutros-Ghali, 'Building Peace and Development', paragraph 448?

91 *The Independent*, 28 November 1994, p.10.

92 Third Progress Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEMIII), S/1995/350, 3 May 1995, paragraph 22.

conflicts, thereby wasting resources and suffering financial and human losses. As this trend was clearly affecting the Organisation's willingness to become involved in domestic situations, the Secretary-General had to exercise restraint along with the Council. In Lusaka Beye had been orchestrating negotiations on the Secretary-General's behalf and Paul Hare's presence on behalf of President Clinton made clear to UNITA that it no longer had international friends. Negotiations came down to the distribution of ministries and governorships between UNITA and the MPLA, the nature of the peace-keeping force, and disarmament. With the fighting continuing and Savimbi's absence from the signing of the August agreements, doubts remained. Boutros-Ghali refused to commit peacekeepers until Savimbi and dos Santos finally met. In March 1995 the Secretary-General sent a Special Adviser to assess the situation and deliver letters to the leaders of the two principal parties. On this basis he recommended that although there were risks involved the Organisation should proceed with preparations for the deployment of some UNAVEM III units.⁹³

Dos Santos and Savimbi finally met in Lusaka in May 1995. After a personal visit by the Secretary-General in mid-July 1995 to speed up and consolidate the momentum, UNAVEM III began to deploy in the summer under Resolution 976. In addition, the Secretary-General met the President at the fiftieth anniversary commemorations in New York.⁹⁴ In parallel, a Joint Commission, including the observer states - Portugal, Russia and the US - and under the Secretary-General's Special Representative, assisted the implementation of the Lusaka Protocol for peace and reconciliation. This involved the allocation of cabinet posts, the cease-fire, humanitarian and social assistance and rehabilitation. However, the fact that only half of the authorised troops had dispatched by mid-August and less than one per cent of the voluntary funds for demobilisation and rehabilitation under the 1995 humanitarian appeal had been contributed by July indicates the caution and conservatism still prevalent amongst member states.⁹⁵ Whether this had a bearing on the flare-up of fighting in the end of 1995 is unclear. The Angolan army initiated an offensive against UNITA troops and Savimbi responded by suspending the quartering of his forces and withdrawing cooperation with UNAVEM III.⁹⁶ The Secretary-General telephoned Savimbi and his representative

93 Letter from the Secretary-General to the President of the Security Council, S/1995/230, 28 March 1995. See also Report of the Secretary-General on the UN Angola Verification Mission (UNAVEMIII), S/1995/588, 17 July 1995, paragraph 5.

94 Report of the Secretary-General on the United Nations Verification Mission (UNAVEMIII), S/1995/1012, 7 December 1995.

95 *Ibid.*, paragraph 39; financial problems, paragraph 35.

96 Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEMIII), S/1996/75, 31 January 1996.

worked hard to get the Lusaka Protocol back on track, undoubtedly assisted by the visit of US Ambassador Albright. Her presence and message from the Permanent members of the Security Council underscored the "growing impatience of the international community" with the parties.⁹⁷ When the Security Council extended UNAVEM III until 8 May 1996 it was with the proviso that the Secretary-General report regularly on concrete progress.

Mozambique

In the context of an overburdened UN, Mozambique, along with Angola, did not command a priority status. Again, the Office of Secretary-General was in a difficult position with his resources spread thinly. Many looked towards the UN Secretariat to avoid the mistakes of Angola, where weapons were allowed to stay on the ground after the 1991 peace accord. In Mozambique the October 1992 Rome accords, under Italian mediation, ended the civil war. Immediately after the summit the Secretary-General sent a representative to the country to begin the monitoring/implementation process and step up the humanitarian mechanism.⁹⁸ Government and rebel RENAMO troops were to be cantoned or demobilised, a new national army was to be formed and elections originally to be held in 1993. Learning the lessons of Angola, both Boutros-Ghali and his Special Representative Aldo Ajello vowed "no elections without demobilisation."⁹⁹ In having this control over the peace process, Anthony Parsons wrote that, whilst they were under the authority of the Security Council, they "were put in the driving seat rather than being helpless passengers, as in Angola."¹⁰⁰

However, the whole process soon fell behind the schedule of elections for October 1993 and there was still a lack of confidence and trust. Given the resources committed there was some pressure - as in Western Sahara - to keep the process on track. Boutros-Ghali visited in October 1993 and managed to help to secure a rescheduling for October 1994 and keep the momentum going for the whole operation.¹⁰¹ Again, however, problems threatened a delay in 1994. In January a non-governmental organisation exposed the child prostitution scandal in which some peacekeepers had

97 *Ibid.*

98 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 382.

99 J.Wurst, 'Mozambique. Peace and More', *World Policy Journal*, vol.11, no.3, 1994, p.80; *The New York Times*, 20, December 1992, section 4, p.2.

100 A.Parsons, *From Cold War to Hot Peace. UN Interventions 1947-1995*, London, Penguin Books, 1995, p.152.

101 B.Boutros-Ghali, 'Building Peace and Development', September 1994, paragraph 592.

been involved and problems appeared regarding the demobilisation of parties. In May, after Italy reduced its force contribution, Bangladesh, India and Portugal indicated that they might follow suit.¹⁰² The climate of multilateral fatigue was threatening the peace process, especially as sufficient confidence did not quite exist amongst the people of Mozambique and the two main political groupings, both of which still had access to weapons and could boycott the elections. In order that this opportunity - and the efforts of the Organisation - not be squandered Boutros-Ghali appealed against any more cuts and with the Council urged the parties to stick to the commitments.¹⁰³ Subsequently, Aldo Ajello was able to declare that the UN monitored elections of 27-29 October 1994 were 'free and fair' after a high turn-out and few problems.¹⁰⁴ The Secretary-General subsequently attributed the "remarkable success" to the commitment of the people, the pragmatism of the parties and the "clarity of the ONUMOZ mandate and the consistent support provided by the Security Council."¹⁰⁵

Rwanda

It has been said that Rwanda was the first victim of US Presidential Policy Directive 25, a key tenet of the Security Council's wariness to become involved in messy domestic peace operations.¹⁰⁶ Under the constraints of the post-Somalia multilateral fatigue, Boutros-Ghali symbolised the frustration of the international community and an attempt to exert moral leverage in the face of political constraints.

After a century of conflict, the peace process between the Hutu government and the Tutsi rebel opposition achieved an accord in August 1993 at Arusha. It laid down arrangements for power sharing and an integration of the rebel Tutsi Rwandan Patriotic Front into the army. The process was to be monitored by the UN Assistance Mission to Rwanda. When President Habyarimana finally gave up his resistance to the process on 6 April 1994 and agreed to speed up the transition to democracy, Hutu extremists assassinated him and Burundi's president.¹⁰⁷ It is fairly clear that the

102 Final Report of the Secretary-General on the United Nations Operation in Mozambique, S/1994/1449, 23 December 1994.

103 *Ibid.*

104 Letter from the Secretary-General to the President of the Security Council, S/1994/1282, 11 November 1994; *Federal News Service*, 21 November 1994.

105 Final Report of the Secretary-General on the United Nations Operation in Mozambique, paragraph 35.

106 Interview, Department of Political Affairs, June 1994.

107 M.Plant, 'Rwanda - looking beyond the slaughter', *The World Today*, vol.50, no.8-9, 1994, p.151.

enormous loss of life - mostly Tutsi and moderate Hutu - was deliberate and planned by the new extremist Hutu government. Ten Belgian Peacekeepers died trying to protect the Prime Minister and the Security Council was struck by paralysis. Plant wrote that "[i]n the face of the government-inspired massacres, the UN displayed a degree of indecision seldom seen even in that body's chequered history of decision-making."¹⁰⁸ More specifically, the leading Council *members* were reluctant to commit troops or resources to another chaotic third world implosion. It might be close to the truth to suggest that certain states had decided that the UN could not and should not launch an intervention on humanitarian grounds. In accordance with this, US officials were reportedly instructed to avoid describing the killings as genocide and sought initially to avoid that terminology in the Security Council.¹⁰⁹

Boutros-Ghali tried to muster authority for an interventionary operation. He gave options for the presence of the UN in Rwanda - again indicating his own recommendations - in a manner akin to the spirit of Article 99.¹¹⁰ These options involved massive reinforcement, withdrawal, or the maintenance of a reduced force. However, UNAMIR was reduced from 2500 to 270 on 21 April 1994, and modified to act as an intermediary, to monitor and to give humanitarian assistance.¹¹¹ President Clinton stated in a speech that "our interests are not sufficiently at stake...to justify a commitment of our folks."¹¹²

Boutros-Ghali was at the height of his frustration, telling the Security Council that "we have failed in our response to the agony of Rwanda, and thus have acquiesced in the continued loss of lives."¹¹³ The International Committee of the Red Cross reported that 'tens of thousands' had died, whilst on 29 April the Security Council reportedly turned down a request by the Secretary-General for more troops to be sent.¹¹⁴ He is reported to have lamented later that "I begged them to send troops."¹¹⁵ His appeals had little impact in a climate which could barely have been less conducive to mandating coercive humanitarian intervention. The feeling at the UN during the initial atrocities

108 *Ibid.*, p.151.

109 *The New York Times*, 10 June 1994, p.A8.

110 Special Report of the Secretary-General on the United Nations Assistance Mission for Rwanda, S/1994/470, 20 April 1994.

111 Security Council Resolution 912, 21 April 1994.

112 *Newsday*, 29 May 1994, p.39.

113 *The New York Times*, 29 December, 1994.

114 *Ibid.*, also 'Boutros-Ghali Angrily Condemns All Sides for Not Saving Rwanda', *The New York Times*, 10 June 1994, p.A8.

115 *The New York Times*, 26 May 1994, p.1.

was that the US was not supportive of UN intervention and therefore it could not have been comfortable with Boutros-Ghali's appeals to the world's conscience from his 'bully pulpit'.¹¹⁶ He later identified this as the "moral responsibility" he feels burdened with, to draw the world's attention to issues and conflicts which might otherwise be neglected.¹¹⁷ His efforts to encourage an African peace-keeping force were equally unsuccessful. However, it is interesting that whilst Boutros-Ghali's admonitions of the Security Council's initial inactivity were not sufficient to prompt action he certainly helped draw media attention to the issue which must have had a role in the prompting the US airlift of humanitarian supplies.

The Secretary-General submitted a report on 13 May recommending an expansion of UNAMIR to 5500.¹¹⁸ Eventually the Council gave a provisional authorization for an increase in the UN presence by Resolution 918 of 17 May. Boutros-Ghali was able to report that the parties had agreed to begin talks on a cease-fire under the auspices of UNAMIR, so he recommended the additional troops be deployed. Council Resolution 925 endorsed Boutros-Ghali's recommendations, yet his appeals for troops were not sufficiently answered; apparently "not one of the 19 Governments that at that time had undertaken to have troops on stand-by agreed to contribute."¹¹⁹ Evidently the caution felt amongst the Security Council towards volatile domestic operations was shared by the wider international community. Kofi Annan, Under-Secretary-General for Peace-keeping Operations, spoke of the "post-Somalia syndrome" amongst states reluctant to be involved.¹²⁰ Another indication of the hands-off approach of the Council was its authorization on 22 June of the French 'Operation Turquoise', despite France's widely reported promotion of the former government and of francophone elites in Africa.¹²¹ Meanwhile, the Secretary-General asked the newly appointed High Commissioner for Human Rights to play a role in the investigation of the massacre.

With a coalition RPF government with the participation of Hutus a semblance of stability emerged, although the refugee camps in Zaire and Tanzania were reportedly being used by the Hutu extremists to destabilize the government and "the tensions on the country's borders could erupt in

116 A phrase used, amongst others, by J.N.Rosenau, *The United Nations in a Turbulent World*, International Peace Academy Occasional Paper, London, Lynne Rienner Publishers, 1992, pp.74-76.

117 The Secretary-General's Cyril Foster Lecture, Oxford University, 15 January 1996.

118 B.Boutros-Ghali, *Building Peace and Development*, paragraph 643.

119 'Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations', A/50/60 S/1995/1, 3 January 1995, paragraph 43.

120 United Nations News Summary, NS/23/94, 5 August 1994.

121 See Gwynne Dyer in *The San Diego Union-Tribune*, 31 July 1994, p.G5.

uncontrollable violence at any moment."¹²² The Secretary-General visited the region - speaking with the President, Vice-President and Prime Minister - in July 1995 to undertake efforts to reduce the supply of weapons across borders, although countries neighbouring Rwanda were reluctant to accept military observers.¹²³ He was also shifting the mission from a military basis to one more of peace-building and rehabilitation in accordance with Security Council Resolution 997. It is interesting that he reported that his Special Representative was renegotiating the status and roles of UNAMIR which "in my judgement" should be performed by the UN in light of the government's desire to reduce the size of the force.¹²⁴

Subsequent to this, Rwanda became much firmer in its conviction that the military component of UNAMIR be withdrawn by the end of its mandate in December 1995, arguing that the force was not serving the country's real needs.¹²⁵ Boutros-Ghali and the Security Council managed to convince the Rwandan government to accept the continued presence of a smaller force under Resolution 1029(1995), which focused on good-offices, assistance and the return of refugees.¹²⁶ However it was a reflection of the instability of the situation that Canada was to inform the Secretary-General that it would not participate in the renewed UNAMIR operation because the mandate was no longer realistic under the reduced force.¹²⁷

The concentration of displaced persons was a tangible source of instability, as the Commission of Enquiry into the border camps found. Boutros-Ghali's proposal of a regional meeting to develop concrete measures to implement the repatriation agreements, and a round table meeting of Rwandan society for reconciliation, were proactive peace-building measures. Boutros-Ghali had earlier called upon the Security Council either to back an international force to police the camps or to support efforts of local countries to restore law and order.¹²⁸ The subsequent report of the Commission appeared to bear-out Boutros-Ghali's alarm and that of his Special Representative toward the

122 Progress Report of the Secretary-General on the United Nations Assistance Mission for Rwanda, S/1995/678, 8 August 1995, paragraph 41.

123 *Ibid.*

124 Report of the Secretary-General on the United Nations Assistance Mission for Rwanda, S/1995/457, 4 June 1995, paragraph 53.

125 Report of the Secretary-General on the United Nations Assistance Mission for Rwanda, S/1995/1002, 1 December 1995.

126 Progress Report of the Secretary-General on the UN Assistance Mission for Rwanda, A/50/868, S/1996/61, 30 January 1996. The report notes that UNAMIR *will* end on 8 March 1996, but the Secretary-General was adamant that the UN could still remain in some form.

127 Letter dated 18 January 1996 from the Permanent Representative of Canada to the United Nations addressed to the Secretary-General, S/1996/35, 17 January 1996.

128 *The Independent*, 7 January 1995, p.12.

instability on Rwanda's borders and the dangers of weapons circulating in the region.¹²⁹ However, in the face of multilateral caution and fatigue, and with a lessening of media interest, the Secretary-General was constrained; in July 1995 the outstanding assessed contributions to the UNAMIR Special Account was \$64.7 million.¹³⁰ The UNHCR in February 1996 announced that it might have to drastically reduce its humanitarian programmes for refugees in the region because of a serious shortfall in funding.¹³¹ Reports that the coalition government was not cohesive and that there was no discernible effort toward national reconciliation¹³² necessitated substantive proactive assistance at the time when the political and financial condition of the Organisation was not amenable to substantive action.

Liberia

The situation in Liberia has tested the patience of the Security Council in the context of burdens upon the Organisation which have imposed political priorities. With a lack of substantial media and therefore public attention before the Spring of 1996 and little Permanent Five interest, Liberia has not been an attractive target of material resources. With an increasing reliance on regional peace efforts the UN has found itself in the necessary but sometimes uncomfortable position of supporting and monitoring a local peace operation under Nigerian leadership. This is the framework within which the Secretary-General operated.

The insurrection against Samuel Doe by Charles Taylor began in December 1989 and the country was plunged into chaotic civil war. The virtual collapse of the state and refugee movements threatened the stability of the region. Peace-keeping has been the responsibility of the 12000-strong Economic Community Observer Group (ECOMOG) force sent to Monrovia in September 1990 under the Economic Community of West African States. The main contributor is Nigeria, which strongly backed the interim government against Taylor's forces and, according to some, "stoked up regional rivalries" with its own objectives.¹³³

129 Letter dated 1 February 1996 from the Chairman of the Security Council Committee Established Pursuant to Resolution 918 (1994) Concerning Rwanda, addressed to the Security Council, S/1996/82, 2 February 1996.

130 *Ibid.*

131 United Nations News Summary, London, NS/2/96, 20 February 1996.

132 Report on the United Nations Assistance Mission for Rwanda, S/1995/1002, 1 December 1995.

133 S.P.Riley, 'Intervention in Liberia: too little, too partisan', *The World Today*, March 1993, p.42.

Peace talks and cease-fires had been on and off since 1990 and the wider international community turned its attention to Liberia in 1992. A major step was the Security Council arms embargo in November through Resolution 788, 19 November, which also requested the Secretary-General to dispatch a Special Representative to evaluate the situation. Accordingly, Boutros-Ghali sent Trevor Gordon-Somers who participated in "extensive discussions" with the parties.¹³⁴ Boutros-Ghali was also requested in June 1993 to investigate the massacre of displaced people. Under the July 1993 Geneva peace accord the transitional government was to be replaced through elections. Resolution 856 approved the Secretary-General's decision to send a technical team to gather information in preparation for a mission. On the basis of this precursor investigation the UN began to monitor the situation alongside ECOMOG with the UN Observer Mission in Liberia, established by Resolution 866 of 22 September 1993.

Subsequently, the situation deteriorated, the scheduled election did not take place, and troop contributing countries became increasingly uncomfortable. Boutros-Ghali dispatched veteran diplomat Lakhdar Brahimi in August 1994 to review the situation.¹³⁵ Taylor was clearly doubtful of the neutrality of ECOMOG and Nigerian planes had bombed civilian areas. Reports that the US gave Nigeria military intelligence, and the US and UN support of ECOMOG, could have tainted the status of the Secretary-General.¹³⁶ Clearly Taylor was not cooperating, but the Office of Secretary-General should still try to maintain some independence from Great Power involvement as far as possible, especially when force is used. In his desperation born of an over-burdened UN and his desire to encourage regional peace operations wherever possible the Secretary-General may have been too quick - along with the Security Council - to legitimise less than scrupulous regional efforts. This may transpire to have implications for the Office's traditional role as an innocuous and impartial third-party with quasi-independence from the Council. Nevertheless, it may also be an unavoidable component of the post-Cold War Secretaryship-General given the trend of domestic involvement. Moreover, the Secretary-General reported that the parallel operations of ECOWAS and the UN Observer Mission in Liberia "broke fresh ground."¹³⁷

The Secretary-General was asked by Resolution 985 of 13 April 1995 to report if a cease-fire

134 B. Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 371.

135 Sixth Progress Report of the Secretary-General on the United Nations Observer Mission in Liberia, S/1994/1006, 26 August 1994, paragraph 32.

136 *The Independent*, 24 April 1996.

137 Eleventh Progress Report of the Secretary-General on the United Nations Observer Mission in Liberia, S/1995/473, 10 June 1995, paragraph 46.

existed and if UNOMIL was able to carry out its mandate, and the Security Council intended to consider the future of the operation in light of this. Subsequently the Secretary-General outlined possible courses of action depending upon the behaviour of the parties, and even the possibility of a peace-keeping operation.¹³⁸ A further peace agreement was brokered by Ghana and signed by seven parties in December 1994.¹³⁹ This called for a cease-fire, disengagement, demobilisation in safe havens under UN and ECOMOG supervision, and elections in November 1995 in preparation for a new government in January 1996. After so many failures scepticism towards this plan was rife,¹⁴⁰ but Taylor's trip to Nigeria gave reason for optimism. Simultaneous to Ghanian President Rawling's efforts, and in support of them, the Secretary-General sent a mission to discuss the situation with ECOWAS. He subsequently called for international support for ECOMOG and for an ECOWAS summit.¹⁴¹ However, he was also aware of the Security Council's impatience with the warlords who were threatening the presence of the fifty or so UN observers there; the Secretary-General observed that the Security Council should consider withdrawing if a lack of progress continued.¹⁴² However Boutros-Ghali attended the ECOWAS summit of May 1995 in Nigeria which focused on Liberia, at which the factions were represented.¹⁴³ Subsequently, in August 1995 a milestone was reached with the peace accord for a council of transitional government representing all the factions, disarmament and eventual elections, signed in Nigeria. There were subsequent setbacks and violence, and the response to the appeal for aid to support the thirteenth attempt at peace was "pathetic", according to the Undersecretary-General for Humanitarian Affairs.¹⁴⁴ Nevertheless, the trend towards disarmament and demobilisation continued slowly under the observation of the Secretary-General's representative Anthony Nyakyi.¹⁴⁵ It is significant that the Security Council Resolution which extended the observer mission to May 1996 linked the extension

138 *Ibid.*, paragraph 41.

139 Ninth Report of the Secretary-General on the United Nations Observer Mission in Liberia, S/1995/158, 24 February 1995.

140 *The Washington Post*, 8 January 1995, p.C6.

141 Eighth Progress Report of the Secretary-General on the United Nations Observer Mission in Liberia, S/1995/9, 6 January 1995.

142 Tenth Progress Report of the Secretary-General on the United Nations Observer Mission in Liberia, S/1995/279, 10 April 1995.

143 *Xinhua News Agency*, 18 May 1995.

144 *Inter Press Service*, 25 and 26 October 1995. Boutros-Ghali chaired a donor conference in New York to raise the estimated \$150 million required.

145 Fifteenth Progress Report of the Secretary-General on the United Nations Observer Mission in Liberia, S/1996/47, 23 January 1996.

to progress in the peace process. The wisdom of this was borne out by the upsurge of violence in April 1996.

El Salvador

Although the Deputy US Representative to the UN described the operation in El Salvador as "one of the most successful in UN history"¹⁴⁶ there is evidence that the conclusion of the UN's main activities was partly the result of the pervading attitude within the Security Council to withdraw as soon as possible from engagements. Boutros-Ghali reported in 1994 that the peace process had "advanced steadily" and that after elections were completed successfully in April the former rebel FMLN was now the party of opposition.¹⁴⁷ The UN Observer Mission in El Salvador (ONUSAL) continued to monitor and implement the 1992 peace accords but there had been delays regarding public security, land transfer and in reintegrating ex-combatants into society. In May 1994 the timetable was revised and there appears to be some difference of opinion regarding the extent to which the mandate was fully completed when the Security Council decided to terminate the operation, except for a dozen or so observers. Most UN members were playing up the success of the operation in the midst of the popularly felt disillusionment towards the Organisation. However, the Secretary-General's representative, Enrique ter Horst, stated that the mission was not quite finished in the areas of transferring land to former fighters, aid programs for the injured, and the overhaul of the judicial system.¹⁴⁸ After visiting in April 1995 Boutros-Ghali said that there was a case for extending the full mission to ensure complete success "before the Salvadoran peace process can be pronounced a success."¹⁴⁹ However, he refrained from making the case "in the light of the clear indications from members of the Council that the time had come to bring ONUSAL to

146 *United Press International*, 28 April 1995.

147 B.Boutros-Ghali, 'Building Peace and Development', paragraph 506. The election was reported to have taken place in an atmosphere of "freedom, competitiveness, security", *UN Chronicle*, vol.31, no.3, September 1994, p.48.

148 *Agence France Presse*, 24 April 1995.

149 Report of the Secretary-General on the United Nations Observer Mission in El Salvador, S/1995/220, 24 March 1995, paragraph 68; the commitments which remain "pertain to aspects of the peace accords which are of such importance that they will call into question the irreversibility of the peace process as a whole as long as they are unfulfilled." Alvaro de Soto elaborated upon this, describing how post-conflict peace-building is hampered by complacency and financial pressures and concerns about over-extension, 'Implementation of Comprehensive Peace Agreements: Staying the Course in El Salvador', *Global Governance*, vol.1, no.2, 1995. He also outlines how the Secretary-General kept the Security Council focused on El Salvador and the use of the 'Friends of the Secretary-General', p.198-90.

a close."¹⁵⁰ Evidently financial and political constraints dictated a hasty withdrawal as soon as a 'success' could be judged, even though the pace of reconciliation and rehabilitation was slow. Nevertheless, the General Assembly did extend the Observer Mission until April 1996, due partly to Boutros-Ghali's appeals and those of the President.¹⁵¹

Western Sahara

The UN involvement in Western Sahara has epitomised the manner in which expectations during the immediate post-Cold War 'honeymoon' gave way to an attitude of frustration, disillusionment and even retreat. Since Morocco and Polisario - the group which has struggled to achieve independence for Western Sahara from Morocco - accepted formally the need for a referendum UN efforts have centred around organising and monitoring the modalities of the poll. Pérez de Cuéllar's efforts were still the basis of the operation, accepted by Council Resolution 691 of May 1991, and just prior to his departure he set down the contentious criteria for voter eligibility.¹⁵² In 1991 the UN Mission for the Referendum in Western Sahara (MINURSO) was formed on the belief that the parties - and most importantly Morocco - were ready to cooperate. The observer group's mandate was to identify and register voters, monitor the withdrawal and cantonment of forces, conduct the referendum, repatriate refugees, certify the referendum results, and supervise the outcome.¹⁵³ However, a number of problems delayed the referendum and ultimately cast doubt on the viability of the operation. One commentator claimed it "is a case study in the limitations of peace-keeping in the face of unalloyed nationalism and international indifference," and that whilst "both local parties were prepared to submit their dispute to a referendum, neither side was prepared to lose."¹⁵⁴

Because of the delay - of three years - by the time the referendum was scheduled the patience and finances of the Council were seriously flagging. The original timetable scheduled a referendum for January 1992. The major issue has been that of voter eligibility and identification, for the

150 *Ibid.*, paragraph 89.

151 *University of New Mexico*, Latin American Political Affairs, 10 November 1995.

152 It has been suggested that Pérez de Cuéllar's criteria of voter eligibility favoured Morocco, *The Guardian*, 4 March 1993, p.10.

153 Security Council Resolution 690, 29 April 1991.

154 W.J.Durch, 'Building on Sand: UN Peacekeeping in the Western Sahara', *International Security*, vol.17, no.4, Spring 1993, pp.151 and 160.

obvious reason that the complexion of the electorate can determine the outcome. Polisario wished to see the voting list based on the census of 1974, whilst Morocco wished to add around a hundred thousand more whom it claims fled the territory during colonial military operations.¹⁵⁵ In June 1993 Boutros-Ghali visited the region with his representative to urge a compromise on this issue, and it is partly to his credit that this led to a meeting between representatives of both sides in July with the Secretary-General's representative.¹⁵⁶ With the problem of voter eligibility supposedly settled, Council Resolution 907 of 29 March 1994 decided that the identification commission of MINURSO should proceed with identification and registration on the basis of compromises, according to Boutros-Ghali, made by him.¹⁵⁷ This proposed a revised timetable for the referendum of 14 February 1995, which was put off again, apparently due to a problem with OAU observers which required Boutros-Ghali's "extensive consultations".¹⁵⁸ Boutros-Ghali visited MINURSO officials, Polisario, the Foreign Minister of Algeria, and King Hassan in November 1994.¹⁵⁹

The February 1995 referendum date was not met. Frank Ruddy, a senior officer responsible for preparing the voting roles in MINURSO, spoke before a US House of Representatives Committee and claimed that Morocco did not want a referendum because the risks outweigh any possible gains. Simultaneously Morocco cannot afford to appear to be rejecting the process so is wearing it down through obstruction until the international community becomes tired.¹⁶⁰

The Secretary-General's visit to MINURSO in November 1994 and his ensuing report appeared not to have satisfied the Security Council. In the midst of multilateral fatigue and severe financial constraints the \$100,000 per day operation was testing the Security Council's patience, despite the Secretary-General's defence of the mission and his observation that it is helping to maintain the cease-fire.¹⁶¹ The Security Council pointedly dispatched its own mission to Western Sahara in June 1995, "to impress upon the parties the necessity of cooperating fully with MINURSO" and to assess

155 *The Guardian*, 15 July 1993, p.13.

156 B.Boutros-Ghali, 'Report on the Work of the Organisation', September 1993, paragraph 402; *The Guardian*, 15 July 1993, p.15.

157 B.Boutros-Ghali, 'Building Peace and Development', paragraph 612.

158 *Ibid.*, paragraph 614.

159 Progress Report of the Secretary-General on the Situation Concerning Western Sahara, S/1994/1420, 14 December 1994; *Federal News Service*, 29 November 1994.

160 Prepared statement of Frank Ruddy before the House Appropriations Committee, *Federal News Service*, 25 January 1995.

161 Spokesman for the Secretary-General in *The New York Times*, 16 March 1995, p.24.

progress and problems in the process of identification in preparation for a referendum deadline.¹⁶² In addition, the uneasiness of the Security Council with the operation was also indicated by its extension of MINURSO for only one month, instead of the four recommended by Boutros-Ghali.¹⁶³ Thus, despite the Secretary-General's report, the Security Council wished to investigate for themselves and were decidedly unhappy with the lack of progress. Similarly, the financial situation remained "precarious".¹⁶⁴ The frustration of the Council was reflected in Resolution 1033 of 19 December 1995, which requested that the Secretary-General assess options, including the possibility of withdrawing MINURSO. This injected some life into the operation and Boutros-Ghali stepped-up his consultations with the parties, sending a mission to the area under Chinmaya Gharekhan in early January 1996.¹⁶⁵ This found that there were still problems with the identification of voters and that the process could take a further year. Boutros-Ghali sort to force the pace by proposing a controversial registration system whereby voters would be identified on a simpler verification basis and the referendum be carried out as soon as possible.¹⁶⁶ Polisario was not happy with the idea, seeing it as a result of Morocco's persistent obstruction and the international community's desire to rid itself of the issue irrespective of Morocco's tactics.¹⁶⁷ If one accepted this, the Office of Secretary-General would appear to have succumbed to the atmosphere of multilateral fatigue and the dwindling interest of the international community.

In some ways Boutros-Ghali and his staff are again being made scapegoats for the lack of patience of the Security Council and the multilateral fatigue which pervades much of the UN's activities, and the apparent lack of priority given to Western Sahara. If it was made absolutely clear to Morocco by the Security Council and bilaterally by its members that continued obstruction was unacceptable, then King Hassan would realise that he could not continue just to pay lip-service to

162 Report of the Security Council Mission to Western Sahara from 3 to 9 June, S/1995/498, 21 June 1995, paragraph 3. The mission found that Polisario still felt that the referendum should be based on the 1974 census, with a small margin for increase to allow for population increase, whilst Morocco still found this inadequate; there was "continuing suspicion and lack of trust." Paragraphs 22, 16 and 39.

163 *Inter Press Service*, 5 June 1995.

164 The Report of the Secretary-General on the Situation Concerning Western Sahara, S/1995/240, 30 March 1995, paragraph 43.

165 Report of the Secretary-General on the Situation Concerning Western Sahara, S/1996/43, 19 January 1996. Polisario agreed to the identification of applicants it had earlier had reservations. The Secretary-General urged the Security Council not to withdraw MINURSO.

166 United Nations News Summary, London, NS/25/95, 1 December 1995.

167 *Ibid.*, and *The Washington Post*, 4 December 1995, p.26. Y.H.Zoubir and A.G.Pazzanita appear to have lost faith in the process, 'The United Nations Failure in Resolving the Western Sahara Conflict', *Middle East Journal*, vol.49, no.4, 1995.

the idea of a referendum as he has for the last twenty years; perhaps this is what the Secretary-General was implying when he called upon members to "exert efforts".¹⁶⁸

Cyprus

There are a number of dimensions to the Cypriot dispute in the 1990's, some of which represent a departure from the previous twenty-six years of UN involvement. In the immediate post-Cold War environment there was a focus in the Security Council upon addressing continuing disputes in a concerted fashion, free from the politicisation of the past. Routine peace-keeping expenditures would no longer be automatically extended without review. As the post-Cold War 'honeymoon' faded the increasing wariness of the Security Council towards a burdensome peace-keeping agenda caused many to express impatience towards the lack of progress in Cyprus, and the evident tension between peace-keeping and peacemaking. The comprehensive approach of previous UN-sponsored mediation - so often leading to disappointment - was increasingly losing credibility and a growing, although questionable, sentiment existed that the UN is increasingly "part of the problem rather than the vehicle for a solution."¹⁶⁹ Simultaneously, the apparent desire of the Turkish Cypriots to improve their economic position, the desire of Turkey to move closer to Western economic and political structures, and the possibility of future Cypriot membership of the European Union all give possibilities for leverage. Moreover the threat of a Turkish-Greek conflict contributing to south-eastern European instability has maintained and renewed international desire to find a settlement. However, the internationalisation of the issue by the Greek Cypriots continues to fuel Turkish Cypriot entrenchment and conditions the position of the Secretary-General.

Pérez de Cuéllar's final 'set of ideas' focused on a bicomunal federal republic with shared and separate institutions. It also dealt territorial percentages, arrangements for sensitive areas, boundaries, the distribution of federal positions, 'foreign forces', the return of displaced people, freedom of movement, and safeguards against federal power. On this basis Boutros-Ghali hosted a number of talks in 1992, partly in the shadow of Resolution 774, which expressed the Security Council's

168 Report of the Secretary-General on the Situation Concerning Western Sahara, S/1996/43, 19 January 1996, paragraph 35.

169 R.M.McDonald, 'Cyprus: a peacekeeping paradigm', *The World Today*, vol.49, no.10, October 1993, p.182.

expectation of progress.¹⁷⁰ Although a set of ideas developed and the Secretary-General was able to codify areas of consensus - in fact he apparently stated that a solution was closer than at any time since 1974¹⁷¹ - no solution was forthcoming. Confidence and expectation were as low as ever amongst the UN membership - symbolised by the withdrawal or reduction of some contingents¹⁷² - and the Council intimated that a lack of progress in the peace process risked a collapse of the force.

In response to this stagnation Boutros-Ghali embarked upon a different approach; according to one commentator "a bold experiment".¹⁷³ Whilst the set of ideas was still seen as the basis for an overall settlement, the Secretary-General turned the Secretariat's efforts towards incremental confidence-building measures. These were first recommended by Boutros-Ghali to the Security Council in November 1992 and involved the rehabilitation of Varosha as a special area for bicomunal contact and commerce, and opening Nicosia international airport for civilian use by both sides under UN supervision. These were elaborated upon in July 1993 to include cooperation on the water problems in Cyprus, education to promote intercommunal harmony, and joint cultural and sporting events. As Boutros-Ghali's report explained, "[t]heir purpose is to serve as a catalyst in the negotiations leading to a comprehensive, overall solution..."¹⁷⁴

The Secretary-General's representatives - until April 1996 under former Canadian Prime Minister Joe Clark - sought to negotiate acceptance of these CBMs on the basis of the mutual advantage they would bring. This was demonstrated by the assessments of the UN Development Programme, the International Monetary Fund, the World Bank and the International Civil Aviation Organisation. While the Turkish community would gain the most relatively, after years of a Greek Cypriot embargo and international isolation, both communities would gain and in January and February 1994 both stated acceptance in principle.¹⁷⁵

In March and April 1994 Boutros-Ghali's negotiators sought to find mutually acceptable means of implementing the package. Although both parties had earlier implied acceptance, in a fashion typical of Cyprus, the negotiations failed. The Secretary-General took the unusual step of apportioning blame: "the absence of agreement was due essentially to a lack of political will on the

170 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1992, paragraph 117; Security Council Resolution 774, 26 August 1992, paragraph 9.

171 *The New York Times*, 26 August 1992, p.A12.

172 Report of the Secretary-General on the United Nations Operation in Cyprus, S/1994/1407, 12 December 1994, paragraph 3; *The Times*, 8 April 1992, p.15; *The Times*, 26 October 1992, p.12.

173 N.Crawshaw, 'Cyprus: a crisis of confidence', *The World Today*, vol.50, no.4, April 1994, p.73.

174 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 392.

175 B.Boutros-Ghali, 'Building Peace and Development', paragraph 494.

Turkish Cypriot side."¹⁷⁶ Further efforts in the Summer resulted in a similar experience: both sides implied acceptance of CBMs, but then rejected them when the Secretary-General presented them in the form of a letter.¹⁷⁷

In a response to this frustration Boutros-Ghali stated that unless the parties provided evidence of commitment to a negotiated settlement he would recommend his mission of good offices be suspended.¹⁷⁸ This is not an uncommon ploy and can encourage parties to make concessions, for neither party would wish to appear intransigent. However, Boutros-Ghali's practice of apportioning blame - particularly upon the Turkish Cypriots - risks being associated with the Greek Cypriot's campaign to internationalise the issue in their favour. This has often had the effect of hardening the Turkish Cypriot position and was partly behind the 1983 declaration of independence. Security Council Resolution 939 of 29 July requested the Secretary-General to consult with the Council, the Guarantor powers - Britain, Turkey and Greece - and the leaders in Cyprus to make a "fundamental and far-reaching reflection on ways of approaching the Cyprus problem in a manner that will yield results."¹⁷⁹ Joe Clark and the Deputy Special Representative henceforth continued to confer with leaders of the two communities in Cyprus and with the Greek and Turkish governments.¹⁸⁰

Although the CBMs had the logic of mutual advantage for both communities, the benefits did not outweigh the sensitive political and physical issues which lie at the heart of the Cypriot dispute. In fact the proposed CBMs appeared incongruous in the context of the bitterness exuded daily on both sides of the UN line and by the communities' leaders. Indeed, a letter by a Turkish Cypriot representative has identified a "crisis of confidence."¹⁸¹ The Greek side has continued to internationalise the dispute and would not be happy to lose their embargo upon the north through the CBMs. In addition, acceptance of the CBMs might imply some recognition of the north, something the Cypriot government has always been determined to resist. Moreover, there is still very strong public feeling - not least from the Greek Cypriot refugees dispossessed of the homes - in support of a hard line. This invariably pervades politics and elections, and is inevitably reflected

176 *Ibid.*, paragraph 496.

177 *Ibid.*, paragraph 496; *The Guardian*, 5 July 1994, p.11.

178 *Ibid.*

179 Security Council Resolution 939, 29 July 1994, paragraph 3. The Resolution also asked the Secretary-General to submit a report on progress toward an overall solution, and accepted his CBM approach.

180 United Nations News Summary, London, 12/95, 16 May 1995.

181 Conveyed by a Letter from the Permanent Representative of Turkey Addressed to the Secretary-General, S/1994/953, 9 August 1994, paragraph 6. The letter displayed the same fundamental issues of security and suspicion as have always existed.

in leaders. The escalation of weapons on the island¹⁸² was likewise alarming and would appear to undermine the CBM approach.

The international climate of opinion has been reflected in the European Court of Justice decision to ban European Union countries from importing goods from Turkish 'occupied' north Cyprus, according to the Turkish Cypriot leadership "at the instigation of the Greek Cypriot side."¹⁸³ Similarly, European Union leaders have not been deterred from considering an application on Cypriot entry into the union.¹⁸⁴ Denktash has argued consistently that such a bid for membership does not represent the whole island and is therefore "illegal".¹⁸⁵

The ostracism of Turkish Cyprus and the apportioning of blame by the Secretary-General could harden the position of the north further and make the CBMs appear almost absurd. The Secretary-General himself reported "excessive levels of armaments and forces in Cyprus" and no progress even on modest measures to reduce confrontation along the cease-fire line.¹⁸⁶ As Crawshaw observed, "[t]he Turkish Cypriots are in greater need of a settlement than the Greek Cypriots. But they put security first."¹⁸⁷ As long as they perceive a physical threat in a unified Cyprus and Turkey continues to sponsor *de facto* partition, this is likely to be the least risky option. In 1992 Turkish Prime Minister Suleyman Demirel was reported to have said in London: "[t]he Turkish forces are the true peacekeepers in Cyprus. It is Turkey, not the UN's blue helmets, which is maintaining the peace."¹⁸⁸

The Secretary-General has observed the importance of "events outside the island."¹⁸⁹ Leverage does exist: the Turkish customs union with the European Union and Western strategic support for Turkey's regional concerns are incentives, and Cyprus clearly wishes to join the European Union, apparently believing that membership would bring security guarantees. North Cyprus would gain

182 Report of the Secretary-General on the United Nations Operation in Cyprus, S/1995/1020, 10 December 1995. The Secretary-General did report that some bicomunal events organised by UNFICYP were well attended.

183 Letter from the Permanent Representative of Turkey to the United Nations Addressed to the Secretary-General, S/1994/953, 9 August 1994; *The Times*, 6 July 1994, p.12.

184 *The Guardian*, 25 June 1994, p.14.

185 *The Guardian*, 18 January 1995, p.10.

186 Report of the Secretary-General on the United Nations Operation in Cyprus, S/1995/488, 15 June 1995, paragraph 51.

187 N.Crawshaw, *op.cit.*, p.72.

188 *The Guardian*, 24 November 1992, p.12.

189 Report of the Secretary-General on the United Nations Operation in Cyprus, S/1994/1407, 12 December 1994, paragraph 32.

economically from a settlement. The possibility of US coercion or inducements with respect to Turkey could be the key. Yet in some ways the West needs Turkey as much as vice versa, not least as a strategic ally in close proximity to the Middle East and for supporting the UN's Iraq policy. In addition Turkey maintains that it does not have the deciding influence over the Turkish Cypriot community.

At the beginning of 1996 the US announced a 'big push' on the Cyprus dispute, in conjunction with the UN framework, feeling that there was a window of opportunity for a solution.¹⁹⁰ The planned visit by US State Department envoy Richard Holbrooke - which was disrupted by a confrontation between Turkey and Greece in the Aegean Sea over an island¹⁹¹ - reflected the importance attached by the Clinton administration to a resolution of the dispute. However, the West, and certainly the US and Britain, is not willing to put substantial pressure upon Turkey. Moreover, until Turkey has a stable government it is unlikely that effective pressure or influence can be brought to bear upon its policy. Increasingly it would appear that the *de facto* partition of the island will be long-term, possibly with the result that the Turkish north, at least, will become annexed to the 'motherland'. The US 'big push' was stalled by the Aegean confrontation and Greece felt that the US took the side of Turkey. The incident may have indicated that a 'Dayton-style' conference would not be quite so suitable in Cyprus. Denktash is most likely to fear the imposition of a solution formulated by the US, Greece and Turkey, and there is a possibility that he would be more willing to support the continuation of the consensual UN process.

Security Council Resolution 939 placed the Secretaryship-General in a pivotal position of peacemaking efforts and its status as a mediator and focus of international efforts were positive to the development of the Office's procedural authority. Moreover, the Office continued to enjoy some room for manoeuvre in the development of 'ideas', CBMs and in making public pronouncements. However, the Secretary-General has also become, to an extent, associated with the international pressure and the ostracism of Northern Cyprus. Whatever the rights and wrongs of the case, this may not be constructive for the Office's traditionally impartial and innocuous bases of legitimacy, either in this case or in general. In the past the Turkish side has not responded well to pressure. Indeed, a letter from a representative of the Turkish Cypriots expressed very clearly the feeling of

190 *The Observer*, 28 January 1996, p.20.

191 The Secretary-General expressed concern at the outbreak of tension over the uninhabited islet of Imia and on his instruction the Under-Secretary-General for Political Affairs, Marrack Goulding, met separately with the *Charges D'Affairs* of Turkey and Greece, United Nations News Summary, London, NS/1/96, 7 February 1996.

entrenchment which had resulted from the Greek Cypriot efforts to "bring about the total isolation of the Turkish Cypriot people and our ultimate ruination."¹⁹² By identifying himself with efforts to put pressure upon the Turkish north, the Secretary-General may taint his classical role of providing an impartial facilitating role for either party to compromise when the time is right.¹⁹³ Alternatively, perhaps this is a natural projection of the Organisation taking a more active and partisan - and sometimes coercive - stance on certain issues.

Haiti

After many years of little or no democracy in Haiti an election in 1990 gave Bertrand Aristide a clear majority. In September a coup brought General Raoul Cedras and a military regime to power, and a "human rights crisis" of repression and abuse.¹⁹⁴ In the context of ideas of collective internationalism and democratisation and under the leadership of the US, the UN apparently perceived a responsibility to restore "freedom, democracy, just order and the potential for progress to an entire nation and state."¹⁹⁵ The reason the UN mobilised in this case and not others - such as Nigeria - was a result of this timing and the US agenda. Haiti is within the US sphere of influence, democracy had been denied, the refugee problem was politically damaging, and the US internationalist stance had been challenged.¹⁹⁶ When the Security Council eventually authorised "all necessary means" it appeared that the UN was congruent with US interests.

On 24 November 1992 General Assembly Resolution 47/20 asked the Secretary-General to assist the return of the legitimate president and democracy, in cooperation with the Organisation of American States. Dante Caputo was appointed as the Secretary-General's representative and later the representative of the OAS. The Assembly also mandated the International Civilian Mission to Haiti to monitor the human rights situation, which was deployed in March 1993. In June Security Council Resolution 841 imposed sanctions and provided a coercive backdrop to the July 1993 Governors Island talks between the military leaders in Haiti and the US. Significantly, the Council

192 Communicated in a Letter from the Permanent Representative to the United Nations Addressed to the Secretary-General, A/48/981, S/1994/953, 9 August 1994.

193 This is supported by a personal correspondence by Rauf R.Denktaş, President of the Turkish Republic of Northern Cyprus, to the author, 6 May 1996.

194 Report of the Secretary-General on the Question Concerning Haiti, S/1995/46, 17 January 1995.

195 B.Boutros-Ghali, 'Report on the Work of the Organization', 1993, paragraph 324.

196 K.von Hippel, 'Democratisation as foreign policy: the case of Haiti', *The World Today*, vol.51, no.1, 1995, pp.12-13.

was "[s]trongly supportive of the continuing leadership by the Secretary-General of the United Nations" and the OAS "of the efforts of the international community to reach a political solution to the crisis in Haiti," and furthermore clearly identified the Office in the context of Chapter VII.¹⁹⁷ The Governors Island agreement established procedures for the return of Aristide and democratic rule.¹⁹⁸ This was formed under the auspices of the UN and OAS negotiations with the 'Friends of the Secretary-General', Canada, the US, France and Venezuela. Boutros-Ghali subsequently recommended that the sanctions be suspended as soon as there were signs of progress, in order to maintain momentum.¹⁹⁹

The Secretary-General was overseeing preparations for the proposed UN mission when the whole process became confounded by the military authority's failure to fulfil the Governors Island agreement: Aristide was not allowed to return and there was an increase in political repression. Security Council Resolution 867, 23 September 1993, had authorised the dispatch of a UN Mission to Haiti for six months, upon the recommendation of the Secretary-General. The process of deployment was obstructed when the USS 'Harlan County' was prevented from docking in October 1993, in a display which did not do much for the credibility of the UN and the US.²⁰⁰ All UN staff, including the International Civilian Mission human rights observers, were withdrawn. Caputo's negotiation process - with US envoy Lawrence - had unravelled, and wider sanctions were reimposed. The military leaders refused to attend meetings of the Secretary-General's Representative and a "personal initiative" by Boutros-Ghali to dispatch an envoy to Haiti to try to seek agreement was rebuffed.²⁰¹

The Clinton administration had made a commitment to assertive multilateralism and to the restoration of democracy in Haiti. It has been suggested that Clinton was the first US President to seek permission to invade from the UN but not Congress.²⁰² This permission came in the form of Security Council Resolution 940 of 31 July 1994, authorising "all necessary means" to facilitate the restoration of democracy. Interestingly, the Security Council took note of the Secretary-General's

197 Security Council Resolution 841, 16 June 1993.

198 I.Martin, 'Haiti: Mangled Multilateralism', *Foreign Policy*, no.95, Summer 1994, p.80.

199 Security Council Resolution 861, 27 August 1993.

200 Interview, former senior member of the Executive Office of the Secretary-General, New York, May 1994.

201 B.Boutros-Ghali, *Building Peace and Development*, paragraph 540; Report of the Secretary-General on the Question Concerning Haiti, S/1994/1012, 26 August 1994, paragraph 12.

202 K.von Hippel, *op.cit.*, p.12.

support for action under Chapter VII.²⁰³

Last-minute diplomacy by Jimmy Carter provided an arrangement through which Cédras could depart. UN Representative Caputo resigned as a result of this, complaining of the US muscling the UN aside and acting unilaterally and offering concessions to the military leader.²⁰⁴ The subsequent multilateral occupation of Haiti was essentially controlled by the US. Nevertheless, Boutros-Ghali did not make much of an effort to dissociate his Office from the use of force. He announced that the USA had the right to intervene militarily at any time without issuing an ultimatum: "we would have liked to handle these operations ourselves, but [with] neither the financial nor military means, one must at least have the wisdom to turn over the mandate to a group of states that are prepared."²⁰⁵ When the multinational force had finished Boutros-Ghali was in Haiti to oversee the handover to the UN mission and give symbolic effect to his takeover: the force had been a "success story" with nearly 20,000 weapons confiscated.²⁰⁶ In a report to the Security Council the Secretary-General had recommended the switchover by the end of March 1995 after judging that the security situation had improved enough.²⁰⁷ Resolution 944 subsequently revised and extended the mandate of the UN Mission in Haiti (UNMIH), alongside the OAS, to work on the stability brought by the multinational force to professionalise certain institutions and provide electoral assistance. With the assumption of the UN mission Boutros-Ghali appointed Brahimi as his Special Representative - and the senior foreign official in the country - reportedly resisting the US wish for a US person in the position, as had occurred with Howe in Somalia. One must consider if Boutros-Ghali took this stand in order to emphasise his and the UN's independence from the US rather than trying to dissociate his Office from the use of force.

The Secretary-General participated in a number of important processes in the UN involvement in Haiti, either personally or through Caputo and then Brahimi. He was involved in mediation with the OAS Secretary-General, influencing policy through recommendations to the Security Council

203 Paragraph 1.

204 *The Guardian*, 21 September 1994, p.10, 'Angry UN Envoy Quits in Protest Over Carter Pact'; K. von Hippel, *op.cit.*, p.13.

205 *Agence France Presse*, 2 September 1994; Report of the Secretary-General on the United Nations Mission in Haiti, S/1994/828, 15 July 1994, paragraph 25.

206 *Agence France Presse*, 30 March, 1995; Letter from the Permanent Representatives of Argentina, Canada, France, the US and Venezuela [the Friends of the Secretary-General for Haiti] to the UN Addressed to the President of the Security Council, S/1995/306, 17 April 1995; Report of the Secretary-General on the United Nations Mission in Haiti, S/1995/305, 13 April 1995: the transfer to UNMIH was a "milestone".

207 *Agence France Presse*, 18 January 1995.

both before and after the military regime reneged on the Governors Island Agreement, and he directed the UN mission which followed the multinational force. His Special Representative met with President Aristide at least every week to review the activities of the UN. The UN Electoral Assistance Team helped supervise municipal and local elections in late 1995. Finally, the justice and development branches of the Secretariat assisted with successful local, legislative and Presidential elections.²⁰⁸ The two main points of contention for the Office of Secretary-General concern its association with the use of coercion and the implications this had in this and other cases, and the UN's proximity to US objectives. Given the US political concerns and its history of hegemony in the area, one is left with the impression that the UN was in part an instrument or fig-leaf for a US agenda. Nevertheless, it was an apparent "success" in the midst of a disillusioned climate, and the fact that the USA needed a UN and not just an OAS fig-leaf is significant.

Iraq

The implementation of the 1991 Gulf War settlement constituted a Diktat of enormous proportions and continued the dominance of the activist states - particularly the US and Britain - which had trounced Iraqi forces during Desert Storm. The Secretaryship-General has been involved in the implementation of the UN's mandatory regulations with regard to weapons of mass destruction, the boundary between Iraq and Kuwait, the humanitarian agenda, sanctions, peace-keeping, and personal and corporate compensation. However, the room for manoeuvre for the Secretary-General has been narrow, commensurate with the sensitive political and geostrategic agenda of the activist states and the explicit and mandatory nature of the Security Council's demands under Resolutions 687, 688, and those thereafter.

The Permanent Five have not remained united underneath the surface, where a cleavage has emerged between Russia and France, who have actively sought an easing of sanctions, and Britain and the US, actively maintaining them. Nevertheless, the existing legal framework which underlies the sanctions regime and the presence of UN agencies in Iraq are explicit. Therefore, the position of the Secretary-General has been to organise the modalities of the implementation of its terms. The assessment of Iraq's compliance has been within the realm of the Security Council. This conforms to the thesis that, when the Security Council is in formal agreement in the post-Cold War context,

208 Report of the Secretary-General on the United Nations Mission in Haiti, S/1995/922, 6 November 1995, paragraph 3.

the room for manoeuvre of the Secretaryship-General is narrow, in effect confined to executing the will of the Security Council. In cases where leading Permanent Council Members have a key interest and the Security Council follows their leadership, the position of the Secretary-General will be further constrained. In October 1994, for example, Iraqi military movements were interpreted under the leadership of the US as threatening to regional security and therefore further reason to maintain sanctions. There was no independent input from the Secretary-General.

Nevertheless, the Secretary-General has made policy-influencing reports in the process of the Security Council's continuing review of Iraqi compliance and has coordinated the communication of information from the field. The Secretary-General's Office commands the UN Iraq-Kuwait Observation Mission which has had Permanent member participation and was expanded by Resolution 806(1993) to include the capacity to take physical action to prevent or redress small-scale violations.²⁰⁹ The UN Special Commission, central to the involvement of the UN in Iraq, has employed unprecedented practices to impose an innovative regime of 'arms control enforcement'.²¹⁰

Although the Secretary-General may be peripheral to Council policy, the quantitative increase of the Office's activities in this case is self evident. It is also significant that Tariq Aziz wrote directly to the Secretary-General when Iraq was prepared to enter into dialogue regarding the long-standing Security Council offer to allow controlled sales of oil for humanitarian reasons under Resolution 986.²¹¹ However, to fulfil a classical good-offices role the Secretary-General would be aided by a certain independence from the Council and room for manoeuvre. In light of the interests of the activist states and the likelihood of repercussions upon world oil prices if such a deal occurred, one must suggest that the Secretary-General had little room for manoeuvre in the negotiations.²¹² More importantly, the Office has been associated - as an instrument of the Council - with the use of coercion by the Security Council under Chapter VII through the activist states. Again, one should question if this is compatible with the Office's traditional impartial and innocuous

209 Report of the Secretary-General on the UN Iraq-Kuwait Observer Mission, S/1994/111, September 1994.

210 R.Ekeus, 'Iraq: The Future of Arms Control', *Security Dialogue*, vol.25, no.1, 1994. A key document in the shift from the identification and destruction of weapons to the continuing monitoring of Iraq's activities is the Report of the Secretary-General on the Status of the Implementation of the Special Commission Plan for the Ongoing Monitoring and Verification of Iraq's Compliance with Relevant Parts of Section C of Security Council Resolution 687 (1991) S/1994/1138, 7 October 1994.

211 *The Washington Post*, 30 January 1996, p.12.

212 Interview with Sir David Hannay, former UK Permanent Representative to the United Nations, London, 29 February 1996.

third party duties. In this and in other cases a recalcitrant party might be induced to employ the Secretary-General as a form of face-saving climb-down, in this case for example with regard to weapons of mass destruction and supervised oil sales. If the Secretary-General is identified too closely with the Security Council in enforcement measures this important role may be jeopardised.

Good Offices and Preventive Diplomacy

In the 1990s the good offices and preventive roles of the Secretary-General have burgeoned in response to post-Cold War civil strife and state fragmentation and the increasing involvement of the Organisation in such areas. Developments in UN diplomatic and political practices have complemented these processes. The third-party activities of the Office in areas considered formerly to be the spheres of influence of Great Powers within Africa, Central America and the former Soviet Union, have been particularly important. The Secretaryship-General is experiencing more room for manoeuvre compared to the sensitivity of the Cold War which precluded the Office from many regional conflicts. Indeed Boutros-Ghali remarked in January 1996 that the Office has a distinctive role in quiet preventive diplomacy as "an impartial figure with a global mandate."²¹³ He also observed that "preventive diplomacy is a particular responsibility of the Secretary-General. Early warning, fact-finding, confidence-building measures, personal contacts, and good offices, all are instruments of this."²¹⁴ A member of the British mission to the UN stated that "there is certainly a much greater willingness...to see the Secretary-General use his good offices. The thrust of all our interests in preventive diplomacy is to see more use of the Secretary-General's good offices."²¹⁵ Proactive initiatives are central to the Secretaryship-General's 'global mandate'. For example, the Security Council welcomed the Secretary-General's initiative in preparing, in collaboration with the government of Sierra Leone, an action plan for the demobilisation and reintegration of combatants

213 The Secretary-General's Cyril Foster Lecture, Oxford University, 15 January 1996.

214 B.Boutros-Ghali, 'An Agenda for Peace: One Year Later', *Orbis. A Journal of World Affairs*, vol.37, no.3, Summer 1993, p.324; "Preventive diplomacy is to avoid a crisis; peace-building is to prevent a recurrence. Each step requires and reinforces the other." The Secretary-General observed that preventive diplomacy "incorporates efforts designed to prevent the occurrence of armed conflict, such as fact-finding, good offices and goodwill missions, the dispatch of special envoys to tense areas, and efforts to bring parties to a potential conflict to the negotiating table." 'Report on the Work of the Organisation', paragraph 279. Later the Commission on Global Governance reaffirmed the duty of the Secretary-General to make fact-finding and preventive trips, I.Carlsson, 'Roles for the UN in International Security after the Cold War', *Security Dialogue*, vol.26, no.1, 1995.

215 Interview, UK Mission to the United Nations, 20 May 1994.

after fighting flared up there in the Autumn of 1995.²¹⁶ Moreover, the Secretary-General also planned to send a special envoy to Sudan to discuss with the government efforts to combat terrorism in the region.²¹⁷ The attempt at a leadership role by Boutros-Ghali on the eve of the March 1996 conference held in Egypt on terrorism in the Middle East was likewise interesting; he stated that the UN was waiting to implement whatever measures the conference adopted.²¹⁸

Some believe that the Secretary-General could and should expand his remit in reporting threats to the peace to the Security Council in accordance with the increasingly wider conception of peace and security and non-military hazards.²¹⁹ It is significant that the UN and its Secretary-General are involved in domestic situations on an unprecedented scale, and that good-offices missions are publicised more than before.²²⁰ This may represent a departure from the classical model of the international civil service which grew from a Grotian 'international society' conception of international politics.

Preventive activities and the good offices of the Secretary-General have been subject to paradoxical trends. Post-Cold War attitudes towards wider conceptions of peace and security have encouraged these activities, yet multilateral fatigue from 1993 appeared to have curtailed the financial and diplomatic resources necessary to do so. There is "an undeniable disparity between the vision and the reality."²²¹ Yet the constraints on finance and personnel should logically motivate UN members to encourage preventive diplomacy in the hope that some expensive disaster can be averted. However, the Secretary-General must have resources to bring to bear upon conflict situations and good offices and preventive diplomacy can be a prelude to some form of peace operation, and the recent political climate in the Council has not been conducive to the creation of new multifunctional operations. With the prioritisation which has resulted from this climate, some areas have less attention than others and patience is often thin. This conflicts with the demands of patient diplomacy. On a practical note, the increase in these activities has necessitated the increased use of Personal and Special Representatives, appointed on the Secretary-General's initiative or at the behest of the Security Council or General Assembly.²²²

216 United Nations News Summary, London, NS/25/95, 1 December 1995.

217 United Nations News Summary, London, NS/2/96, 20 February 1996.

218 *Associated Press Worldstream*, 12 March 1996.

219 Interview, former member of the Executive Office of the Secretary-General, New York, June 1994.

220 Interview with a member of the Department of Political Affairs, United Nations, New York, June 1994.

221 B.Boutros-Ghali, 'Report on the Work on the Organization', September 1993, paragraph 25.

222 See D.J.Puchala, 'The Secretary-General and His Special Representatives', in B.Rivlin and L.Gordenker ed., *op.cit.*

Afghanistan

In comparison to the attention of the international community and the UN in pursuance of the withdrawal of Soviet troops in the late 1980s, the UN has not committed substantial resources to Afghanistan's ensuing civil war because of the climate of multilateral fatigue and political prioritisation. In addition, the country has continued to be plagued by regional interference.

The Najibullah government left behind by the Soviets was defeated in 1992, and since then *mujahidin* and other factions have vied for control, wreaking havoc and humanitarian catastrophe on the country. The combatants have allied around President Burhanuddin Rabbani and rival Gillbuddin Hekmatyar, and the struggle has centred upon the capital. A new force has been the Islamic students, Taliban. There are ethnic and religious divisions in evidence - chiefly between the Pashtuns and non-Pashtuns - but at least one observer has suggested that regionalism and warlordism are stronger.²²³ Whilst Afghanistan has not received much multilateral political attention or humanitarian assistance, regional powers have been active in competing for influence and supporting various parties. There have been reports of Russia, Uzbekistan, Pakistan, India, Saudi Arabia, and Iran being involved.²²⁴ Whilst the leading international powers have been reluctant to exert leverage to lessen this regional interference - and indeed may be involved covertly themselves - and the UN is contained by prioritisation and fatigue, the Secretary-General and his Special Representative have been frustrated.

On 21 December 1993 General Assembly Resolution 48/208 requested the Secretary-General to send a special mission to canvass a broad spectrum of Afghan leaders regarding a UN role in assisting rapprochement and reconstruction. When serious fighting resumed in January 1994 Boutros-Ghali called for a cease-fire and engaged in consultations with Iran, Pakistan, Russia, Saudi Arabia and the USA.²²⁵ In February Boutros-Ghali appointed Mahmoud Mestiri to head the Special Mission, which visited the region and met all the interested parties, both inside and outside Afghanistan. The Secretary-General finally reported to the Security Council in June 1994 outlining the possibility of a new UN presence in Afghanistan, the implementation of a country-wide cease-

223 B.R.Rubin, 'Afghanistan in 1993. Abandoned but Surviving', *Asian Survey*, vol.34, no.2, February 1994.

224 Z.Khalilzad, 'Afghanistan in 1994. Civil War and Disintegration', *Asian Survey*, vol.35, no.2, February 1995, pp.151-152, and *Agence France Presse*, 10 January 1996.

225 B.Boutros-Ghali, *Building Peace and Development*, paragraph 438.

fire, and the establishment of a transitional authority so that free and fair elections could be held.²²⁶ He also observed the need for greater attention to this tragedy.

A great deal rested on the possibility of some form of transitional authority or *loya girgha* - traditional grand assembly - Rabbani stepping down from the presidency, and the regional powers exerting influence. The Security Council outlined a step-by-step process of reconciliation, demobilisation, and some form of transitional government.²²⁷ On a number of occasions Rabbani had agreed and was due to leave office in accordance with numerous agreements between 1992 and 1995, but had failed to do so.²²⁸ In order to inject some momentum into the process Boutros-Ghali met the rivals in Islamabad in early September 1994 and consulted with members of the Organisation of the Islamic Conference, whose Secretary-General had also attempted to reach a settlement.²²⁹ Mestiri - who announced that he had won agreement amongst all sides about a UN presence in principle²³⁰ - was still urging the parties to commit themselves to a grand assembly to decide on a future government and had apparently built support for a UN transition 'mechanism', a UN-sponsored council which would replace the government in March 1995.²³¹ The arrival of the Taliban upset the process somewhat, as they did not wish to participate. Mestiri continued to negotiate with all the parties and a number of neighbouring countries for a means to enable Rabbani to stand down for a transitional coalition council, although a number of the other factions are not convinced that he intends to step-down at all.²³² In January 1996 Mestiri shuttled throughout the country and region with the objective of facilitating a peaceful transition to a UN-proposed interim council.²³³ However any process of rehabilitation requires material support and the wariness of the international community was reflected in a UN appeal for \$124 receiving only \$26.9 million.²³⁴

Whilst Mestiri - with the occasional input of the Secretary-General - helped to establish a

226 Document A/49/208 and S/1994/766, 1 July 1994. The author contributed to the preparation of this report.

227 Statement by the President of the Security Council, S/PRST/1994/77, 30 November 1994.

228 *The Financial Times*, 27 June 1994, p.4, *The Los Angeles Times*, 23 February 1995, p.6.

229 *Reuters World Service*, 7 September 1994, BC Cycle.

230 *Inter Press Service*, 14 April 1994, p.14.

231 *Ibid.*; *The Los Angeles Times*, 23 February 1995, p.6.

232 Report of the Secretary-General. Emergency International Assistance for Peace, Normalcy and Reconstruction of War-Stricken Afghanistan, A/50/737/Add.1, 6 December 1995.

233 *Reuters World Service*, 18 January 1996. Hekmatyar's faction was reported to have asked Mestiri to step down after repeated failures.

234 United Nations News Summary, London, NS/1/96, 7 February 1996.

framework for a political settlement and rehabilitation, much of this rests upon a longer term commitment to the country and the support by external parties. However, the political climate at the UN is not conducive to long term-commitments, and Afghanistan continues to attract the adverse attention of regional and international actors.²³⁵ The Security Council's support for the Secretary-General has thus been somewhat hollow.

Burundi

Although the Rwanda tragedy of 1994 was a starker indication of the Security Council's reluctance to become involved in a domestic catastrophe, Burundi was an earlier manifestation of the post-Somalia syndrome of multilateral fatigue, caution and political prioritisation. Again, the Secretary-General was constrained by these pressures.

After the military coup of 21 October 1993 the Secretary-General expressed concern and sent James Jonah as his envoy to help facilitate the return of Burundi to constitutional rule and identify what the UN could do to assist. Soon after, a Security Council Presidential statement requested the Secretary-General to monitor the situation in consultation with the Organisation of African Unity.²³⁶ It appears that the government wanted some form of peace-keeping at that stage but Jonah had to explain that the Security Council "has shown no inclination to take on any new operations."²³⁷ The Security Council, under the preponderance of the US, was drawing the line at Burundi.

The Secretary-General appointed Ahmedou Ould Abdallah as Special Representative and the annual report implies that this was upon his own initiative, for the Security Council "welcomed" the decision.²³⁸ The Security Council authorised him to dispatch a small fact-finding mission simultaneously with the launching of humanitarian assistance programmes.

On 6 April 1994 the President of Burundi was killed with that of Rwanda and ethnic violence claimed thousands of lives. A semblance of stability returned through 1994 with the assistance of Abdallah. On a shoestring he helped to persuade Hutu and Tutsi politicians to agree to power

235 *Agence France Presse*, 10 January 1996.

236 B.Boutros-Ghali, *Building Peace and Development*, paragraph 475-476; also R.Lemarchand, 'Managing Transition Anarchies: Rwanda, Burundi and South Africa in Comparative Perspective', *The Journal of Modern African Studies*, vol.32, no.4, December 1994.

237 *Time*, 15 November 1993, p.66; *The Guardian*, 29 October 1993, p.14.

238 B.Boutros-Ghali, *Building Peace and Development*, paragraph 478. Aziz Hasbi was subsequently appointed as Special Representative in November 1995.

sharing arrangements, and after the death of the President he was important in bringing politicians and the army to broadcast calls for calm, and in supporting talks on a constitution, a cabinet and a convention of national leaders.²³⁹ The OAU has also been playing a significant role. With an ethnic complexion similar to that of Rwanda - although the Tutsi minority control the army - and a history of hostility it would appear that Burundi contains the ingredients for a catastrophe and is therefore a prime case for substantive preventive action; senior Secretariat officer Chinmaya Gharekhan described the situation as "a laboratory for some sort of prevention action."²⁴⁰

However, the climate at the UN was not conducive to this logic and Boutros-Ghali was relegated to his 'bully-pulpit', urging the Security Council and OAU to take preventive action. However, this did not discourage the Secretary-General. In August 1994 he embarked upon a more rigorous approach to addressing the effects of the conflict upon Burundi, Tanzania, Uganda and Zaire, by asking an envoy to tour the region with a view to strengthening the coordination of UN humanitarian efforts which are closely tied to political stability.²⁴¹ In January 1995 he is reported to have stated wishfully that the international community "would not accept a repetition in Burundi of last year's tragic events in Rwanda."²⁴² More significantly, on 27 March the Secretary-General met the Permanent members of the Council at his own request to discuss the deteriorating situation in Burundi,²⁴³ and the UN High Commissioner for Refugees Sadako Ogata and Special Representative Marc Faguy made a visit at his the request. The ethnic polarisation of the country had intensified under the influence of extremists, foreign aid workers were being targeted, and funds needed to ameliorate suffering continued to deteriorate.²⁴⁴

Boutros-Ghali's alarm at the situation and his apparent belief that he had a responsibility to encourage "a major initiative to prevent another tragedy" were manifested in a number of forms.²⁴⁵

239 *The Washington Post*, 10 April 1995, p.12. Abdallah was, however, reported to have been scornful of the idea of 'preventive diplomacy' and pessimistic about the future, *Federal News Service*, 5 April 1995.

240 United Nations News Summary, London, NS/24/94, 17 August 1994.

241 United Nations News Summary, London, NS/25/94, 1 September 1994.

242 *Reuters*, 31 January 1995. The Security Council has at least formally welcomed the initiatives of the Secretary-General of sending envoys to study the refugee crisis, Statement by the President of the Security Council, S/PRST/1994/60, 21 October 1994.

243 United Nations News Summary, London, NS/10/95, 5 April 1995; also *Agence France Presse*, 27 March 1995.

244 Letter from the Secretary-General to the President of the Security Council, S/1996/8, 5 January 1996; and Letter from the Secretary-General to the President of the Security Council, S/1996/36, 17 January 1996.

245 Letter from the Secretary-General to the President of the Council, S/1996/36, 17 January 1996.

Most significantly, the Secretary-General made a number of proposals for a military force, authorised by the Security Council under Chapter VII, to be deployed on Burundi's border with Zaire, with a view to military intervention if necessary. Even though there is a strong case for such a preemptive move, the government of Burundi was most unwelcoming of any form of military intervention and the Security Council was unsupportive for other reasons.²⁴⁶ A former UK Permanent Representative to the UN commented that it was not so much Boutros-Ghali's desire to address the situation in Burundi but his method that was objectionable.²⁴⁷ The Secretary-General's proposal was something of a departure in the development of the Office's roles. Nevertheless, Boutros-Ghali's public and private efforts cannot overcome the climate of stagnation and 'preventive diplomacy' was conducted under severe constraints.

Yemen

After four years of uneasy unity fighting broke out between the traditionally socialist southern Yemen and the government forces of the north in May 1994. Security Council Resolution 924 of 1 June called for an immediate cease-fire and requested the Secretary-General to send a fact-finding mission to assess prospects for a dialogue. The Secretary-General remained in "close contact" with all concerned.²⁴⁸ Discussions were held separately and then directly under Special Representative Lakdar Brahimi.²⁴⁹ However, they were in a sensitive position: the government claimed that it was quelling a secessionist attempt and did not welcome UN intervention.²⁵⁰ Thus, the post-Cold War issue of interventionism was projected upon the Office of Secretary-General. Amidst continuing fighting the Security Council passed Resolution 931, 29 June 1994, reiterating the call for a cease-fire. Brahimi arranged a meeting in Geneva on 28 July between representatives of the parties after fighting had come to an end. In addition the Secretary-General instructed the Department of Humanitarian Affairs to take immediate action in response to the needs of the displaced or deprived

246 *The Washington Post*, 6 January 1996, p.18. However, some members of the Council were considering stand-by arrangements in their respective countries, *The New York Times*, 30 January 1996, p.2. Former President Carter claimed that the international community's neglect of Burundi compared to its commitments in Bosnia was racist, *The Washington Post*, 27 January 1996.

247 Interview, London, 29 February 1996.

248 B.Boutros-Ghali, *Building Peace and Development*, paragraph 615.

249 Report of the Secretary-General on the Situation in Yemen, S/1994/817, 12 July 1994.

250 Report of the Secretary-General on the Situation in Yemen, S/1994/764, 27 June 1994.

people.²⁵¹

Sir David Hannay was reported to have drawn up Resolution 931 with the intention of strengthening the hand of the Secretary-General in negotiations as it left the nature of the cease-fire monitors to him.²⁵² In fact the two sides could not agree on the nature of the monitors and the government was reluctant to accept any who might lend legitimacy to the south. In addition the climate at the UN was not supportive of peace-keeping and the Security Council Resolution was rather vague in instructing the Secretary-General to work towards a "mechanism" to encourage and monitor a cease-fire.²⁵³ Both sides had formally accepted the 1 June cease-fire, but had differences over the monitors, and fighting continued. This was the focus of Brahimi's negotiations in New York and Cairo between the parties and in consultation with the Arab League and Saudi Arabia.²⁵⁴

The vagueness of the Security Council Resolution and its lack of commitment was also a reflection of the caution which pervaded the Council at the time. Whilst it appeared that the Secretary-General had room to manoeuvre, he and Brahimi probably knew they could not count on much support for a major UN commitment to a settlement. This is another case of prioritisation and fatigue amongst the leading international actors: the conflict did not have major international implications and it was given to the Secretary-General without much expectation or wish for a subsequent UN commitment.

Georgia

Central Asia is experiencing fragmentation along ethnic and national lines. The development of preventive diplomacy and the good offices of the international civil service alongside the omnipresence of Russian diplomacy is interesting. Here the Secretary-General is mediating - or at least being involved - in what would traditionally have been considered a domestic context or in the sphere of influence of a Great Power.

Fighting broke out in August 1992 in the Abkhazia region of north west Georgia and the secessionist forces eventually seized the whole area, displacing or violating the rights of some

251 B.Boutros-Ghali, *Building Peace and Development*, paragraph 625.

252 *The Herald (Glasgow)*, 28 June 1994, p.6.

253 Security Council Resolution 931, 29 June 1994, paragraph 4.

254 *Agence France Presse*, 20 June 1994; *Agence France Presse*, 15 June 1994.

200,000 Georgians who had formally lived there.²⁵⁵ The Secretary-General assigned Edouard Brunner as Special Envoy and mobilized an inter-agency humanitarian effort to assist the repatriation and relief of the displaced people. On 14 May 1994 both sides signed a formal ceasefire and Brunner, in cooperation with the Russian Federation and the Organisation for Security and Cooperation in Europe, was seeking a comprehensive settlement. The underlying problem was Abkhazia's demand for independent statehood and Georgia's demand to maintain its territorial integrity. Negotiations were based on the idea of Abkhazia having some autonomous rights but within the framework of a Georgian union. A central practical barrier to progress has been the tardiness of the return of Georgian refugees to the region with the assistance of the UNHCR, and reports that those who have returned home have been persecuted and even murdered by Abkhazian guerillas.²⁵⁶ The parties have not followed their commitments under the Quadripartite Agreement on the voluntary return of refugees and displaced persons.²⁵⁷ Significantly, the Secretary-General singled out Abkhaz unwillingness to accept the return of refugees.²⁵⁸

On 6 July 1993 the Secretary-General recommended that 50 UN observers be deployed to discourage the escalation of the conflict within Georgia and across the whole region, even though, he acknowledged, there were risks with such a deployment.²⁵⁹ By Resolution 881 of 4 November 1993 the Council gave the UN Observer Mission in Georgia (UNOMIG) an interim mandate to maintain contacts with both sides and the substantial CIS presence, and to monitor developments relevant to a political settlement. After the parties signed a memorandum of understanding the Secretary-General sought and received authorization from the Security Council - by Resolution 892 of 22 December 1993 - to deploy up to fifty more observers. This was further extended to 136 by Resolution 937 of 21 July 1994, which also instructed UNOMIG to monitor and verify implementation of a local agreement and observe the CIS force. There was talk of the possibility

255 B.Boutros-Ghali, *Building Peace and Development*, paragraph 513. Human rights violations were investigated by a fact finding mission dispatched in October 1993.

256 Report of the Secretary-General Concerning the Situation in Abkhazia, S/1995/657, 7 August 1995, paragraph 36; *The Guardian*, 22 March 1995, p.10; *The New York Times*, 5 February 1995.

257 Report of the Secretary-General Concerning the Situation in Abkhazia, Georgia, S/1995/342, 1 May 1995.

258 Report of the Secretary-General Concerning the Situation in Abkhazia, Georgia, S/1994/1160, 14 October 1994., paragraph 28.

259 United Nations News Summary, London, NS/26/93, 8 July 1993.

of a UN peace-keeping force - in fact Georgia had requested consideration of a force²⁶⁰ - but the political climate in the Security Council was not supportive so the Secretary-General has worked alongside the presence of the Russians, albeit under UNOMIG's monitoring.

Have the UN and its Secretary-General, as a result personnel and financial constraints, legitimised Russia's regional objectives? The Secretary-General has reported that the CIS forces are cooperating with UNOMIG on the basis of agreements and that the peacemaking process has the backing of the 'Friends of Georgia', France, Germany, Russia and the USA.²⁶¹ However, there have been reports that Russia initially aided the rebels in order to bring Georgia closer into the Russian fold.²⁶² One could argue that the UN's involvement is innovative anyway in an area traditionally under the Russian wing. The decision of the Secretary-General to appoint a resident deputy Special Envoy indicates his perseverance despite his feeling that "both sides continue to take positions that cannot, as yet, be bridged."²⁶³

A summit between Georgian President Edouard Sheverdnadze, the Abkhazia leader Ardzinba, Russian Foreign Minister Andrei Kozyrev, and the Chairman of the OSCE, was convened and chaired by Boutros-Ghali.²⁶⁴ He made a fact-finding mission to Georgia, Armenia and Azerbaijan in November, carefully respecting the traditional Russian authority in the area. However in January 1995 the Secretary-General reported that talks were stalled, largely due to the slow return of displaced Georgians and the Abkhazian's continued insistence on sovereignty. Throughout 1995 Brunner worked on a settlement in conjunction with the Russian Federation. The central issues remained the status of Abkhazia within a federal framework and the return of displaced persons, although Abkhaz leader Vladislav Ardzinba said he was not against a federal arrangement in principle, although it must be on the basis on two equal entities.²⁶⁵ This was augmented by the adoption by the 'Supreme Soviet' of Abkhazia of a constitution which declared it a "sovereign

260 United Nations News Summary, London, NS/1/94, 20 January 1994. Later, the Secretary-General reported to the Council that conditions were not right for the deployment of a peace-keeping force, UN News Summary, London, NS/16/94, 12 May 1994.

261 Report of the Secretary-General Concerning the Situation in Abkhazia, S/1995/657, 7 August 1995.

262 *The New York Times*, 17 March 1993, p.5.

263 *Ibid.*, paragraph 52. The report indicated that there were 136 military observers and 55 international and 69 local civilian staff.

264 United Nations News Summary, London, NS/37/94, 23 November 1994. According to one report its go-ahead was the decision of the Secretary-General, *Reuters World Service*, 17 November 1994.

265 Report of the Secretary-General Concerning the Situation in Abkhazia, Georgia, S/1995/657, 7 August 1995, paragraphs 2-7.

democratic state".²⁶⁶ On this basis talks were deadlocked. Boutros-Ghali undertook vigorous efforts "in close consultation" with his Special Representative who took "the initiative" to hold consultations with Abkhaz authorities regarding the protection of human rights, and continued to pursue contacts with the Georgian and Russian parties.²⁶⁷ Although the Secretary-General described the negotiations as deadlocked, he appeared to see this process in the context of the wider cooperation between Russia and UN in the former Soviet Union.²⁶⁸

On a procedural level the Secretary-General exercised authority through his Personal or Special Representative's good offices, in an area formally considered a sphere of influence of a Great Power. For example, responding to claims by Boutros-Ghali that Abkhaz rebels were holding-up the peace process, Ardzinba wrote to the Secretary-General outlining their commitment to the process and their wish for a confederal union with Georgia.²⁶⁹ However, without the likelihood of a substantive UN commitment his activities were conditioned by the need to acknowledge a major Russian role and therefore jeopardise his impartiality with the parties. Similarly, the Secretary-General does not have a substantial degree of 'positive leverage' to bring to bear; the voluntary relief fund established by Security Council Resolution 937(1994) had received nothing in January 1995.²⁷⁰ It may be the case, as Alvaro de Soto has claimed, that the Secretary-General is not micromanaged in his mediation and sometimes that he keeps the Security Council informed "at his discretion",²⁷¹ but this room for manoeuvre does not necessarily mean that the Office is actively backed by the Council.

Armenia - Azerbaijan

The conflict in the area around Nagorny Karabakh is another where the Secretary-General's mediatory overtures have supplemented regional efforts, in this case the Minsk Group of the

266 Report of the Secretary-General Concerning the Situation in Abkhazia, Georgia, S/1995/10, 6 January 1995.

267 Report of the Secretary-General Concerning the Situation in Abkhazia, Georgia, S/1996/5, 2 January 1996.

268 *Ibid.*

269 *Itar-Tass*, 8 December 1995.

270 Report of the Secretary-General Concerning the Situation in Abkhazia, Georgia, S/1995/10, 6 January 1995, paragraph 15.

271 Letter in *Foreign Affairs*, vol.74, no.1, 1995, p.186.

Conference/Organisation of Security and Cooperation in Europe.²⁷² Again, it was an area absent from the UN agenda during the Cold War. A UN fact finding mission was sent in 1992 under Cyrus Vance.²⁷³ In March 1993 conflict escalated in the region within Azerbaijan, between Armenia and the enclave of Nagorny Karabakh and around the border with Iran. Whilst the Security Council has passed Resolutions - 822, 874, 884 - supporting the OSCE process, the UN has acknowledged that its role is complementary or secondary to regional organisations and states, principally Russia. This is a result both of the UN's financial and political constraints and its lack of experience in the area. Nevertheless Boutros-Ghali's meeting with President Boris Yeltsin and his Foreign Minister in May 1995, to discuss Abkhazia, Nagorny Karabakh, Tajikistan and the former Yugoslavia, indicated that the Secretary-General does not see his role as superfluous or superficial.

Baltic States

Despite the traditional influence of Russia in the Baltic, the Secretary-General sent Special Envoy Tommy Koh on a good-will mission in late August and early September 1993 to help to ease the withdrawal of Russian troops from the area, pursuant to General Assembly 47/21 of 25 November 1992.²⁷⁴ Koh encountered the issues of the ethnic Russians and his visit might be interpreted as a modest symbol of the Secretary-General and the UN's desire to maintain an interest in the former Soviet Union.

Tajikistan

In 1992 the coalition governing Tajikistan broke down - some reports suggest that the Russian backed communists seized power²⁷⁵ - and fighting between government and Islamic Afghan-supported rebels raged. In the autumn of 1992 the Secretary-General dispatched, in consultation with the governments of Tajikistan and Uzbekistan, a fact finding mission and then a good-will mission to Tajikistan and four neighbouring states to assist in peacemaking efforts and assess humanitarian

272 A recent progress report of the Minsk process is the Letter from the Representatives of Finland and the Russian Federation to the United Nations, addressed to the President of the Security Council, S/1995/558, 11 July 1995.

273 *Inter Press Service*, 13 March 1992.

274 *Agence France Presse*, 11 August 1993; C.Bildt, 'The Baltic Litmus Test', *Foreign Affairs*, vol.73, no.5, 1994.

275 *Agence France Presse*, 17 September 1994.

needs. The UNHCR, World Food Programme and World Health Organisation were poised to become involved.²⁷⁶ It is interesting that the Secretary-General stated that he "informed" the Security Council of his intention to establish a small unit in the region,²⁷⁷ and he instructed Special Envoy Ismat Kittani to visit throughout the region in the Summer of 1993 and early 1994, again in cooperation with the OSCE and CIS. It is also interesting that the Secretary-General states that the President of the Security Council welcomed "my decision" to extend the mandate of the Special Envoy.²⁷⁸ Similarly, the President of the Council requested the Secretary-General to present recommendations regarding the role that the UN could play in assisting the implementation of the Tajik peace process.²⁷⁹

There were rounds of UN-sponsored talks in Moscow, Teheran, Islamabad, and Kazakhstan. The latter in May and June 1995 involved a discussion of a compromise plan for reconciliation, confidence building measures, and the return of displaced persons, although "little progress has been made."²⁸⁰ Progress towards a cease-fire was slow, and Boutros-Ghali influenced the terms of the talks in an attempt to push the parties. The Secretary-General suspended the activities of his Envoy before the Islamabad talks until the Government and opposition parties demonstrated their commitment to political dialogue.²⁸¹ Similarly, when it appeared that the government was reluctant to accept the confidence building measures he suspended preparations for the third round until the parties gave evidence of commitment.²⁸² Again, in the fourth round, the UN Envoy Ramiro Piriz-Ballon is reported to have threatened to withdraw the UN if the parties did not cooperate towards a solution.²⁸³

There had been optimism for this fourth round after the first meeting of the President and the leader of the rebels in Afghanistan,²⁸⁴ even though the cease-fire was frequently violated. The UN Mission of Observers in Tajikistan, set up in December 1994 and numbering about 72 in June 1995,

276 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 397.

277 *Ibid.*

278 B.Boutros-Ghali, *Building Peace and Development*, paragraph 504.

279 Statement by the President of the Security Council, S/PRST/1994/65, 8 November 1994.

280 Report of the Secretary-General on the Situation in Tajikistan, S/1995/473, 10 June 1995, paragraph 24.

281 United Nations News Summary, London, NS/23/94, 5 August 1994.

282 B.Boutros-Ghali, *Building Peace and Development*, paragraph 608.

283 *Agence France Presse*, 28 May 1995.

284 Report of the Secretary-General on the Situation in Tajikistan, S/1995/472; *Deutsche Presse Agentur*, 23 May 1995.

began working alongside the CIS/Russian force of 18,000. This certainly gave confidence to the establishment of a framework for further talks in the principles for establishing peace, signed by the parties in August 1995.²⁸⁵ In December 1995 the Secretary-General recommended a second six-month extension of the 72 member UN force, although progress was reported to be very slow. Nevertheless, the August agreement established acceptance of continuous inter-Tajik talks, which is reported to have been a format favoured by Boutros-Ghali.²⁸⁶ There was initially deadlock over the location of these talks but the Secretary-General took the opportunity of the fiftieth anniversary commemorations of the Organisation to speak with all the parties involved and neighbouring countries in order to successfully ease the process back on track.²⁸⁷ In January 1996 the Islamic opposition launched an assault on government troops,²⁸⁸ again plunging the process into crisis and prompting the Secretary-General's representative to undertake urgent efforts to achieve stability.

The UN mediation effort must be seen in the context of international and regional power interests. Russia clearly supports the Tajik government and its force is mainly aimed at preventing supplies from Afghanistan reaching the rebels. Many regional states - particularly Iran - also have an interest. The UN Secretariat's acquaintance with the CIS therefore jeopardises its impartiality in the eyes of the rebels and may have wider implications for its independence, especially alongside Georgia and Liberia. US interests are tied to the possibility of oil exploration by US companies, and may be lured by the Tajikistan government's stance of fighting Islamic extremism in the area. Still, the UN presence and the Secretary-General's style was significant given the sensitivity of the region to Russia.

It is also important to consider if the Secretary-General's activities are supported collectively by the Security Council or put into doubt by the differing agendas of the members toward the region. Similarly, if external actors are not willing to apply leverage upon the parties in favour of a political settlement because they wish to influence the outcome in some way, then the position of the Secretary-General is undermined and out of step with the political realities at work. This challenges the idea of the Secretary-General being employed on a sincere basis by the international community or Security Council, leaving a somewhat vague role for the Office.

285 Report of the Secretary-General on the Situation in Tajikistan, S/1995/1024, 8 December 1995. The report also outlines DHA and UNHCR assessments, and repatriation, social and economic activities.

286 *Reuters World Service*, 18 August 1995. Piriz-Ballon remarked that the Tajik peace process was "under the personal control" of Boutros-Ghali, *Itar-Tass*, 3 August 1995.

287 *Reuters World Service*, 18 August 1995.

288 *Agence France Presse*, 31 January 1996.

Guatemala

In January 1994 the military government of Guatemala and the rebel Unidad Revolucionari Nacional Guatemalteca (URNG) agreed to resume negotiations under the auspices of the Secretary-General to settle the longest conflict in Latin America.²⁸⁹ The UN had been involved since 1990 when Pérez de Cuéllar was asked to appoint an observer in talks between the government and the URNG, which is predominantly Indian, poor, and seeks greater democracy and rights for the indigenous population.

Talks began with Jean Arnault moderating for the UN and with the input and influence of the Group of Friends of the Guatemalan Peace Process: Columbia, Mexico, Norway, Spain, the US, and Venezuela. Agreements were reached on human rights, on a timetable for a lasting settlement, and on displaced people. Once the talks were underway Boutros-Ghali reported that he had "decided" to send a survey mission to assess the needs of the country.²⁹⁰ In the autumn of 1994 he announced approval of the UN Verification of Human Rights for Guatemala (MINUGUA), to uphold the human rights accord and hopefully help to restart the stalled talks.²⁹¹ The talks stalled on the subject of indigenous rights in December 1994 and a new effort was needed to restore momentum. Boutros-Ghali called upon both sides to submit a new schedule for a final settlement and sent Undersecretary-general Marrack Goulding on a shuttle amongst the interested parties, to overcome the problem.²⁹² Reportedly the UN had warned that it would reassess its position if the parties did not respond positively, and in early February 1995 the URNG accepted the UN proposals in New York. According to the new schedule, from March 1995, socioeconomic and agrarian agreements would be implemented, then issues of civilian power and the role of the army, followed by the reintegration of the URNG into civilian life, leading to constitutional and electoral reform. Finally, in August 1995, the signing of a final peace accord was planned.²⁹³ However, the timetable was not maintained.²⁹⁴

The Secretary-General's Office has been a key actor in facilitating a difficult process of

289 See B.Boutros-Ghali, *Building Peace and Development*, paragraphs 524-528.

290 *Ibid.*, paragraph 501.

291 *Latin American Institute*, University of New Mexico, Political Affairs, internet service, 2 September 1994.

292 *Latin American Institute*, University of New Mexico, Political Affairs, internet service, 3 March 1995.

293 *Ibid.*

294 United Nations News Summary, London, NS/23/95, 15 November 1995.

reconciliation and democratic transition without a great deal of resources and certainly not as much as had been available for Nicaragua and El Salvador. Although the external actors have finally exerted leverage upon their clients in this civil war - and this has been fundamental for the UN's efforts - the lack of resources at the Secretary-General's disposal puts him and his mediators in a difficult position: the framework schedule is ambitious, and with a relatively small observer mission, the process is somewhat fragile. There are scant resources for "positive leverage" or "amelioration through assistance", activities for which the Secretary-General had sought in 1992 to better prepare his Office and the UN.²⁹⁵ Some elements of Guatemalan society are opposed to the process - as indicated by the bombs which coincided with Boutros-Ghali's visit in April 1995 - and without a substantial UN presence or much world attention the process is vulnerable to disruption. Again, this is a symptom of financial constraint, political prioritisation, and multilateral fatigue: good offices on a shoestring. Nevertheless, the Secretaryship-General is involved in a region traditionally considered to be within the sphere of influence of a superpower.

Korea

The North Korean nuclear issue and its relationship with South Korea have been high profile issues, within the realm of the Security Council and particularly for the USA. In such circumstances the Office of Secretary-General can wield influence as a facilitator and face-saver, even without the traditional levers of power. It was just such a position which enabled U Thant to help to facilitate a stand-down over the Cuban Missile Crisis in 1962. In December 1993 Boutros-Ghali visited the Korean peninsula for discussions with the governments of both countries, expressing support for negotiations aimed at easing tension between the two and emphasising concern for maintaining the Non Proliferation Treaty,²⁹⁶ at a time when there was a growing sense of confrontation between North Korea and the international community. Boutros-Ghali's visit represented the patient approach to persuade the North to open its nuclear facilities to international inspections, a calming influence at a tense time. The Secretary-General had a meeting with Kim Il Sung and then visited China, which was seen as an indirect attempt to bring influence to bear on North Korea.²⁹⁷ There were

295 B.Boutros-Ghali, *An Agenda for Peace*, paragraph 40; the Secretary-General complained of the constraints in his 'Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Fiftieth Anniversary of the United Nations', A/50/60, S/1995/1, 3 January 1995.

296 B.Boutros-Ghali, *Building Peace and Development*, paragraph 501.

297 *The Los Angeles Times*, 30 December 1993, p.6.

reports that China was supportive of negotiation and was uncomfortable with US pressure or sanctions upon North Korea, and this might have enhanced the position of the Secretary-General as a channel for diplomacy.²⁹⁸ In theory, with at least two members of the Security Council Permanent Five at odds, the Secretary-General is well-placed to facilitate a compromise. However, North Korea apparently did not welcome Boutros-Ghali's mediation, viewing him with the UN as an instrument of the USA.²⁹⁹ One can conclude that the Secretary-General's position suffered from the coercive stance of the UN and his association with this, in addition to North Korea's perception of US hegemony at the UN. This case thus contributes to the impression that the Secretaryship-General's classical roles have been tainted through its proximity to the use of coercion and US preponderance.

East Timor

Since the withdrawal of Portugal from East Timor in 1974 Indonesian occupation has been a source of tension between the two countries and throughout the international community. The Secretary-General convened talks between the Portuguese and Indonesian foreign ministers in December 1992, although there was no progress.³⁰⁰ Portugal wanted greater rights for citizens and prisoners whilst Indonesia was cautious of giving any concession which might challenge its sovereignty over the island. In April 1993 Boutros-Ghali sent Representative Amos Wako to conduct an inspection tour, in particular to investigate the 1991 incident involving deaths at a demonstration.³⁰¹ This is significant given the sensitivity of Indonesia to matters it had considered previously to be only of domestic interest. Indonesia is apparently keen to improve its international image and therefore the timing for the Secretary-General's good offices is positive. At a follow-up meeting in Rome in September 1993 under the Secretary-General's auspices, an accord was reached involving confidence-building measures on human rights, basic freedoms and outside access. However, the future political status of East Timor was not being discussed.

In May 1994 Indonesia agreed to allow a UN investigator into the territory. The following January the Foreign Ministers met in Geneva under UN auspices and reportedly agreed that the UN

298 *The Washington Post*, 28 December 1993, p.9.

299 *The Los Angeles Times*, 25 December 1993, p.8.

300 *Agence France Presse*, 28 December 1992.

301 *Agence France Presse*, 13 May 1993.

should host further talks on CBMs.³⁰² Further to this, a UN-sponsored meeting in Austria in June, described as the first All-Inclusive Intra-East Timorese Dialogue, apparently initiated by the Secretary-General, produced the Burg Schlaining Declaration.³⁰³ This reaffirmed the need to implement measures to promote peace, stability, justice, human rights and harmony and called for a continuation of dialogue under the Secretary-General. Subsequently in January 1996 the Secretary-General chaired the seventh biannual meeting which discussed the framework for talks and committed to continue the process in the middle of the year.³⁰⁴ It appears that the Secretary-General's Office is making progress, alongside other external actors, towards some form of settlement on an issue which has been insoluble in the past. Indonesia may be employing the UN as a means of making an honourable compromise, if not a climb-down. However, as long as key Western states are not actively supportive of Indonesian withdrawal,³⁰⁵ a substantial change in Indonesia's policy is unlikely.

Jammu and Kashmir

In the Kashmir dispute Boutros-Ghali has attempted to increase the profile of his Office in an issue which has hitherto defied UN peacemaking efforts. The Secretary-General reported that he has urged India and Pakistan to resume bilateral dialogue,³⁰⁶ and in Pakistan he offered publicly to be an "honest broker to encourage a dialogue between the two protagonists."³⁰⁷ This has long been called for by Pakistan, which seeks to expose Indian practices in the disputed area to the outside world and internationalise the issue. India, which holds firm on its sovereignty in the area and will not discuss its political future, was apparently annoyed that the Secretary-General even mentioned Kashmir in his annual report.³⁰⁸ It sees the attempts to involve the UN - such as the peace plan sent to Boutros-Ghali by the Jammu and Kashmir Liberation Front³⁰⁹ and Pakistani calls for

302 *The Washington Post*, 10 January 1995, p.14.

303 United Nations News Summary, London, NS/14/95, 29 June 1995.

304 United Nations News Summary, London, NS/1/96, 7 February 1996.

305 *The Irish Times*, 15 January 1996, p.12, claims that Britain and Germany have no interest in the withdrawal of Indonesia because they export significant amounts of arms to that country.

306 B.Boutros-Ghali, *Building Peace and Development*, paragraph 542.

307 *Reuters*, 8 September 1994; *The Ashington Post*, 4 October 1994, p.11.

308 *Reuters*, 8 September 1994.

309 *Agence France Press*, 8 November 1993. This recommended a plebiscite and UN personnel to replace Indian forces in sensitive areas. A former Permanent Representative to the UN commented that India was behaving too sensitively to the Secretary-General's modest activities in this issue, interview,

human rights monitors and mediation by the Secretary-General³¹⁰ - as politically motivated and has reacted coolly to the Secretary-General's overtures.

It is interesting that the Secretary-General apparently no longer seems to regard any issues as 'no-go' areas and it is a symbol of progress and a widening concept of peace and security in the UN that the Secretary-General could even consider making statements about such an issue, especially in light of the secessionist sensitivities of some Permanent members. However, there may be a price to pay. In terms of Kashmir, the Secretary-General cannot do anything unless both parties resort to mediation or external actors exert substantial influence. Although the Secretary-General's position is symbolically important, there is a danger of becoming, unintentionally, a part of Pakistan's objective of internationalising the issue and isolating India. This could damage the credibility of the Office in the eyes of India if and when it does submit to good offices. This may demonstrate a negative consequence of the Office's post-Cold War activism.

Zaire

Zaire is another country whose internal situation has long been impenetrable to international organisations. However, with the end of the Cold War and a wave of democratisation across Africa, there have been efforts from within Zaire to join in this process. There are also powerful forces opposed to change, so a substantial and long term commitment by the UN may be necessary to support a process of reform. However, it would appear that the Secretary-General and his representatives have had to negotiate with the knowledge that the climate at the UN would not support a major commitment in an unpredictable and perhaps hazardous situation and therefore cannot bring a great deal of assistance. Indicative of this was the "minimal" response to an inter-agency humanitarian appeal for \$84 million in 1993.³¹¹ Negotiations have also had to contend with the volatility of Zairian politics, not least President Mobutu.

The Secretary-General received a letter from Prime Minister Etienne Tshisekedi requesting observers to safeguard respect for human rights and to assist in the holding of elections, law and order, and humanitarian needs. In the summer of 1993 Boutros-Ghali held discussions with Zairian

London, 29 February 1996.

310 *Reuters* Library Report, 26 October 1992; *Reuters*, 13 October 1994.

311 B.Boutros-Ghali, *Building Peace and Development*, paragraph 627.

officials and President Mobutu in Cairo at the OAU summit.³¹² He appointed Lakhdar Brahimi to assess how the UN might assist in finding a solution to the political problems. However, in early 1994 Mobutu dismissed Tshisekedi and the situation threatened to deteriorate into civil war. Pro-democracy forces in Zaire accused the UN of moving too slowly and reportedly both Mobutu and Tshisekedi refused to receive Brahimi in May, who had been working on a power-sharing agreement.³¹³ In the beginning of 1995 a group of Western governments reportedly asked Boutros-Ghali to join them in trying to prevent violence,³¹⁴ but there is not much international interest or support. It is ironic that the new era has taken the Secretaryship-General into hitherto unknown areas, yet the climate of multilateral fatigue and financial shortages have deprived the Office of resources.

South Africa

Another historic change of relationship was reflected in the Secretary-General's participation in South Africa's transition to democracy. This case also contrasts, in the international attention and commitment of resources, with lower priority case such as Zaire. Since December 1989 the policies of the UN toward South Africa have been within the framework of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, approved by the General Assembly. The Secretary-General dispatched envoys, and on the basis of their findings he made a report which led to the Council's authorization, by Resolution 772, of the deployment of UN observers to monitor political violence and to facilitate the process towards democracy.³¹⁵ The UN was essentially overseeing and coordinating observers from the OAU, the EU and the Commonwealth and it gained a "wealth of experience".³¹⁶ The democratisation of South Africa brought historical changes in the country's relationship with the UN, and the Secretary-General had ample resources given the level of international interests.

312 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraphs 404-408.

313 *Inter Press Service*, 25 May 1994.

314 *Los Angeles Times*, 24 January 1995, p.3.

315 B.Boutros-Ghali, *Building Peace and Development*, paragraph 779.

316 Report of the Secretary-General on the Question of South Africa, S/1994/717, 16 June 1994.

Burma/Myanmar

The government of Burma has defended and protected what it considers to be its domestic affairs from international involvement. It is interesting therefore that the government should accept the approaches of the Secretary-General at a time when it appears to be seeking to improve its reputation. Even before official contacts Boutros-Ghali met dissident Aung San Suu Kyi in 1993, a focal point of sensitivity in Burma's relationship with the outside world.³¹⁷ In early 1994 Boutros-Ghali communicated the desire to establish contact to discuss "various issues of concern expressed by the international community," and the Burmese government agreed that a representative should meet the Secretary-General.³¹⁸ Subsequently, Assistant Secretary-General for Political Affairs, Alvaro de Soto, began a dialogue with the government.³¹⁹ Again, the Office was employed for domestic processes of transition and democratisation in a manner rare before the end of the Cold War and certainly one alien to the classical model of the international civil service.

Israel

Although the relationship between the Secretary-General and Israel may have improved somewhat, the UN is still relatively marginalised in the Arab-Israel peace process, apart from a peace-keeping role. Moreover, the Secretary-General's statements on the situation are often interpreted politically. Indeed, he wrote of "the plight of the Palestinian people living under occupation" and the "particularly grave incident" of Israel deporting over 400 Palestinians - who Israel claimed had terrorist connections - to south Lebanon in December 1992.³²⁰ Elsewhere the Secretary-General was even reported to have recommended taking "all necessary steps" to bring about the return of the displaced people.³²¹ He sent James Jonah to the region to discuss the deportees and was active himself, communicating with PLO chairman Arafat. Later, the Secretary-General urged Israel to consider "some kind of UN presence" in the occupied territories.³²² The Secretary-General has also been clear, on occasions, in condemning Israeli bombing of south

317 *The Guardian*, 19 July 1993.

318 B.Boutros-Ghali, *Building Peace and Development*, paragraph 602.

319 United Nations News Summaries, London, NS/5/95, 23 February 1995 and NS/20/95, 12 October 1995.

320 'Report on the Work of the Organization', September 1993, paragraph 377.

321 *The Atlanta Journal and Constitution*, 26 January 1993, p.3.

322 *The New York Times*, 28 February 1994, p.8.

Lebanon, suggesting that it was aimed at displacing the civilian population.³²³ After Israel's bombardment of southern Lebanon in April 1996 when approximately 100 civilians died Boutros-Ghali's decision to make public a UN report which implied that Israeli forces might have deliberately targeted a UN camp where refugees were sheltering was a bold step which reportedly caused a furore in the US and Israel.³²⁴ Such statements have been interpreted by Israel as bias toward the Arabs or a lack of understanding of the Israeli's special security concerns, and have been most unwelcome in the US and Israel. The Offices' status as a mediator is thus not enhanced by its use of the 'bully pulpit'.

The growing presence of international agencies in the occupied territories since the Oslo accords has signified the increased international involvement there, both humanitarian and security, such as the Temporary International Presence in Hebron, between May and August 1994. In September 1993 Boutros-Ghali established a high-level task force to identify projects for the UN Relief and Works Agency, the UN Development Programme and the UN Children's Fund, and the Secretary-General has had top level discussions with the PLO on UN technical assistance.³²⁵ In addition, Terje Larsen was appointed Special Coordinator - a position apparently founded by the Secretary-General - in the Occupied Territories. He has upheld the Secretary-General's approach to supporting the peace process through economic improvement, with the negotiation of the 'Larsen Plan' between Israel, the PLO and the USA.³²⁶

Thus, whilst the Secretary-General initially met opposition to his activist stance on the Arab-Israel process - and perhaps discovered that there is still at least one 'no-go' area for his Office - he adapted his approach to a more constructive functional role which acknowledged its political limitations.

323 United Nations News Summary, London, NS/30/93, 29 July 1993. He described the volatile and tense situation in south Lebanon in the Report of the Secretary-General on the United Nations Interim Force in Lebanon, S/1996/45, 22 January 1996. Unpaid assessments stood at \$203.5 million.

324 See Anthony Parsons' article in *The Independent*, 11 May 1996.

325 B.Boutros-Ghali, *Building Peace and Development*, paragraph 581.

326 *The Jerusalem Post*, 1 March 1995, p.5.

Libya and the terrorist suspects

The Secretary-General's involvement in efforts to persuade Libya to surrender men suspected of airline terrorism has been cited as an example of the narrowing room for manoeuvre of the Office in the context of a Permanent Five directorship of the UN.³²⁷ This trend has been reflected in certain areas although the evidence of this chapter indicates that this is but one strand of the post-Cold War Secretaryship-General. Nevertheless, when the leading Security Council members have a keen interest at stake and wish to pursue an objective through the UN - perhaps in order to gain legitimacy - and when the Security Council is operating under Chapter VII, the Secretary-General is unlikely to have any independent room for manoeuvre. The proximity of the Office to the agenda of preponderant Security Council members or alliances may also cast a shadow over the Secretaryship-General's classical third party standing.

Security Council Resolution 731 instructed the Secretary-General to "seek the cooperation of the Libyan Government".³²⁸ Resolution 748 imposed wide sanctions under Chapter VII and instructed Boutros-Ghali to continue the role undertaken by the earlier resolution.³²⁹ In September 1993, the Secretary-General reported that he remained "in almost constant contact over the past seven months with the parties to the dispute and the League of Arab States".³³⁰ He had become involved in a possible plan to have the suspects released to the Arab League, and then to the UN Secretary-General, and then to trial somewhere. Libya apparently wanted the easing of sanctions, as did Russia, who was owed substantial amounts in debts. The USA was leading the way for additional sanctions, thus there was a latent split in the Council. The Secretary-General, in classical fashion, was in theory seen as the best means to resolve this. He believed he was fairly close to winning extradition in August and September 1993, and reportedly urged and received a delay in the imposition of sanctions, to encourage flexibility in the Libyan leader Gadhafi.³³¹ However, this transpired to be a stalling tactic: after "endless hours" with the Libyans Boutros-Ghali concluded that efforts to persuade Libya to give up the suspects were a "total failure".³³²

327 T.M.Franck and G.Nolte, 'The Good Offices Function of the United Nations Secretary-General', in A.Roberts and B.Kingsbury ed., *United Nations, Divided World. The UN Roles in International Relations*, Oxford, Clarendon Press, 1993, p.162.

328 Security Council Resolution 731, 21 January 1992, paragraph 4.

329 Security Council Resolution 748, 31 March 1993.

330 B.Boutros-Ghali, 'Report on the Work of the Organization', September 1993, paragraph 376.

331 *Chicago Tribune*, 4 August 1993, p.9; *The New York Times*, 3 October 1993, p.6.

332 *The Washington Post*, 2 November 1993, p.13.

The Secretary-General's role can be questioned on a number of counts. Firstly, his position was tied to a coercive Council stance and he had accepted a good offices mission with no room for manoeuvre and therefore little independent credibility with Libya. He was not in effect given a mandate to mediate, but to deliver a message and communicate Libya's reply. Secondly, in cooperating tentatively with the Arab Leagues' plan³³³ to give Libya a face-saving way out and have the suspects tried in a friendly country - Malta - the Secretary-General could be seen as unintentionally lending credibility to the League's dubious diplomacy which was probably aimed at protecting Libya from the West. Neither of these possibilities are constructive to the Secretaryship-General.

A Post-Cold War Secretaryship-General?

One should not concentrate too much upon the most dramatic cases which have set the tone of multilateral caution. Eventually the tumultuous period of experimentation and volatility will give way to some form of stability and there are already signs of this. The challenge is to gauge the position of the Secretary-General within this. It appears that this is already discernable and continues to be comprised of a combination - perhaps a paradox - of opportunities and constraints. These continue to reflect the durability of the state system, alliances, and the issue of leadership. The 'billiard ball' conception of the international system is questionable and states are interconnected politically and economically as never before, and the distinction between domestic and international peace and security is increasingly questionable. Yet such trends may suggest that sovereignty and statehood are evolving rather than being undermined.³³⁴ It is possible to suggest that traditional diplomacy, power balances and the political, economic and military complexion still largely prevail. Brian Urquhart observed that "[i]f collective security, peace-keeping, and peace-enforcement are to function more effectively in future, a far more consistent pattern of activity needs to be established."³³⁵ The evidence thus far suggests that such a system is yet to be attained. Accordingly, at least one member of the Secretariat accepted that the UN is still a passive-reactive

333 See for example *The Sunday Telegraph*, 19 April 1992, p.17.

334 See P.Taylor, *International Organization in the Modern World: The Regional and the Global Process*, London, Pinter Publishers, 1993, p.252.

335 B.Urquhart, 'The United Nations and International Security after the Cold War', in A.Roberts and B.Kingsbury ed., *op.cit.*, p.94. He also stated that real progress in the Office's position depends upon a recognition by people that there must be, in some areas of human activity, a genuinely supranational authority. Interview, New York, 25 May 1994.

actor, "and when the Secretary-General has tried to be much more proactive, the member states have not given him the resources, or the authority, or the mandate to do what he wants."³³⁶ For Anthony Parsons, "the UN can perform more effectively than in the 'bad old days', but...there has been no qualitative change in its capacity."³³⁷ Benjamin Rivlin has suggested that the practices of the Secretary-General in the post-Cold War world have not formed procedural norms or precedents; each situation is different and if the Office can fulfil a useful role then it will be asked to do so.³³⁸

The parameters which define the opportunities and constraints for the Secretary-General are partially a result of the political climate and political trends which have their consequences reflected, formally or informally, in the Organisation. During the Cold War the Secretaryship-General often represented a component of a Great Power formula to deal with crises which might threaten the bipolar stability, and in so doing contributed to peaceful change and conflict settlement. In the post-Cold War world the Secretary-General will continue to fulfil the institutional needs of Great Power trade-offs, but in a less predictable manner; the parameters are not clearly defined. The Secretary-General will do more quantitatively as the Organisation is less constrained within former spheres of influence in Africa, Central America and the former Soviet Union. Indeed, amongst all the discussion surrounding the issue of a Cold War post-Cold War dichotomy in international politics and at the UN, one point that is becoming self evident is involvement in the domestic context. This is by nature more precarious for the UN and certainly the Secretaryship-General.

The Security Council continues to be interest-based, even if it works in apparent consensus, so the Secretary-General's role will continue to be buffeted by competing and volatile state agendas, albeit whilst non-state actors and forces impinge increasingly upon the agendas. Boutros-Ghali observed that "[d]eciding when to act and when to refrain presents a profound ethical dilemma. But at present such decisions are not being made on the basis of ethics, but on the basis of pure power politics."³³⁹ Yet a procedural development of the Office has occurred. In sending envoys on his own initiative, talking to Security Council members and the Council informally, making normative public statements, and assuming political-military control and authority, the Secretary-General has imposed an activist stamp upon his Office which has set the tone for the post-Cold War model. The Office may also be leading the Organisation away from this narrow, state-centric basis. The extent

336 Interview, member of the Department of Political Affairs, UN, New York, June 1994.

337 A.Parsons, 'The UN and the National Interests of States', in A.Roberts and B.Kingsbury ed., *op.cit.*, p.119.

338 Interview, Ralph Bunche Institute of the UN, New York, 7 June 1994.

339 The Secretary-General's Cyril Foster Lecture, Oxford University, 15 January 1996.

to which this activism - sometimes frustrated activism - is a result of the personality of Boutros-Ghali or the environment cannot be answered reliably until further individuals have occupied the Office. Moreover, although there is an element of confrontation in Boutros-Ghali's style, he does a great deal behind the scenes, such as the holding of luncheons for the foreign ministers of the Permanent members of the Council.³⁴⁰

One can conclude that the attitudes of governments towards the Office of Secretary-General continue to be ambivalent.³⁴¹ With regard to apparatus at the Secretary-General's disposal, Brian Urquhart suggested that "anything that makes the Secretary-General either more influential or more independent, governments will resent."³⁴² In contrast, a member of the UK Mission to the UN suggested that there is no dramatic political elevation of the Secretary-General's role, but the Office will be called upon more and more to fulfil the functional needs of better preparation for peace operations and preventive diplomacy.³⁴³

It is difficult to judge if Boutros-Ghali has gone "too far" in attempting to elevate the Office in its policy-influencing and command and control roles, perhaps to the detriment of the Office's classical innocuous third-party duties. Certainly it is widely accepted that the major Powers will always be wary of the Office overstepping its mark, Cold War or not.³⁴⁴ In accordance with this, as a member of the British mission to the UN has observed, "at the end of the day the Secretary-General is responsible to the member states...without the Council he has neither the money nor the

340 Letter from the Permanent Representatives of China, France, the Russian Federation, Britain and the United States to the United Nations addressed to the Secretary-General, S/1994/1122, 30 September 1994. The meeting discussed the strengthened role of the UN, the serious and complex challenges which still exist, the Secretary-General's "outstanding contribution to enhancing the work of the United Nations", peace-keeping and standby arrangements. The Secretary-General later had a meeting with the foreign ministers of the P5 on the occasion of the fiftieth anniversary, Letter dated 27 September 1995 from the Permanent Representatives of China, France, the Russian Federation, the United Kingdom, and the United States of America to the United Nations addressed to the Secretary-General, S/1995/827, 27 September 1995. Also interviews, UN Department of Political Affairs and the Executive Office of the Secretary-General, New York, May-July 1994.

341 B.Urquhart, 'Selecting the World's CEO. Remembering the Secretaries-General', p.21. This is reflected in T.M.Franck and G.Nolte, 'The Good Offices Function of the United Nations Secretary-General', in A.Roberts and B.Kingsbury ed., *op.cit.*, p.149; B.Rivlin wrote that "[i]t would be a mistake to assume that there has been a linear expansion upward of the role of the Secretary-General. A more accurate depiction would be one of ups and downs. What largely determines the fluctuations is the overall state of the United Nations, which is a function of the changing international political climate." 'The UN Secretary-Generalship at Fifty', *Paradigms*, vol.8, no.2, Winter 1994, p.51.

342 Interview, New York, 25 May 1994.

343 Interview, New York, 20 May 1994.

344 Interview with a former member of the Executive Office of the Secretary-General, New York, June 1994.

men."³⁴⁵ However, he stated that "the Secretary-General's Office is more proactive in its relationship with the Council."³⁴⁶ But in the wider attitudes and policies of the Great Powers, and the political climate of multilateral fatigue and volatility, the Secretary-General would appear still to be constrained and often manipulated.

Trends of the Secretaryship-General

There are two key trends to the Office in the 1990s. Firstly, the narrowing of the Secretaryship-General's scope for independent action in the context of Council cohesion - or superficial cohesion - and leadership. According to Sir Anthony Parsons, "the more the cooperation between the Great Powers, the less the room for political manoeuvre for the Secretary-General. If you regard the P5 as the Board of Directors, the Secretary-General will always be the Company Secretary. When the Board is unanimous, the Company Secretary should have clear instructions, his job being to carry them out efficiently."³⁴⁷ Similarly, Franck and Nolte also observed that in the face of a resurgent and activist Security Council, the Office can be relegated to a 'letter-carrier' function.³⁴⁸ Evidence of this trend can be found in the UN activities in Iraq and in elements of the cases of Haiti, Libya and the Middle East. This is a corollary from the Cold War scenario where paralysis within the deliberative organs resulted in a certain freedom for activity on the part of the Secretaryship-General. However, former UK Permanent Representative Sir David Hannay has suggested that such situations will clearly exist but one should not generalise from this that the Office is moving towards subservience in its relationship with the Council.³⁴⁹ Indeed, the cases above illustrate this. In addition, it is clear that the consensus within the Security Council is sometimes superficial; underneath the surface there may continue to be a practice of smoothing over the cracks of indecision by bringing the Secretary-General into play.³⁵⁰

Secondly, the position of the Office has been elevated as an extension of the qualitative and quantitative expansion of the UN's activities, perhaps offering opportunities for leadership and

345 Interview, New York, 20 May 1994.

346 *Ibid.*

347 Personal correspondence to the author, 12 August 1995.

348 T.M.Franck and G.Nolte, *op.cit.*, p.163.

349 Interview, London, 29 February 1996.

350 Interview with a member of the Executive Office of the Secretary-General, New York, 28 June 1994.

activism, now that the Permanent Members are working cohesively.³⁵¹ Although this may appear to conflict with the first trend, it is important to consider that the development of the Office is not an either/or situation and one should avoid simplistic models. The enhanced role is evident in the activities of the Secretary-General in domestic peace operations, missions of good offices, in exerting pressure upon the Security Council and influencing policy, expressing judgemental opinions, employing the leverage of public statements, involving the Office in the use of force, and initiating a number of preventive measures, all presented in this chapter.

A further trend has arisen out of the predominance, on occasions, of the Western, and in particular American, presence in the Council. This has involved the Secretary-General in the context of the UN as an instrument of member states or alliances with respect to Iraq, Haiti, and Somalia. Boutros-Ghali stated in 1996 that "[i]f one word above all is to characterize the role of the Secretary-General it is independence."³⁵² Clearly the Office has not always been independent, either politically or financially.

One should be wary of confusing trends with short-term fluctuations in the position of the Office, and of generalising too much from the Somalia and Bosnia cases. To the extent that it is possible to identify trends in the activities of the Secretary-General, one can conclude that there is no post-Cold War 'model' but multifaceted and sometimes paradoxical trends. 'New' and wider conceptions of international peace and security together with a decline of Cold War spheres of influence and a burgeoning of UN activity in domestic and international conflict have increased commensurately the activities of the Secretary-General in a qualitative and quantitative sense. However, it is perhaps more in the geographical areas of the Secretary-General's activities rather than in the actual

351 B.Rivlin, 'The UN Secretary-Generalship at Fifty', p.17. Rivlin suggested elsewhere that "[r]egardless of the Secretary-General's importance within the United Nations, his stature as a world figure is closely related to the importance of the United Nations in world affairs at any given moment." 'The Changing International Political Climate and the Secretary-General', in B.Rivlin and L.Gordenker ed., *op.cit.*, p.5. He continued that "[t]he changed international political climate has greatly increased the demands for the services of the Secretary-General as mediator, conciliator, peacekeeper, peacemaker, election supervisor, dispenser of emergency humanitarian assistance, and implementer of unprecedented Security Council decisions." p.17. Also J.S.Sutterlin, 'United Nations Decisionmaking: Future for the Security Council and the Secretary-General', in T.G.Weiss ed., *Collective Security in a Changing World*, London, Lynne Rienner Publishers, 1993, pp.132 and 137: the narrowing of the role of the Office in certain circumstances "does not mean that a Security Council capable of decisive action, including enforcement, will deprive the Secretary-General of the possibility of important initiatives in the interest of peace. The Secretary-General's role does not need to be, and should not be, only that of implementing decisions of the Council." Ambassador Seymour Maxwell Finger also believes that the Secretary-General's operations and authority are expanding as an extension of those of the Council; "you cannot really expand one without the other." Interview, New York, 7 June 1994.

352 The Secretary-General's Cyril Foster Lecture, Oxford University, 15 January 1996.

functions - such as mediation, facilitation and face-saving - which are qualitatively innovative. Good offices and preventive diplomacy in the 'domestic' context - such as Burma, the former Soviet Union, East Timor and Zaire - are illustrative of this. In multifunctional peace operations the Office is maintaining an operative function and forming a significant - if bureaucratic - component in operations where coercion is employed. In the starkest example, the Secretary-General maintained an important coordination function within an operation which had been upgraded from a peace-keeping to a peace-enforcement in Somalia. Yet the proximity of the Office to the use of force has adverse implications for the classical innocuous third party functions of the Office.

The post-Cold War developments in global thinking have encouraged a greater use by the Secretary-General of the public declaratory 'pulpit', proclaiming the responsibility of the international community for issues and areas earlier ignored. However, at a time when attitudes towards peace and security are widening to embrace domestic, social and economic factors the Secretary-General is often not endowed with the resources for 'positive leverage' and post-conflict peace building due to financial constraints and political caution.

A further trend concerns areas - such as domestic conflict management - where the Organisation has not developed a coherent doctrine and the Secretary-General can be plunged into a precarious and volatile situation. A number of multifunctional operations, such as those of the former-Yugoslavia, have demonstrated this. Just as the Office can be affected by Security Council unity or the presence of a prominent member or alliance, then the Office is also affected by a lack of commitment or interest on the part of Council members towards items on the agenda. Angola and Western Sahara have reflected this to some extent.

Finally, the post-Cold War Secretaryship-General will continue to perform those functions which it has always done, formally and informally, as a result of the political dynamics within the Security Council and General Assembly, and indeed within those of the wider international arena. Sometimes this will exclude the Secretary-General from a meaningful role - such as toward Iraqi military manoeuvres in October 1994 - or give it an unambiguous mandate, and sometimes there will be room for manoeuvre. The Office will occasionally be undermined when its mandate conflicts with the hidden agenda and policies of member states, or when the formal unity of the Council masks different or competing interests amongst its members.

In conclusion, the Office of Secretary-General under Boutros-Ghali has continued to execute the functions traditionally assigned to it. In addition, it has experienced the new opportunities and constraints which are a reflection of a volatile and possibly transient political climate. It is therefore

not surprising that there is an element of paradox in the Secretaryship-General rather than a coherent model. Despite attempts by Boutros-Ghali to codify and elevate the position of the Office in an activist vein, it continues to reflect an environment which does not support a stable trend in terms both of international organisation and the Secretaryship-General.

Chapter 9 Conclusions

The evolution of the Secretaryship-General in the context of historical developments in international politics has raised some exciting issues. There is a case for arguing that there has been a departure from the classical model of the international civil service and that the Office holds an interesting place in the evolving global system.

Recapitulation

In the context of the marginalisation of the UN, North-South tension, and Cold War hostility, the Secretaryship-General had little substantive role in the southern African conflicts, Vietnam, the Middle East peace process, the Iran-Iraq war and Afghanistan in the 1970s and early 1980s. The Organisation was effectively marginalised by the leading states in critical peace and security issues and other actors - such as South Africa and Israel - refused in effect to deal with the UN. Moreover, a number of states upon which the UN depends to play a meaningful role were directly or indirectly involved in many conflict areas and thus unwilling to support the Organisation except in a superficial sense. Thus, the Security Council was in an impasse; the number of resolutions adopted was relatively low, few peace-keeping operations were established, and the Secretaryship-General could not significantly employ its conflict prevention, management and settlement capabilities.

Conversely, the experience of the Office between 1987 and 1992 was a reflection of different historical forces. In the context of evolving attitudes towards peace and security and the desire of the superpowers to bring various conflicts to a close, the Secretaryship-General was increasingly mandated, and sometimes able to take the initiative, in conflict settlement as Cold War tensions gave way to consensus amongst the Security Council Permanent Five. This was illustrated in the Iran-Iraq war, El Salvador, Nicaragua, Afghanistan, Western Sahara, and Cambodia, where the leading international actors came round to the attitude that the UN could and should perform a major role and local protagonists in turn became more flexible. As they cut their support for former Cold War clients, the P5 entrusted the Secretary-General with a facilitative role. The epitome of the post-Cold War 'honeymoon' was the state of collective security in existence amongst the members of the Security Council on the eve of Iraq's invasion of Kuwait in August 1990.

The international environment since 1992 has not supported a stable trend in the Secretaryship-General but the relationship between the two has still been demonstrated. Initially, collective

internationalism, the acceptance of wider concepts of peace and security, and an emerging agenda of crises, propelled the UN, and its Secretary-General, into seemingly unprecedented situations as the UN became involved in domestic conflicts on a scale hitherto unknown. However, many of the new operations were hazardous and expensive, and some were of dubious success. In addition, the structure of the international system has not maintained the New World Order complexion thought to exist earlier. Subsequently, the international climate has manifested itself in volatile and sometimes paradoxical trends in the UN and the Secretaryship-General. The Office has been involved in the domestic context and the use of force or coercion within it, such as in the former Yugoslavia, Somalia, Angola, Haiti, Cambodia, Iraq, Korea and Libya. It has had institutional acknowledgement and a codification of its prerogatives in the area of peace and security, increasingly conceived in a wider sense than the traditional military definition. The *Agenda for Peace* process, UN resolutions, mandates, the freedom to interpret mandates, and activities on the ground have reflected this. The Office has exercised traditional roles - such as good offices, preventive action and the direction of peace-keeping in domestic areas of conflict and areas formerly considered the 'sphere of influence' of a superpower. This is illustrated in the former Yugoslavia, Somalia, Angola, Liberia, Central America, Afghanistan, Burundi, Yemen, Georgia, Armenia-Azerbaijan, Tajikistan, Guatemala, East Timor, Kashmir, Zaire, South Africa, Mozambique, Rwanda, and Burma.

Some of the cases examined and the attitudes reflected in the primary research have indicated that the post-Cold War 'model' of the Secretaryship-General is an activist one, albeit sometimes frustrated in its efforts. Indeed, Boutros-Ghali has pursued opportunities resulting from fluctuating multilateral dynamics and the 'new' security agenda which has blurred the distinction between domestic and international peace and security issues. He has expressed activist opinions on numerous occasions and has felt free to exercise public declaratory leverage, although often to little effect.

However, some of the cases - and most explicitly Iraq, Libya, and at times the former Yugoslavia and Somalia - indicate that the Secretaryship-General's room for manoeuvre can be narrowed as a result of either consensus on the part of the Permanent members or the preponderant leadership of one or more Permanent Members, and in particular the US. A further environmental trend with perceptible repercussions upon the Office has been that of multilateral fatigue and multilateral volatility. This has resulted from the realisation amongst publics and leaders of the material and human cost of the UN's tasks in addressing the 'new' security agenda. Related to this is the

apparent reluctance or inability of many member states to accept the doctrinal implications of the 'new' security agenda, for example, that a significant political-military institutional framework under international auspices and involving significant financial and material commitments may be necessary, and that classical peace-keeping techniques are increasingly inappropriate. This has resulted in inconsistencies and a case by case approach toward emergent security and conflict situations and issues. The net results for the Secretaryship-General have been political constraints and a lack of diplomatic and material resources to bring to bear upon situations of conflict, a reluctance on the part of the Security Council to undertake major operations and a lack of patience when involved. Illustrative of this is Rwanda, El Salvador, Western Sahara, Afghanistan, Liberia and Yemen. Indeed, an interesting side-effect of this climate has been that the UN and the Secretaryship-General have had to collaborate more than ever before with regional security arrangements - such as the CIS in Georgia and Tajikistan and ECOWAS in Liberia - and become associated with regional political dynamics.

The international civil service and global political trends

The trends in the post-Cold War Secretaryship-General appear to reflect the volatility - or perhaps "turbulence"¹ - of the international community. In terms of the international civil service, some interesting conclusions present themselves.

It can be argued that the United Nations has evolved, rather unsteadily and perhaps without doctrinal support, beyond the Grotian international society concept of international politics. In contrast to much of the Cold War the climate at the UN is increasingly reflective of a broader conception of peace and security. This places a new emphasis on empirical sovereignty, after years of establishing and maintaining the norms of legal sovereignty and the state-centric tenets of domestic jurisdiction and non-interference.² Indeed, the traditional distinction between domestic and international peace and security has been eroded and the new security agenda is increasingly recognised to embrace issues of ecology, socio-economic conditions, human rights, democracy, and peace and stability *within* states and transnationally. The range of activities supported in multifunctional peace operations since 1990 testifies to this.

1 See J.N.Rosenau, *The United Nations in a Turbulent World*, International Peace Academy Occasional Paper, London, Lynne Rienner Publishers, 1992.

2 See, for example, M.Barnett, 'The New United Nations Politics of Peace: From Juridical Sovereignty to Empirical Sovereignty', *Global Governance*, vol.1, no.1, 1995.

A growing movement is reflecting the concepts of human security and non-governmental structures of governance in the context of peace and security, although international legal and institutional doctrine have not yet fully recognised it. Rosenau suggested that the UN is likely to benefit from the growing complexity of world affairs, from widespread challenges to established national and subnational authorities, and the global shift away from traditional criteria of legitimacy towards assessments based on leadership performance.³ Indeed, he revises the functional ideal in stressing that the UN should increasingly be the focus of authority as traditional state sovereign structures have difficulty handling situations and lose credibility; an attitudinal change in favour of international organisations should then follow.⁴

One of the fundamental questions at issue on the fiftieth anniversary of the founding of the United Nations was whether an organisation founded on international society, perhaps even realist, principles and with the objective of orderly and peaceful relations between states can embrace the wider agenda of peace, human security, and non-governmental processes of global governance. What is the balance between respecting sovereignty and cultural relativity, and the maintenance of peace, security and human needs? As this balance shifts, can the UN keep pace? What role will the Organisation play in the evolution of the concept of sovereignty? Thus, are the purposes on which the Organisation was based still relevant or adequate? Further to this, how will the Organisation meet its tasks with the evolving nature of leadership at the international level? The debate has gone beyond that pitted between the institutionalist collective security theories and realism.⁵ The new era of international organisation - sometimes dubbed 'new institutionalism' - includes the input of international organisations into domestic processes of peace and security, and has a strong normative dimension. At a conceptual level this can challenge the UN structure, as far as it is not entirely comfortable with the legal primacy given to sovereignty. The prescriptive element is increasingly a part of the international civil service.

The range of activities supported in many peace operations - particularly peace-building assistance with demobilisation, elections, development, and socio-economic reform - are an indication of the new era of international organisation. Moreover, the preventive activities of the Secretaryship-General are a manifestation of this comprehensive approach. Boutros-Ghali expressed this approach in observing that conflict can be addressed in terms of education, economics, human

3 J.N.Rosenau, *op.cit.*, p.8.

4 *Ibid.*, pp.43 and 62.

5 J.J.Mearsheimer, 'The False Promise of Institutions', *International Security*, vol.19, no.3, Winter 1994/95.

rights, and military efforts.⁶ Barnett suggested that "the UN's peace-keeping operations are an expression of the increased sentiment that empirical sovereignty underpins international order."⁷ These ideas appear to be rather optimistic, for the sentiment is clearly not generally accepted, although certainly the new generation of peace-keeping bridges the gap between the domestic and international realm. In addition, political and military developments - such as the establishment of the UN Department of Humanitarian Affairs, the Department of Peace-keeping, the Representative of the Secretary-General on internally displaced persons, the High Commissioner for Human Rights and closer ties to NGOs - are also an institutional indication of the new security agenda. However, is such progress enough to save the UN from the fate of "expressing consternation at events it has no power to control"?⁸

In terms of the 'global agenda' and the increasing interaction between governmental and nongovernmental processes of issue management, recent and future conferences on the environment, population, nuclear nonproliferation, women, human rights, social development and human settlements go some way to embrace the growing global spirit. However, the structure of the UN, particularly the lack of representation, democracy and therefore perhaps legitimacy in the Security Council, is increasingly being called into question and calls for reform proliferate.⁹

The reform debate seeks to draw attention to structural incongruities within the UN system which should be adapted to meet the needs of the contemporary world and in accordance with changes which have occurred since the Organisation was founded. Reforming or disbanding certain organs - such as the Military Staff Committee, the Trusteeship Council, the Economic and Social Council, and the Security Council - creating new mechanisms - such as a Rapid Reaction Force - and

6 A.Roberts, 'Communal conflict as a challenge to international organization: the case of former Yugoslavia', *Review of International Studies*, vol.21, no.4, 1995. However, T.G.Weiss has lambasted the rate of progress, 'Overcoming the Somalia Syndrome - 'Operation Rekindle Hope'?', *Global Governance*, vol.1, no.2, 1995, p.177. He describes the "professional inadequacy" of the UN Secretariat to handle current peace operations due to communication difficulties, multiple chains of command, and the increasing tendency for contingents in the field to seek guidance from their capitals.

7 M.Barnett, *op.cit.*, p.81.

8 A.Eban, 'The UN Idea Revisited', *Foreign Affairs*, vol.74, no.5, 1995, p.39. For Modesto Seara-Vazquez, the Organisation requires deep change if it is to avoid obsolescence as social turbulence spirals out of control, 'The UN Security Council at Fifty: Midlife Crisis or Terminal Illness?', *Global Governance*, vol.1, no.3, 1995, pp.285-286. Olgar Pellicer describes the credibility crisis within the Security Council, 'Successes and weaknesses of recent United Nations operations in the field of international security', *International Social Science Journal*, vol.47, no.2, 1995.

9 The concerns of the wider UN membership regarding Security Council procedures and representation were reflected in the General Assembly debates of the 50th anniversary session in the autumn of 1995, where there were calls for greater democratisation and transparency. United Nations News Summaries, London, NS/24/95, 22 November 1995 and NS/19/95, 4 October 1995.

changes in Charter phraseology are common points of discussion. Perhaps the greatest attention has been paid to the prospect of reform in the size, composition, rules of procedure, and responsibilities of the Security Council. The current Permanent Membership - and especially Britain and France - has been brought into question, although the difficulties of substitutions or an expansion are formidable. The need to enhance the legitimacy and authority of the Council by increasing responsibility and accountability are paramount but this may not demand structural reform. For Picco, the crucial issue is to increase the feeling of 'belonging' amongst the wider membership, and this may be achieved by holding private informal consultations between Permanent Members and the rest of the Organisation.¹⁰

The extent of reform necessary to equip the UN to the demands and complexities of the post-Cold War security agenda is unclear. However, little discussion is questioning the prevailing sovereignty doctrine of the UN or seriously suggesting the enfranchisement of NGOs or sub-state groups, although Pérez de Cuéllar has proposed that sovereignty may have to be redefined in the context of human rights and needs.¹¹ Again, proposals regarding the reform of the Secretary-General's Office are largely technical, aimed at improving the execution of current types of activities. Limiting an individual to a single term of seven years would enhance the independence of the Secretary-General from reappointment pressures and obligations, although it could also weaken his or her position in the last year. Appointing a deputy Secretary-General to help conduct ceremonial and administrative tasks would enable the Secretary-General to concentrate on his or her burgeoning responsibilities in conflict prevention, management, and settlement.¹² Reform is still at the debate stage, and can come only as a result of changes in attitudes and outside pressure. Thus, the UN's ability to embrace the multifaceted and interconnected issues of peace and security is still in question.

10 G.Picco, 'The UN at fifty: reforming institutions or people?', *The World Today*, vol.51, no.11, November 1995. See also P.Kennedy and B.Russett, 'Reforming the United Nations', *Foreign Affairs*, vol.74, no.5, 1995; R.Righter, *Utopia Lost: The United Nations and World Order*, New York, Twentieth Century Fund, 1995; J.Sutterlin, *The United Nations and the Maintenance of International Security: A Challenge to Be Met*, London, Praeger, 1995; E.Childers with B.Urquhart, *Renewing the United Nations System*, Uppsala, Dag Hammarskjöld Foundation, Development Dialogue 1994:1; T.G.Weiss, 'Overcoming the Somalia Syndrome - 'Operations Rekindle Hope?''; M.Seara-Vazquez, 'The UN Security Council at Fifty: Midlife Crisis or Terminal Illness?'; *The United Nations in its Second Half Century*, A Report of the Independent Working Group on the Future of the United Nations, New York, Ford Foundation, 1995.

11 J.Pérez de Cuéllar, 'Reflecting on the Past and Contemplating the Future', *Global Governance*, vol.1, no.2, 1995. This has also been a major theme in Weiss' work.

12 See J.Pérez de Cuéllar, *op.cit.*; B.Urquhart, 'Remembering the World's CEO'; D.Hannay, 'Anyone for the Roller-Coaster?', *The World Today*, February 1996.

With respect to the international civil service and the Secretaryship-General, a similar question can be asked to that of the UN as a whole. The fundamental issue is whether the Office is more an adjunct of the intergovernmental structure, as in the classical mould, or part of a wider process of global governance in peace and security which transcends state structures. A paradox exists. Whilst the Secretaryship-General's immediate environment is that of an intergovernmental organisation, the Office has been at the forefront of UN activities in the domestic context and in promoting concern for the wider security agenda. Indeed, issues formerly considered to be within the domestic jurisdiction of states, such as democratisation and the promotion of human rights, are undoubtedly being internationalised and the Secretary-General's Office is contributing to the momentum behind such activities. In one sense the Secretaryship-General is pushing the Security Council to commit itself to such areas of activity, which otherwise may not have been considered within its collective remit, or would have been outside the narrow interests of the individual members states. Boutros-Ghali has written of the overriding responsibility of the Office and its 'global leadership' in heightening awareness of the adverse influences of globalization and fragmentation.¹³

Given the structural constraints within which the Office works - most obviously that it depends upon an intergovernmental system for mandates and support - there are limits to what the Office can do directly. The effects upon the Office of multilateral fatigue¹⁴ are quite evident. Moreover, many of the Secretaryship-General's 'innovative' post-Cold War activities have been at the pace of the Council; it cannot go too far ahead of the Council without running aground. Yet in agenda-setting, proposing institutional developments and taking proactive steps - such as undertaking preliminary measures for good offices - the Secretaryship-General is at the forefront of a movement to better equip the United Nations for the peace and security issues which are increasingly confronting the Organisation. Indeed, Boutros-Ghali argued that the concept of democratisation transcends the state level and is the key to the promotion of peace and security.¹⁵ However, tensions still exist. The Secretaryship-General is wedded to the structures of the UN and all the problems which have emerged as the Organisation has struggled to meet the post-Cold War security agenda with only limited success. The intergovernmental doctrine and the bureaucratic inertia within

13 B.Boutros-Ghali, 'Global Leadership After the Cold War', *Foreign Affairs*, vol.75, no.2, 1996, pp.88-93.

14 For example B.Boutros-Ghali noted in his latest annual report that the volume of assistance to developing countries has declined, *Confronting New Challenges*, Annual Report on the Work of the Organization, paragraph 3; T.G.Weiss noted the caution which exists in the support of operations, 'Military-Civilian Humanitarianism: The 'Age of Innocence' is Over', *International Peacekeeping*, vol.2, no.2, 1995.

15 B.Boutros-Ghali, 'Democracy: A Newly Recognised Imperative', *Global Governance*, vol.1, no.1, 1995.

the UN system have resulted in severe problems, and indeed questioned whether the multilateral norms and structures of the UN can meet the human security demands of the future, or adapt fast enough. Of course, the Secretaryship-General is able to create some independence from the Council. However, in the context of new concepts of peace and security, can it represent the vanguard of processes of global governance - which embrace all manner of governmental and non-governmental, national and transnational processes - or is it inextricably constrained by the intergovernmental context? Some time ago Jordan wrote that "the international civil service, caught between 'global' responsibilities and national constraints...can only muddle along, performing in an imperfect way according to admittedly imperfect criteria of accomplishment."¹⁶ Is the Office of Secretary-General breaking free of this paradox? Or is this a false dichotomy?

Although there is not a coherent model of global governance - indeed the subject matter defies a neat focus - a number of themes do coalesce around this area of study. For Rosenau, governance is different from government. It involves systems of rules involving institutional and informal, governmental and non-governmental, and domestic and transnational mechanisms.¹⁷ The processes and mechanisms of governance include systems at all levels of human activity as a network of control mechanisms that may transcend state boundaries in order to manage the ever increasing interdependencies and common issues. The proliferation of organisations at all levels is a manifestation of this, a response to the unprecedentedly complex nature of domestic and international life.¹⁸ After the Cold War, in particular, these processes of governance have been less orderly, although there is a hope that some form and direction may eventually link the processes at different levels.

The most obvious tension is between formal government 'top-down' mechanisms and structures, such as the Security Council, and less formal non-governmental and 'bottom-up' arrangements. The UN network would appear to be trying to reconcile these processes. In parallel, there is a process of regionalism, strengthened sub-state groups and fragmentation against a backdrop of global processes. The study of global governance seeks to make sense of this global problematique,¹⁹

16 R.S.Jordan, "'Truly" International Bureaucracies: Real or Imagined?', in L.S.Finkelstein ed., *Politics in the United Nations System*, Durham, Duke University Press, 1988, p.441.

17 J.N.Rosenau, 'Governance in the Twenty-first Century', *Global Governance*, vol.1, no.1, 1995.

18 *Ibid.*

19 See J.N.Rosenau, *op.cit.*; *Our Global Neighbourhood*, The Report of the Commission on Global Governance, Oxford, Oxford University Press, 1995; M.Simai, *The Future of Global Governance: Managing Risk and Change in the International System*, Washington DC, US Institute of Peace Press, 1994; O.Young, *International Governance: Protecting the Environment in a Stateless Society*, Cornell,

although the distinction between the normative and descriptive dimensions of global governance is not clear.

On a practical level this field of study can be applied to transnational and global issues and problems with the objective of improving multilateral structures and processes. The environment, refugee flows, the ethno-nationalist resurgence, human rights, population, development and democracy are some such pressures. Can the UN and its Secretary-General play a leadership role in managing the multilateral response to all-encompassing dimensions of security? Boutros-Ghali has suggested that the "progressive opening of the United Nations to civil society" requires the participation of individuals, the private sector, the academic community, NGOs and regional organisations, in addition to governments.²⁰ Whilst it is increasingly accepted that such a variety of agencies play a role in peace and security, what is less certain is how such an enfranchisement could occur in the face of the state centrality of the Organisation and its Charter.

Some progress has been made since the end of the Cold War, through the back door rather than major reform. NGOs have been recognised as crucial to humanitarian assistance and brought into the consultative UN fold and closer on the ground. War crimes tribunals reflect the growing pressure to enforce humanitarian legal standards and give emphasis to the individual under international law. The UN framework is also reflecting increasingly the multilateral dynamics of collective transnational concerns in a more productive manner than during the Cold War. The statist emphasis of the Charter has not represented an insurmountable obstacle to the development of innovative responses to issues and problems unforeseen in 1945, and non-state actors have gradually been embraced on a functional basis. However, the structure and ideology of the UN remain largely static and calls for reform have not resulted in substantial institutional change.

Does this preclude the Secretaryship-General from being in the vanguard of innovation in multilateral responses to new dimensions of peace and security? Rosenau believes that the Secretaryship-General has the potential to maintain the UN's relevance by promoting the UN in new areas of activity as a vacuum emerges around sovereignty, and taking a leadership role in promoting

Cornell University Press, 1994; K.Krause and W.A.Knight ed, *State, Society and the UN System: Changing perspectives on multilateralism*, Tokyo, United Nations University Press, 1995; P.Haas and E.Haas, 'Learning to Learn: Improving Global Governance', *Global Governance*, vol.1, no.3, 1995; L.S.Finkelstein, 'What is Global Governance?', *Global Governance*, vol.1, no.3, 1995.

20 B.Boutros-Ghali, *Confronting New Challenges*, Annual Report on the Work of the Organization, 1995, paragraphs 25-27.

attitudinal changes within the Secretariat.²¹ This would also imply that the personality and approach of a particular incumbent is critical in guiding the organisation in creative and proactive directions. According to Boutros-Ghali, the Office is "absolutely central" to the resolution of the dialectics of globalization and fragmentation in international relations, and the disparity between demands and resources at the UN.²²

As this research has indicated, there has always been an element of improvisation to the Secretaryship-General, and it has clearly pursued activities not codified in the Charter or various rules of procedure. Indeed, one of the strengths of the Office has been its ability to respond to demands not met by the deliberative organs of the UN for constitutional and political reasons. That was often the case during the Cold War, and it could continue to be so as institutional reform is not likely to keep pace with the rate of change in the international system and the emerging security issues continue to defy the structure of the UN. However, there still remains the obvious point that the Secretaryship-General is dependent upon the predilections of the Security Council members individually and collectively. With the end of the 'Age of Ideology',²³ the post-Cold War period has seen fewer systemic political constraints on the Secretaryship-General and it has been able to pursue objectives in areas previously considered 'no-go areas'. However, the climate of multilateral fatigue and volatility has imposed severe restraints. Without political and material support the Secretaryship-General has been frustrated.

The overburdening of the UN, financial crises and recent problems in the field have encouraged a 'division of labour' between the UN and regional organisations. In fact the Secretary-General suggested, before a meeting in February 1996 between the United Nations and regional organisations, that such a division had become "urgent".²⁴ This has complemented a resurgence of regionalism as regional dynamics and bilateral arrangements have become more significant than over-arching global security models.²⁵ Decentralisation and regional problem solving are likely to

21 J.N.Rosenau, *The United Nations in a Turbulent World*, p.42. However, he concedes that "[o]n the East River the sovereignty principle predominates..." and that attitudinal changes take time, p.70.

22 The Secretary-General's Cyril Foster Lecture, Oxford University, 15 January 1996.

23 According to D.J.Puchala, 'World Images, World Orders, and Cold Wars: Mythhistory and the United Nations', *International Social Science Journal*, vol.47, no.2, 1995.

24 United Nations News Summary, London, NS/2/92, 20 February 1996.

25 See A.Hurrell, 'Explaining the resurgence of regionalism in world politics', M.Alagappa, 'Regionalism and conflict management: a framework for analysis', and M.Barnett, 'Partners in Peace? The UN, regional organizations, and peacekeeping', in *The Review of International Studies*, vol.21, no.4, 1995; P.Taylor, *International Organization in the Modern World: The Regional and the Global Process*, London and New York, Pinter Publishers, 1993.

play a key role in the future of conflict management and settlement as it becomes clear that the UN cannot, and perhaps should not, cope. However, the practice of burden-sharing is not uncontroversial on practical and political grounds and this research has indicated the effect upon the Secretaryship-General of becoming associated too closely with regional efforts when they mask hegemonic power politics or at least "benign realpolitik".²⁶

The Secretary-General's 1995 *Agenda for Peace* supplement highlighted the debilitating financial crisis which has resulted from the burgeoning activity: Kofi Annan has correctly suggested that "[w]hat is characterized as a financial crisis is, in fact, a political crisis."²⁷ In addition to the Secretary-General's eagerness for burden-sharing this crisis has further imbued his Office with an activist approach. In January 1996 his proposals for a more stable and independent basis of financing put Boutros-Ghali at odds with many prominent US politicians and added to the image of confrontation between the Secretary-General and Washington.

The post-Cold War Secretaryship-General has developed beyond the traditional model of the international civil service which was a functional outcrop of the Grotian conception of international society, created to underpin the aspirations of international organisation. International society was conceived in terms of the regulated interaction between states where the international civil service was a reactive framework based upon these interactions. The key developments which have manifested themselves in recent years are that the international civil service has become less constrained by the international and domestic dichotomy, and it is now not only responding to the system. Indeed, it is displaying a proactive kernel, taking the initiative, and influencing policy where possible.

Indeed, whilst a tension, perhaps a paradox, still exists, the Secretaryship-General is at the forefront of efforts to better equip an intergovernmental structure to deal with issues and problems which may sometimes defy such a structure. The UN will not be reformed radically in its structure; as Oran Young has observed, the evolution beyond the international society conception of politics may alter the content but not the character of roles played by international organisations.²⁸

26 C.W.Maynes, 'A Workable Clinton Doctrine', *Foreign Policy*, 93, Winter 93/94.

27 K.A.Annan, 'The Secretary-General and the UN Budget', p.100. Boutros-Ghali noted the growing practice of members to call for new or expanded activities without appropriating the necessary funds, encouraging him to engage in "irresponsible financial management". United Nations News Summary, London, NS/14/95, 29 June 1995.

28 O.R.Young, 'Systems and society in world affairs: Implications for international organisations', *International Social Science Journal*, vol.47, no.2, 1995. In the same issue Leon Gordenker is more optimistic, 'UN at 50: Institutional development'.

Nevertheless, the Secretaryship-General is part of a movement which seeks to address emergent issues which may not be within the remit of 'high politics' of the Council.

The critical peace and security issues before the UN concern the nature of its responsibility towards domestic and often low-level conflict, the contemporary relevance of Article 2(7), and whether a revised and wider conception of threats to peace and aggression is warranted. In fact the ideal of collective security, always a very troubled concept,²⁹ is at a critical stage. It will either broaden to embrace non-conventional and non-state factors or remain an ideal that is inconsistently invoked at the wish of leading states. Whilst the Secretaryship-General will always largely reflect the dynamics of the Security Council, it has gone beyond this status, albeit without the full support of the Council. The Office thus remains something of an anomaly.

The Secretaryship-General, the activist model, and the use of force

The Secretaryship-General's embrace of activism and its proximity to the use of force or coercion may represent a qualitative escalation of the development of the roles of the Office. The trend has grown out of the burgeoning activity of the UN in domestic conflict, the tendency of a small number of states to employ the Organisation as an instrument of narrow interests, an unprecedented level of mandatory sanctions, a growing reliance upon regional Great Power policing, the increasingly interventionist agenda of multilateralism, and the freedom of expression enjoyed by Boutros-Ghali. However, whilst this has undoubtedly raised the profile of the Secretaryship-General and endowed the Office with a measure of authority *vis-à-vis* the Security Council, it may well have longer term implications for the Office's traditional roles.

Boutros-Ghali proclaimed that "[n]othing is more precious to the United Nations than its reputation," and that rests upon impartiality, equity, efficiency and independence.³⁰ Yet the reputation of the Organisation and its Secretary-General is in danger of being jeopardised through their proximity to the use of force as an instrument of certain states or alliances. In fact, the classical, innocuous, impartial third party role of the Secretaryship-General, which has achieved a measure of independence from the deliberative organs of the UN to some effect in the past, may

29 A.Eban, 'The UN Idea Revisited', *Foreign Affairs*, vol.74, no.5, 1995: a "hollow doctrine" based on false assumptions, pp.46-47. Also J.J.Mearsheimer, 'The False Promise of International Institutions', *International Security*, vol.19, no.3, Winter 1994/95. From a different standpoint, T.G.Weiss lamented that "[c]ollective security remains a distant aspiration, collective spinelessness a daily reality." *op.cit.*, p.185.

30 The Secretary-General's Cyril Foster Lecture, Oxford University, 15 January 1996.

be in jeopardy. This classical role does not sit comfortably with the activist trends of the UN and its Secretaryship-General in the post-Cold War context, especially as the political dynamics of the P5 largely determine how and when the Organisation addresses issues. Moreover, the post-Cold War Office appears to have a thirst for political activism, sometimes without much consideration for the cumulative implications for the Secretaryship-General's classical innocuous position. This has been at the encouragement or behest of the Security Council, such as in Somalia and Haiti. It has also been at the behest of political actors, such as Pakistan in its dispute over Kashmir. Finally, the activism of the Office has been a result of the initiative of the incumbent. In one example of the latter, Boutros-Ghali has called, on a number of occasions, for the deployment of a military force under UN authority in Burundi to stem the escalation of violence in that country, despite the opposition of the government of Burundi to the idea. In the context of post-Cold War attitudinal developments in peace and security at the UN and the tendency of a small number of Permanent Council members to dominate proceedings at times, there is a perceptible wariness amongst many states in the developing world towards interventionist trends. The last thing they want is the Secretary-General of the UN proposing an unwelcome military force, even if in the case of Burundi the Council was not wholly supportive of the idea. In a general sense the leading members of the Council do not want their hand forced, or to be embarrassed, by the public statements of the Secretary-General. In an era where the media can exert pressure upon governments and organisations to act in cases which involve humanitarian tragedy, this is especially the case.

It would appear that the Secretaryship-General is less of a 'known quantity' as a result of post-Cold War political and attitudinal developments, and the dealignment in world politics which allows the Office to act and speak on issues which might have been considered out of bounds during the Cold War. The Office is less of a passive servant, even though the constraints reflected in political prioritisation and multilateral fatigue in the Council mean that activist statements are frequently frustrated by a lack of will and resources. States and other actors may not always know what the Office will bring with it, because the Secretaryship-General now has an increasingly apparent momentum and political will of its own, and this may not always dovetail with the wishes of the other actors.

There may obviously be a tension here, both in terms of the general image of the Office and on a case-by-case basis. One must ask if the activism and increasing association of the Office with the use of force or coercion are reconcilable with the impartial and sometimes independent third party model of the Secretaryship-General. Secondly, is the political profile of the Office a result of

Boutros-Ghali's approach or an inevitable and perhaps necessary reflection of multilateralism in the post-Cold War context? As one experienced practitioner in the UN's Department of Political Affairs commented, the Secretary-General's Office must embrace the direction which the UN is taking and the demands which exist, even if proximity to power and narrow Council interests might taint its bureaucratic image.³¹ Thus, the international civil service must evolve to maintain relevance and centrality, and this may indeed result in a systemic shift, perhaps even a radical departure, in the development of the international civil service. However, this must be balanced against the need to maintain impartiality, independence and restraint, which were in question in Somalia and Haiti. This is perhaps the greatest challenge for the Office.

The Secretaryship-General should be seen to serve the international community and the Organisation, rather than narrow interests within the Security Council. It should also be seen to be impartial to local parties in conflict situations. However, independence is difficult when the Organisation is clearly dependent upon certain Security Council members and impartiality is increasingly ambiguous in the context of domestic conflict where the UN Charter does not easily allow a judgement of aggression or culpability. Nevertheless, the Secretaryship-General's traditional third-party role is as in demand as ever, except where it is unwelcome, such as in India regarding Kashmir. Yet if the Secretaryship-General were to continue to offer its services, or be instructed by the Council, to mediate where it is not welcome by all the parties involved, this could be damaging as it sacrifices the qualities of restraint and independence. An element of the 'Peking Formula' is necessary in order to maintain the facilitative and face-saving function of the Office; it must remain a route of negotiation which is seen to have some independence from the Council.

Increasingly this may be less so. In being associated with the international community's ostracism of the Turkish Cypriot community, the Council's condemnation of North Korea's nuclear stance, the outrage expressed toward the eviction of Palestinians from Israel in the early 1990s, and the UN's criminalisation of the Aidid faction in Somalia, the Secretaryship-General jeopardised its potential for facilitating a settlement in such cases and perhaps in general. The same might be said of the Office's tacit cooperation with Russia's activities in Tajikistan and Georgia, and ECOWAS in Liberia, and in giving a platform to Pakistan's dispute over Kashmir. The post-Cold War era has allowed, and perhaps encouraged, such a stance, but it may not be in the interests of the Office.

Alternatively, one might suggest that the activism and increasing politicisation of the Office, its readiness to be associated with Council cliques, with the political dynamics of regional

31 Interview, New York, June 1994.

organisations, and with force or coercion, are a natural extension of the activities and demands of the UN in the post-Cold War. In fact, it may be constructive that the Office is able to find a role in regions formerly impenetrable to the outside world through superpower spheres of influence, even if this is on the condition of tacitly acknowledging the preponderance of the local hegemonic actor. At least the Office represents an international presence and restraint and a measure of accountability may condition traditional power politics. In fact the activism of the Secretaryship-General and the tension that exists between this model and the administrative servant - while not welcome to the bureaucratic purist - are commensurate with the post-Cold War condition of the UN. The lack of patience and intermittent multilateral fatigue have resulted in a lack of stamina within the Security Council to some of the issues it engages. Subsequently, the Secretary-General has attempted to wield declaratory leverage to mobilise and push the Council into certain courses of action. This has engendered activism in the Office. Again, this may not be particularly graceful for those who idealise the Drummond model, but it is necessary when the UN is in financial crises and the Council is increasingly wary of committing itself. One could also suggest that this role is important in guiding the UN to embrace a broader agenda in all its activities.

As the chapter on Boutros-Ghali demonstrated, the trends of the Secretaryship-General represent something of a paradox. The Office sometimes reflects the use of the UN as an instrument of certain states or transient alliances within the Security Council. Similarly, the continued lack of definition to the role and responsibility of the UN in relation to post-Cold War peace and security issues, coupled with worries regarding the cost and practicalities of multifunctional peace operations, has been reflected in the volatility of members' support for the UN and an atmosphere of multilateral fatigue. The absence of firm leadership at the UN and in international politics in general has contributed to this. Thus, while the level of the Secretaryship-General's activity has burgeoned and it has performed tasks and encouraged discussion at the forefront of innovative UN practices, material shortages and political constraints condition the Office. Moreover, the inherent sensitivity of the intergovernmental structure toward political developments in the international civil service is in evidence. The Secretaryship-General continues to be regarded with ambivalence by most of the actors in contact with it, and it continues to reflect paradoxical trends. It has the potential to help guide the UN's attempts to adapt to the complexities of the post-Cold War world, but it will also reflect that difficult and painful process.

Appendices

I. Articles of the League of Nations Covenant relating to the Secretariat.

Article 2

The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

Article 6

1. The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary-General and such secretaries and staff as may be required.
2. The first Secretary-General shall be the person named in the Annex; thereafter the Secretary-General shall be appointed by the Council with the approval of the majority of the Assembly.
3. The secretaries and staff of the Secretariat shall be appointed by the Secretary-General with the approval of the Council.
4. The Secretary-General shall act in that capacity at all meetings of the Assembly and of the Council...

Article 7

3. All positions under or in connexion with the League, including the Secretariat, shall be open equally to men and women.

Article 15

1. If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration *or judicial settlement* in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof.
2. For this purpose, the parties to the dispute will communicate to the Secretary-General, as promptly as possible, statements of their case with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

II. Articles of the United Nations Charter relating to the Secretariat.

Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their choice.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.
2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal matters arising within the scope of their activities.

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organisation may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organisation.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.
2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them

in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.
2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.
3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.
2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.
3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

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