

UN Preventive Diplomacy in Action

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Statement
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Your Excellency,
Ladies and Gentlemen,

1. Each time with the outbreak of a new international conflict a question is raised: Why did the international community dedicated to the promotion of peace and equipped with the powerful tools of political analysis and monitoring (overlook this dangerous development? This question is of a particular concern for the United Nations. The raison d'etre of the World Organization is to "maintain international peace and security", thus not to allow the use of arms. A failure to do that means that the international mechanism of preventive action needs to be further improved and, perhaps some basic ideas in the approach of the world community to conflict prevention should be reconsidered. The aim of my present statement is to share my views on the problems which the UN encounters when undertaking preventive diplomacy and the ways and means of their improvement.

2. The idea of the UN preventive action is not new. In fact, it is incorporated into the UN Charter. In a broad sense all actions undertaken by the UN with respect to threats to international peace and security short

of those envisaged in Chapter VII can be considered as preventive measures. However, due to the Cold War and the decades-long confrontation between the two superpowers, the implementation of this UN preventive capability as well as of its mandate to enforce peace was rather limited. As a result the Organization had to adhere mainly to a compromise solution - the peace-keeping operations. These operations were not envisioned in the UN Charter. They lay somewhere in between Chapter VI of the Charter, dealing with peaceful means of settlement of disputes, and Chapter VII, authorizing the Organization to use force to restore international peace. For this reason peace-keeping operations are sometimes referred to as measures in accordance with Chapter 6 1/2. Peace-keeping is the deployment of United Nations presence in the field normally involving UN military and/or police personnel as well as civilians. Of course, these operations provide the technique for better prevention of conflicts and making of peace.

3. With the end of the Cold War a new international environment has emerged, opening new opportunities as well as posing additional challenges for the UN in the field of preventive action. The world political system became less stable. The number of conflicts, predominantly intra-state and connected with the rights of national minorities, has dramatically increased. In adapting to these new realities the idea of UN preventive action had not only been revived, but also enriched and developed.

4. The new concept of UN preventive action was outlined in the report of the Secretary-General "An Agenda for Peace" which originated at the request of the Summit meeting of the Security Council on 31 January 1992 for the analysis and recommendations by the Secretary-General on enhancing the capacity of the United Nations for preventive diplomacy,

peace-making and peace-keeping. It was, in fact, a common understanding by the members of the major UN body, responsible for the maintenance of peace and security that, finally with the end of the cold war, the UN has all the necessary potential to become what the founding fathers had planned and envisaged in the UN Charter: namely, the main pillar in an enhanced system of peace, cooperation and security.

5. Preventive action in the new sense, as it is described in the report, include four main elements, the so called "four P's": preventive diplomacy, peace-making, peace-keeping and post-conflict peace building. The latter is a new concept which means creating socio-economic foundations for peace and security. Thus, preventive diplomacy is part and parcel of the broader and more elaborated concept of preventive action.

6. In the report, preventive diplomacy is 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." For the prevention of conflicts there are a number of effective tools which can be used by the international community. Preventive diplomacy requires measures to create confidence, it needs early warning, it may also involve preventive deployment and, in some situations, demilitarised zones.

7. Preventive diplomacy may be performed by the Secretary-General personally or through senior staff or specialized agencies and programmes, by Security Council or the General Assembly.

8. The concept of preventive diplomacy has been strongly supported by Member States. The Security Council adopted three Presidential statements

and the General Assembly at its 47th session adopted a resolution (A/47/L.50) on preventive diplomacy.

9. Today preventive diplomacy is not just a concept but a day-to-day work of the UN. At present the UN Secretariat is constantly monitoring 25 to 30 disputes or conflicts. However, according to the latest issue of the magazine *Jane's Defence Weekly*, we could expect in the nearest future 73 areas of conflict or potential conflict throughout the world.

10. The basis for practical work in preventive diplomacy is information, which includes both military-political and socio-economic indicators. The availability of information obtained through fact-finding is crucial for any preventive action. No less important is, of course, the evaluation of the reliability of the information. Member States attach particular importance to the expanded exchange of information. In one of the statements the Security Council "encouraged all Member States in a position to do so to provide the Secretary-General with detailed information needed on issues of concern, so as to facilitate effective preventive diplomacy." There are also suggestions, for example, to establish communication hotlines between the UN Headquarters in New York and the capitals of some of the Member States.

11. Considerable practical experience has been already accumulated in the field of preventive diplomacy. One of most effective and often used tools in preventive diplomacy is fact-finding which serves the purpose of both information gathering and demonstration of attention and interest on the part of the UN in a given situation of conflict. Since March 1992, the UN has undertaken a total of 42 missions to various trouble spots in Europe,

Asia and Latin America, either on the initiative of the Secretary-General or at the request of the Security Council or a Member State. These include 9 missions concerning Guatemala, 8 - Nagorno-Karabakh, 7 - former Yugoslavia, 5 - Tajikistan, 4 - Haiti, 2 - Moldova, and 2 - Georgia. Also among them were three missions undertaken by the Under-Secretary-General for Political Affairs to Libya at the request of the Secretary-General.

12. These missions were primarily intended, in addition to their major fact-finding task, to perform good offices functions, and when the recipient countries are new Member States, explaining the reality of the UN. This is the reason why the missions the UN had sent were usually named "good-will" missions.

13. One of the most delicate aspect of the UN fact-finding missions is the availability of the full reports of the missions. In some cases Member States exerted significant pressure on UN officials so as to persuade them to make the findings of the missions public. However, it should be kept in mind that the reports often contain rather sensitive information and its publication may not facilitate the solution of the conflict. Practically, the question whether to share the information is usually solved in the following way: those who sent the mission decided what to do with its documents.

14. Fact-finding is not limited to missions only. Of no less importance are the personal contacts and consultations with Member States performed by the Secretary-General or on his behalf by senior UN officials. To name a few instances, a series of consultations on the situation in the former Yugoslavia resulted in initiating and working out the machinery for UN-EC peace talks. Consultations on East Timor resulted in direct talks between

Indonesia and Portugal held under UN auspices in New York last December.

15. In fact-finding the role of the non-governmental organizations is of great importance. NGOs usually alert UN organs and officials on potential threats to international peace which Governments sometimes are reluctant to report. I have regular meetings with representatives of NGOs and these contacts are always very useful and productive. In particular, I would like to stress the contribution of Amnesty International which is doing very significant work in the field of the protection of human rights.

16. Unfortunately, in fact-finding the UN is currently not able to use modern technology. There are different suggestions how it can enhance the effectiveness of information gathering efforts. For instance, I would like to remind you about a very interesting proposal to set up within the UN system an international agency for satellite monitoring of regional conflicts. Such agency could become an invaluable tool of acquiring immediate and precise information about the situation in the zones of conflicts.

17. The outcome of fact-finding is early warning. It is usually done as the Secretary-General's report to the Security Council, but may also be done in other forms. Early warning is the first step in the planning of the practical actions to prevent conflict.

18. Practical action undertaken by the UN in the field of preventive diplomacy usually is aimed at a number of objectives -to actually ease tension between the parties to the conflict or, if the conflict has already broken out, to contain it and to resolve its underlying causes; to monitor

developments; and to demonstrate the concern of the international community with the situation in the conflict zone. It is important that practical actions are comprehensive and cover not only the political and military sides of the conflict, but also the economic, social as well as humanitarian aspects. Today, one of the most important issues which arises with almost every conflict is the problem of the refugees. It should be addressed at all stages of the conflict resolution efforts.

19. One of the new forms of UN presence for preventive purposes is the dispatching of UN Observers to conflict zones. In particular, I would like to mention the UN Observer Mission to Tajikistan which was set up in January 1993. The mission has a broad mandate which includes, *inter alia*, monitoring of the situation on the ground and providing the Secretary-General with up-to-date information related to the conflict situation; encouraging regional peace-making efforts; and coordinating humanitarian assistance by the international community. The mission established good relations with local authorities and with the leaders of all major political groups in Tajikistan. It is actively mediating between them and providing advice on how to settle the problems by means of negotiations. The mission has also established contacts with the representatives of regional organizations working in Tajikistan, in particular, with CIS officials. With the participation of the mission, considerable amounts of supplies have already been distributed among the Tajik refugees.

20. Among the practical actions I would like to put particular emphasis on the confidence-building measures which are essential to reducing the likelihood of conflict between states. They include, systematic exchange of military missions, formation of regional and subregional risk reduction

centres, free flow of information, including the monitoring of arms agreements, which could reduce tension and likelihood of confrontation between states. Rich experience in the implementation of the confidence-building measures was accumulated in Europe, in particular within the framework of the negotiations on conventional weapons. Nowadays, these measures are being applied not only in the traditional disarmament context. Considerable efforts are made to use them to resolve the conflict in Yugoslavia and in Cyprus. With respect to Cyprus, for example, people-to-people contacts are recommended as CBMs. Confidence Building Measures can be easily implemented and the only condition for their success is the will to employ them.

21. Potentially a very powerful tool of preventive action is preventive deployment. Even a small UN contingent sent to the zone of emerging conflict can effectively prevent violence and compel the parties to begin negotiations. Today we have one but very impressive case of preventive deployment - the Protective Force in the former Yugoslav Republic of Macedonia established by the Secretary-General in accordance with the Security Council decision of December 1992. At the first stage a 700 men strong Joint Nordic Infantry Battalion was deployed in the Skopje area with troops being contributed by Finland, Norway, Sweden, and Denmark. Later additional servicemen will be provided by other countries. This kind of preventive action was undertaken out of concern to prevent a wider Balkan war. This is an example of growing range of actions which preventive diplomacy will need to encompass in the future.

22. Preventive diplomacy is closely connected with peace-making. Some of the fact-finding missions were actually engaged not only in collecting

information but also were actively participating in the search for the ways of settling the conflict. For example, in Moldova, a fact-finding mission dispatched in early July generated sufficient pressure to bring the conflicting parties to the negotiating table, and helped attain a cease fire that has been holding, even though all political problems have not been resolved. A good-will mission sent last October to the Solomon Islands as a result of its dispute with Papua New Guinea, was another case in which a preventive diplomacy measure led to peace-making efforts. A good-will mission sent to Tajikistan in November was able, through its negotiations with Tajik political leaders, members of Parliament, field commanders, and regional authorities, to contribute to the convening of an Extraordinary Session of Parliament with a view to starting a process of national reconciliation, though the overall situation there remains volatile. Another mission to Tajikistan was sent in mid-January to re-assess the situation and help bring the parties to the negotiating table.

23. In peace-making, which goes hand-in-hand with preventive diplomacy it is important, in addition to political and diplomatic tools, to more actively employ legal remedies for the peaceful settlement of disputes. In particular, I would like to stress the potential of the international judicial bodies, such as the International Court of Justice, which remains an under-utilized tool for the peaceful adjudication of disputes. May I remind you that according to the Charter the Court is "the principle judicial organ" of the United Nations. It is worth noting that the predecessor of the United Nations, the League of Nations, had some interesting and relevant practice in this field. At times, it would set up commissions of prominent jurists to settle disputes between states. A good example was the settlement of the conflict between Sweden and Finland over the Åland islands in 1921. The conflict was

caused by the demands of the Swedish-speaking minority in Finland for greater autonomy or independence. Without the involvement of the League of Nations, the problem could have easily developed into an armed conflict, particularly given the important strategic value of the islands at that time.

24. The Åland settlement has some features that may be of significant value and relevance to the resolution of political conflicts in a number of places. The involvement in conflict resolution of an impartial body which bases its judgement on the norms of international law and is, presumably, immune to political or national influence has a number of obvious advantages. The most important of them is that its decision is generally easier to accept for all the parties to the conflict. Today we have an example of the Court's involvement in the management and perhaps settlement of an international dispute - the controversy between Hungary and Slovakia about the Gabčíkovo dam project. I think that there are propitious circumstances in modern international politics for a revival of these practices.

25. Today there is an obvious need to integrate preventive diplomacy with disarmament efforts. This objective was clearly defined in the Secretary-General's report "New Dimensions of Arms Regulation and Disarmament in the Post-Cold War Era". The UN has also started work in this direction. In particular, the establishment of a Register of Conventional Arms by the Secretary-General on 1 January 1992 was of significance both as a means of promoting confidence-building through transparency and an early-warning instrument that could identify areas of build-up in weapons. We are developing also close links with the IAEA.

26. The experience accumulated by the UN in the field of preventive diplomacy shows that there are no ready made schemes and prescriptions. Using the famous phrase of Leo Tolstoy, I would say that all stable societies resemble each other, each conflict situation is developing in its own way. In short, in each case when preventive diplomacy is used careful research is needed to determine and fully take into consideration all the peculiarities of the given situation. Effective preventive diplomacy also needs an integrated system of early warning, comprehensive approach to the settlement of the conflict and close cooperation of all those who are involved in this work.

27. UN efforts in preventive diplomacy also presuppose close cooperation between the World Organization and different regional bodies. The UN has encouraged a rich variety of supporting efforts with regional Organizations. In the Former Yugoslavia the UN works with the European Community, in Somalia with the OAU, in Haiti with the OAS. There are many other examples of this kind.

28. The UN aim is to see that cooperation between the world organization and regional organizations evolves into an increasingly effective division of labour. While the UN retains its primacy in the maintenance of international peace and security, its burden can be substantially lightened and its mission reinforced by the active involvement of appropriate regional arrangements and agencies.

29. It seems that time has come for closer cooperation between the UN and the CSCE. The process of destabilization in the CSCE geo-political space have not yet reached its highest point. Thus, if the diplomatic efforts will not be intensified, the common aim of the UN and of the CSCE - peace and

security will be rather difficult to achieve.

30. In its objective to give reality to a new approach in dealing with regional organizations and institutions, the United Nations considers the CSCE its natural partner. Our intention is to build a relationship of close cooperation with global and regional organizations which may also serve as an example for other parts of the world.

31. The potential for cooperation with the CSCE is enormous in all four baskets (political, economic, humanitarian and follow-up meetings), and in particular in the field of preventive diplomacy.

32. The United Nations looks forward to the appointment of a Secretary-General of the CSCE and will endeavour to set up mechanisms of consultations and exchange of information at all levels with the CSCE secretariat. The UN for its part is ready to provide technical assistance and advice. Sharing information as well as coordinated action should be the two key words towards an effective and efficient use of limited resources. The growing number of demands on the UN and on regional organizations themselves make this approach a necessity, particularly in order to avoid duplication of efforts or tailgating.

33. At a time of increasing challenges to the peace in Europe, it is equally important for the UN to develop or strengthen its relations with other regional organizations, such as the European Community, the Council of Europe, etc. The end of the cold war offers a unique opportunity for all European institutions to join hands with the UN in the search for just and lasting solutions to crisis situations in Europe.

34. No other endeavour for peace repays so well our time effort and investment as preventive diplomacy. I hope this Conference will contribute to making preventive diplomacy an effective tool of the new emerging system of multilateralism which I would call Pax multilateral or PAX UN.

Thank you.