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Perceptions in Nigeria and United States Relations <i>Umar Ubandawaki (PhD)</i> - - - - - -	189
Security and the Challenges of Securing Nigerian State: Appraising the Activities of Fulani Herdsmen in North Central Nigeria. <i>C. Jaja Nwanegbo, Ibrahim Umara & Ikyase JohnKennedy Tersoo</i> -	203
A Critical Appraisal of the Role of the United Nations Security Council and Maintenance of International Peace and Security <i>John Tor Tsuwa, PhD & Terna Kester Kyenge, PhD</i> - - -	218
Terrorism and International Security: Understanding its Root Causes and Strategies <i>Adejoh Sunday & Dominic Shimawua PhD</i> - - - -	232
Security of Elections and Electoral Violence in Nigeria: Towards Electoral Security System <i>Gani Yoroms, PhD</i> - - - - - - -	245

A CRITICAL APPRAISAL OF THE ROLE OF THE UNITED NATIONS SECURITY COUNCIL AND MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

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Abstract

This study investigates the efficacy of the United Nations (UN) Security Council in maintaining international peace and security within its legal framework. The study adopted secondary data in gathering materials and analyzed through content analysis rooted on logical inductions. The major finding of this study is that the UNSC has limited its capacity to maintain global peace as its veto powers are limited to 5 permanent members. With this, conflicts and other challenges to peace are in most cases considered based on the interest of these five permanent members. This has led to distrust between the five members and the rest of the members, a condition that challenged the peace question in terms of cooperation and commitment to resolutions of the UNSC. This study recommends amongst other strategies of making the UNSC more viable an expansion in the membership of the permanent members of the United Nations Security Council. Also, the Charter that takes care of the increasing challenges confronting the UNSC from different parts of the world should be amended and made more proactive in the handling of humanitarian crises by implementing the responsibility to protect Act.

Keywords: United Nation Security Council, Peace, Security, Conflicts

Introduction

The idea of international peace is, in itself, a relatively recent idea. Relatively recent in that, not so long ago, all over the world, and in Europe in particular, every generation has had "its" war. Certain fatalism towards war was rooted in man's mentality. War was almost considered as inevitable and peace was only a vague utopian dream. This was the fertile ground that inspired thinkers such as Immanuel Kant to propose a solution for world peace. Kant had argued that through war, through the taxing and the never ending accumulation of armament... after devastations, revolutions and even complete exhaustion, human nature would bring people to a state of reasoning that will dawn on human kind to step from lawless condition of salvage into a League of Nation to ensure peace. (Rourke, 1995:267)

From this assertion, it has become imperative that thinking collective peace and security has become an unavoidable principle of development for nations in an ever complex and changing world. It is appropriate to argue that, the continuous complexity of conflicts has created a phenomenon of situating conflict in the cliché

that, "no nation, no matter how powerful, is an island of its own" and no nation can live in peace where her neighbours are sleepless and live in an unsecured environment

In recent years, the total collapse of state institutions in nation states such as Somalia, Sudan, The Central African Republic, Syria, Libya, Haiti, Bosnia, Herzegovina, Cambodia, El Salvador, Guatemala amongst others have put pressure on the UNSC and its capacity to ensure that world peace is not breached and where it does, it is restored immediately. We can argue here in support of Gyojang (2003) that security threats have affirmed global proportions. This means that with today's deepening of globalization, countries are becoming more interdependent and issues of security are no longer local issue bearing on individual countries or regions, but a global one that threatens to impede peace and development of the world.

Historically, humanity has developed strategies over the years to maintaining peace and security. Nation states have variously formed collective mechanisms such as the Concert System, the treaty of Westphalia, the Hague system, and the League of Nations amongst others to help maintain peace and security. This desire to form an organization that will guarantee peace and save humanity from the scourge of war metamorphosed into the United Nations after the devastating effects of WWII. The purpose and principles of the United Nations as listed in the preamble to the UN Charter states *inter alia* that:

To save succeeding generation from the scourge of war, which twice in our life time has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of human person... establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained .. and for this end, to practice tolerance and living together in peace with one another as good neighbour, and to unite strength to maintain international peace and security... for the promotion of the economic and social advancement of all peoples.

We can deduce from the above that the historical arguments that led to the formation of the UN can be traced to the ideas and declaration of the former US President, Roosevelt on the 6th of January 1941. This declaration was directed towards the creation of a free and peaceful international system that will guarantee the right of all humanity via; freedom of expression, freedom to worship, choice, religion, and freedom from want and fear. He coined the term "United Nations" believing that the only way that peace and security of humans can be preserved will be through the willing co-operation of free nations of the world, (Basu 2002:341). By August 12, 1941, the duo of US and Britain signed the Atlantic Charter that provided the principles that were later developed to form the core of the UN Charter. To this, McCoubrey and White (1992:398), believed that all states would contribute to the maintenance of international peace and security. and since all the nations both

powerful and weak will have something at stake in the collective arrangement, peace will be more ensured.

We can argue that, the major purposes of the UN are clearly listed in Article 1 of the UN Charter which states *inter alia* that;

To maintain international peace and security; to develop friendly relations among nations; to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and to be a center for harmonizing the actions of nations in the attainment of these common ends.

This shows that the charter provided for the peaceful settlement of disputes between members of the international community. This was emphasized clearly in Article 33 of the UN charter thus;

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.

This means that, the desire for peaceful settlement of dispute and the avoidance of war in whatever form is the fulcrum of the UN. The UN is made up of The General Assembly, The Security Council, The Secretariat, The Economic and Social Council, The International Court of Justice, and The Trusteeship Council. However, the decisions to implement this task are carried out on behalf of the UN by the Security Council. The principal responsibility of the Security Council as provided by the Charter of the UN is therefore the maintenance of international peace and security. This duty is contained in Article 24(1) of the Charter, which provides that:

...In order to ensure prompt and effective action by the UN, its members confer on the Security Council, the primary responsibility for the maintenance of international peace and security and agree that in carrying out its duties under this responsibility, the Security Council acts on their behalf.

The Security Council is expected to carry out its functions and duties in line with the principles of the UN as provided in Article 24 (2) that; in discharging these duties, the Security Council shall act in accordance with the purpose and principles of the UN. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapter VI, VII, and XII. It is these legal provisions that this paper seek to assess their utilization by the UNSC to achieve its goals of maintaining international peace and security.

The Legal Powers and Functions of the United Nations Security Council

As stated above, the main organ charged with the responsibility to maintain world peace is the Security Council. At this point the functions and powers of the Security Council shall be analyzed, as provided under the Charter. These functions and powers of the Security Council include:

- i. To maintain international peace and security in accordance with the principles and purpose of the UN.
- ii. To investigate any dispute or situation which might lead to international friction.
- iii. To recommend methods of adjusting such disputes or terms of settlement.
- iv. To formulate plans for the establishment of a system to regulate armaments.
- v. To determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken.
- vi. To call on members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression.
- vii. To take military action against aggressors.
- viii. To recommend the admission of new members.
- ix. To exercise the trusteeship functions of the UN in "struggle area".
- x. To recommend to the General Assembly the appointment of the Secretary-General and, together with the Assembly, to elect the judges of the International Court of Justice.

From the aforementioned, we discover that the total power of the UN resides in the workings of the Security Council. It is also worthy of note that the powers of the Security Council are elastic, which means that the Security Council also has implied powers to cope with emerging circumstances that may threaten the peace and security of the international community which were not expressly listed in the Charter of the UN. This was elaborated in the decision of the International Court of Justice (ICJ) in the Reparation Case of 1949, when the court stated *inter alia* that;

...Under international law, the organization must be deemed to have those powers, which though not expressly provided in the charter, are conferred upon it by necessary implication as being essential to the performance of its duties.

The court took this decision by considering also the past speech of the UN Secretary General in 1947 when he argues about the powers of the Security Council as cited in Article 24 (2) among other things that; The powers of the Security Council under Article 24 are not restricted to the specific grants of authority contained in Chapter VI, VII, XII... members of the UN have conferred upon the Security Council powers commensurate with its responsibility. In the maintenance of international peace and security and in the case of settlement of disputes, the powers of the

Security Council also supersede that of the General Assembly as stated in Article 12(1) of the charter thus,

while the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so request.

With this overwhelming powers giving to the Security Council in the maintenance of international peace and security, the Security Council is expected to have the obligation of all the members of the UN in order to make effective the duties of the Security Council. This obligatory right is contained in Article 25 of the Charter, which states that among other things that; the members of the UN agree to accept and carry out the decisions of the Security Council in accordance with the present charter. The UN has over the years, through the workings of the Security Council, used the following strategies for the prevention of disputes from escalating into conflict and for preventing the recurrence of conflicts.

- **Preventive Diplomacy:** This refers to action to prevent dispute from arising, to resolve them before they escalate into conflict or limit the spread of conflict when they occur (UN information 2002:5). This can take any peaceful means of negotiation, mediation, conciliation, among others. The UN Security Council and General Assembly always carry out preventive actions. Envoys and special representatives are engaged in mediation and preventive diplomacy throughout the world.

- **Preventive Deployment:** This refers to the fielding of peace-keepers to forestall probable conflict; it is intended to provide a "thin blue line" to help contain conflict by building confidence in areas of tension. For instance, UN action in the Former Yugoslav Republic of Macedonia is an example of successful "preventive deployment". When in 1992, the country requested the deployment of UN observers and peacekeepers, the UN quickly dispatched to the countries border with Yugoslav and Albania a capable contingent. Because of the success of this mission, preventive deployment became a major strategy for the prevention of war. The duty of the Security Council to carryout preventive deployment with the assistance of the military staff committee of the UN is contained in Articles 26 and 27 which together states *inter alia* that:

...in order to promote the establishment and maintenance of international peace and security with the lest diversion for armaments of the world's human and economic resources, is responsible for formulating, with the assistance of the military staff committee... plans to be submitted to the members of the UN for the establishment of a system for the reduction of armament.

From the above, it is apt to argue that, efforts have therefore been made over the years to reduce the number of arms in the system either through disarmament or arms limitations exercise. This was clearly illustrated in the actions of SALT I and II and START I and II as well as other arms reduction treaties and agreement which are multilateral, bilateral or otherwise in nature. The Security Council is also mandated under Article 34 to investigate any dispute in order to determine whether the continuance of it is likely to endanger the maintenance of international peace and security. The issue here is that, whenever the Security Council investigates and discovers that the dispute is bound to endanger international peace and security, it moves swiftly to make recommendations and subsequently making resolutions for the peaceful resolution of the conflict as it in the Iraqi invasion of Kuwait through resolution 66 which called on Iraq to withdraw with immediate effect and unconditionally too from Kuwait.

In situations where the dispute has a legal connotation, Article 36(3) mandates the Security Council to refer the parties to the conflict to the International Court of Justice (ICJ) and the case be considered in accordance with the provisions of the status of the court as happened in the dispute over the Bakassi Peninsula and other territorial areas between Nigeria and Cameroon. It is worth noting that, the Charter of the UN provides the opportunity for both members and non-members to refer disputes affecting them to the Security Council which is given absolute powers in the resolution of international disputes as contained in Article 35. This provision is a move to bring even non-members of the UN under effective control in their use of national power and to prevent the loopholes that befall the League of Nations when non-members acted unilaterally.

According to chapter VII of the Charter, as provided in Article 39, if the parties to a dispute resist the resolution of their dispute as provided in Article 33, such disputes shall be referred to the Security Council under Article 37(2). The Security Council under Article 39;...determines whether the continuance of such dispute will constitute a threat to peace, breach of the peace, or an act of aggression and shall make recommendations, utilizing the powers of specific settlement contained in Chapter VII.

It is important to argue here that, the Charter of the UN also gives the powers of punishing the offender to the Security Council. In its quest to maintain a peaceful international community, after assessing the nature of the crisis whether it will endanger international peace and security or not, Article 41 mandates the Security Council to decide on measures (sanction) not involving the use of armed forces but involving complete or partial interruption of economic relations and rail, seas, postal, telegraph, radio and other means of communication and the severance of diplomatic relations with the affected state in such disputes as confirmed to possess a threat to peace. According to Starke (1978:145), sanctions are seen as all "necessary means" for the maintenance on international peace and security within the meaning of Article 51. It means therefore that, a resolution adopting the use of sanctions under Article 41 suspends the right of self-defense as done in the case of Southern Rhodesia in 1965 when the racist regime of Ian Smith declared itself independent.

It is worthy to point out that, Article 42, which is a back-up in case the measures taken by Article 41 prove inadequate, gives the Security Council power to maintain or restore international peace and security through the deployment of means like, demonstrations, blockade, and other operations by member states as approved by the Security Council. It is pertinent to note at this juncture that, such decisions as taken by the Council are binding on the members of the UN and the parties involved in such disputes within the terms of Article 25 which states *inter alia* that; members of the UN agree to accept and carry out the decisions of the Security Council. In order to prevent an aggravation of the situation, the Security Council may before making the recommendations in Article 41 and 42, call upon all the parties to the dispute to comply with such provisional measures as it deems necessary or desirable; but to instill confidence in the council and enable the parties to be free in complying. Such provisions shall, according to Article 40, be without prejudice to the rights, claims, or position of the parties concerned; to make sure that the provisions comply with. The Security Council according to the same provision shall take account of the failure of the parties to comply with such provisional measures.

We can argue from the aforementioned that the UN Security Council has robust legal provisions and foundations on which to perform the core responsibilities assigned to it by the United Nations which is the maintenance of international peace and security. It is therefore pertinent for us to take some case studies to see how effective the UNSC has over the years used these legal provisions to achieving its established goals.

A Critical Appraisal of the UNSC Efforts in Maintaining International Peace and Security

From the discussion above, the UNSC has in many instances used its powers to intervene in conflicts situations in order to maintain international peace and security. Thus, we will take a critical look at the performance of the UNSC in some selected countries.

a) The Invasion of Kuwait by Iraq

On the 2nd August, 1990, Iraq invaded Kuwait and seized its territory. The Security Council condemned the invasion and termed the act a breach of the peace and international security and further requested Iraq to immediately and unconditionally withdraw from Kuwait. (RES 660). According to Tsuwa (2005:23) Iraq's refusal to honour the ensuing Resolution led to over thirty subsequent Resolutions with clear and unambiguous consequences that eventually made the UNSC to invoke chapter VII of the Charter, which authorized further action against Iraq. According to Malanczuk (1997:84) invoking this Chapter, the UNSC stated *inter alia* that;

Member state's co-operation with the government of Kuwait, unless Iraq complied by on or before January 1991 fully implementing, as set forth in paragraph 1 above, the foregoing Resolutions, to use all necessary means to uphold and implement Resolution 660 (1990) and

all subsequent relevant Resolutions and to restore international peace and security in the area.

With this resolution, the United States of America led a coalition code-named 'Operation Desert Storm', in 1991, to occupy Kuwait and part of Iraq. No doubt, the action of the Security Council drew a lot of criticisms as international commentators asked why instead of the operation being controlled and regulated by the Security Council under Articles 46 and 47, it completely delegated its authority. It was also contended that enough time was not given to the Resolutions prescribing and imposing economic sanctions to work. Even with the ceasefire, in place, harsh conditions were imposed via SC resolution 687 of 3 April, 1991.

It is interesting to note that Article 50 of the Charter was put to the strictest test with the operation Desert Storm. Certain states that faced special economic problems arising from the measures adopted by the council against Iraq, applied but were unsuccessful. The sanctions imposed on Iraq no doubt imposed difficulties on neighbouring states and companies. Consequently, the UN Security Council established a United Nations Compensation Commission (UNCC) in Geneva.

(b) Somalia

One of the cases often cited as an example of the failure of collective humanitarian intervention, is the UN intervention in Somalia. With over 37,000 foreign soldiers, drawn from several countries around the world, under the leadership of the United States of America, the outcome was anything but successful. Furthermore, the offer to lead the military operation in Somalia to protect the delivery of humanitarian relief was made by the USA and it was given. RES 794). It authorized the use of all necessary means to provide a secure environment for the relief operations. It was an operation that was unique. The operation was borne out of a resolution adopted because of Somalia's deteriorating, complex and extra-ordinary nature, which required an immediate and exceptional response. It was a situation where there was absence of government and nothing resembling governmental structure was in place. Somalia is a failed state plagued by an endless civil war, poverty, mass starvation and famine. Malanczuk (1997) aptly captures the underlying historical development to the situation that Somalia found itself, extensively thus:

Somalia is unique among the sub-Saharan countries in that it is the only one which is composed of a single ethnic group. Nevertheless, the country which in the last quarter of the nineteenth century had been divided under the rule of three colonial powers (Britain, France and Italy) has been torn apart by clan-based civil wars which led to the collapse of the government and made-Somalia the prime example of the new phenomenon of 'failed states'.

The genesis of the above statement was the nature and character of the Somali state. It is pertinent to note that, after independence, for twenty-one years

Somalia had been ruled by President Siad Barre who attempted to overcome the clan structure on the basis of a combination of pan-Somali nationalism, with a centralized Soviet model of socialism, although Barre himself was primarily basing his power on the Merihan clan and two other clans, the Ogadeni and Dolbahante. When Barre's regime fell in 1991, a power struggle and clan clashes erupted with grave consequences.

The country was torn apart by widespread death and destruction forcing hundreds of thousands of people to leave their homes. Almost five million people were suffering from hunger and disease; almost one million people fled to neighbouring countries. In May 1991, the North-Western part of Somalia proclaimed its independence as the 'Somaliland Republic'.

According to Walling (2012),

The United Nations and a number of non-governmental organizations were engaged in humanitarian relief operations in Somalia, and the UN Secretary-General in cooperation with the Organization for African Unity (OAU), the League of Arab States (LAS) and the Organization of the Islamic Conference (OIC) made political efforts to restore peace. On 23 January 1992, the Security Council imposed an arms embargo on Somalia and called upon all parties to discontinue hostilities. Negotiations at the UN Headquarters involving the UN Secretary-General, the LAS, the OAU and the OIC led to an agreement on a cease-fire between interim President Ali Mahdi and General Aidid to be monitored by UN observers. Agreement was also reached on the protection of humanitarian relief convoys by UN security guards. In April 1992, the Security Council created the United Nations Operation in Somali (UNOSOM), which resulted in the deployment of 50 UN military observers and about 500 UN security personnel. The Security Council later decided to increase the security force to 3000 personnel in view of the continuing fighting and attacks against humanitarian operations. But UNOSOM was not able to fulfill its mandate.

The original Unified Task Force (UNITAF), in 1992, covered about 40% of the territory of the country. It was later transformed on the 26th March, 1993 into UNOSOM II and significantly expanded in mandate and size to use force to establish a secure environment in all of Somalia and to help in rebuilding the economy and political and social institutions. The killing of twenty-five Pakistani soldiers in UNOSOM II in the capital Mogadishu by armed groups, dragged UNOSOM II into the conflict. In the ensuing need to militarily crush General Aidid, by the USA, over 50 civilians were killed. That act was severely criticized by other states including Italy. That division, inevitably led to the early exit of the forces. With the death of 18 UN soldiers in 1993, the USA was forced to withdraw from Somalia by 1994. The

operation was reviewed in 1994 with emphasis on the provision of assistance to political reconstruction, and stability. It is a matter of debate, depending on what pedestal you stand, whether the UN intervention mission in Somalia was an all-round success or partially successful, especially with respect to the distribution of humanitarian aid.

(c) The Rwandan Case

UN intervention in Rwanda remains controversial in UN Security Council interventions in troubled spots around the world. The fallout from Rwanda led to the establishment of the International Criminal Tribunal for Rwanda which convicted several persons for war crimes and crimes against humanity. Rwanda had and still has a trajectory of ethnic tensions and antagonism between the majority Hutu and the minority Tutsi. It should be borne in mind that Rwanda was a German colony until it was transferred to Belgium. It later secured independence in 1967. In 1990, the Hutu-controlled armed forces of the government of Rwanda and Tutsi-led Rwanda's Patriotic Front (RPF) based in Uganda engaged in open hostilities. With the resumption of hostilities in 1993 and the intervention by the Organisation of African Unity (Now African Union), there was request from Rwanda and Uganda which led to the establishment of the United Nations observer mission Uganda - Rwanda (UNOMUR).

Further steps were taken by the United Nations Security Council to set up the United Nations Assistance Mission for Rwanda (UNAMIR) to assist in the implementation of agreement reached between the parties in Arusha Tanzania in 1993. The mandate of the mission was the supervision of election and the establishment of a new government by October, 1995. The killing of the presidents of Rwanda and Burundi in a mid-air attack on the 6 April, 1994 while returning from peace talks in Tanzania, changed the situation on the ground. In the bloodletting that ensued, close to two million people were killed and several hundreds of thousands displaced. The original force of 2,700 were ill-equipped and ill-prepared for the massacres which took place in their presence. Belgium which had 440 soldiers, some of them killed while on security duties at the presidential palace, withdrew its force. The UN SC eventually increased the number of troops to 5,500 soldiers while threatening force against people who threatened protected locations and populations. Hitherto, the number of the force was reduced to working with parties on a cease-fire agreement and in assisting in the resumption of relief operations. No doubt, the Rwandan mission, again, ended disastrously and controversially. It was conceived that the mission was not well thought out but that with a vote of 10-1, with five abstentions, and with France spear-heading the resolution, it was not difficult adopting resolution SC 929 under chapter VII. Dallaire (2003) argued that France has been criticized on several fronts: that its support for the Rwandan government made it impossible to halt arms shipment even when the massacres were underway.

It is the submission herein that the roles played by member states of the UN SC revealed the self-interests of members of the security council which adversely

affected the operations and indeed the consequent failure of peace enforcement. The case of Rwanda is a clear example of such difficulty.

(d) The Case of Haiti

The case of Haiti provides another unique circumstance in which the UN SC contributed to the maintenance of international peace and security, under chapter VII. The Security Council authorized the use of force in Haiti to implement a democratic election result and stated out rightly that there was a threat to international peace and security. According to Corbett (2014) it must be stated that Haiti has had a chequered history since 1957, when it was ruled by the Duvalier Family, from 'Papa' to 'Baby' Duvalier. In 1990, one of the Duvaliers fled the country, a development which led to the approval of a new constitution in 1990 and a request for the monitoring of the elections by the UN from the provisional government. The elected President, was removed from office via a military putsch. The UN Security Council met on the same day the Putsch took place but did not consider it a major threat to international peace and security. The Organization of American states declared economic and diplomatic sanctions against the coupist government. Because of the opposition from China and other third-world states, and their apprehension over alleged, growing Security Council interventions in internal affairs of states, the United Nations Security Council decided the Haiti case belonged to situations categorized under Article 2 (7) of the UN Charter and as such not the business of the UN. But the conflict was such that it was unequivocally the business of the UN with far reaching consequences on international peace and as such called for urgent UN intervention.

In June 1993, the UN SC, changed its earlier stand and adopted affirmative actions under chapter VII, thereby imposing embargo on petroleum products, arms, police equipment to Haiti, and it further froze assets of the Haitian government and its military leaders. According to Hochschild (2014) an agreement was reached in 1993 to return President Jean Bertrand Aristide to power. The UN Mission in Haiti was established to assist in the formation of a new police force and reform of the armed forces. He argues further that, the coupists reneged on their promise to restore the deposed Aristide government leading to the UN SC's re-imposition of sanctions that were lifted earlier, on 13th October, 1993, with a further trade embargo in 1994. By Resolution 940 of 1994, the UN SC enjoined member states to use all necessary means to oust the military junta from Haiti. An ultimatum issued to the junta by the then USA President Bill Clinton, to lead a multi-national force almost expired before the military junta agreed to cede power to the elected president. Of the 6,000 UNMIH troops, about 2,400 were United States of America soldiers.

The Haiti case opened up new areas that the Security Council never threaded. Democratic rule and humanitarian intervention were successfully carried out. China, however abstained from the Haiti resolution. It is also instructive to note herein that before then, the United Nations and indeed the United States never supported interventions to root out military regimes in South America.

3.2.2(h) The Case of Mali

According to Utas and Boas (2014) with the unsuccessful coup in Mali in 2011 and a weakened governmental structure, insurgents, until recently, Tuaregs, and Boas was further worsened with the takeover of activities by Al-Qaeda elements who destroyed ancient mosques, artifacts, tombs and libraries in Timbuktu, Gao and Kidal. These and more, including the introduction of a conservative form of Islam set the invaders against the rest of the world.

Observing the role in the UNSC in the Malian crisis, Devon (2014) pointed out that, the UN Security Council adopted a resolution in 2012 that demanded that armed groups cease Human Rights abuses and Humanitarian violations in Northern Mali, including targets against civilians, sexual violence and recruitment of child soldiers and forced displacements. The resolution was unanimously adopted and the Security Council declared "its readiness to respond to Mali's request for an international military force", while noting the country's requests to the Economic Community of West African States (ECOWAS) for military assistance was considered. It also requested the Secretary-General to immediately provide military and security planners to assist joint ECOWAS and African Union Planning efforts. The Council expressed its grave concern over the consequences of instability in Northern Mali on the region and beyond, the continuing deterioration of the security and humanitarian situations and the increasing entrenchment of terrorist elements, including Al-Qaeda in the Islamic Maghreb. The Resolution is comprehensive as it calls on rebel groups in Mali to sever ties with terrorist elements, it also vowed to impose targeted sanctions while calling on member states to provide coordination and support to regional and international preparation efforts. As Tsuwa (2016) pointed out, this was to include military training and the provision of equipment and other assistance in efforts to combat terrorist and other extremist groups while also providing assistance to Mali's armed and security forces as soon as possible in order to restore the states authority over its entire national territory. It was a paradigm shift in the UN Security Council's efforts to support democratic rule where same is impeded by armed groups. While preparations were being packaged, the insurgents headed for the capital, leading to a spontaneous air campaign by France, in Mali, even as thousands of troops, mostly Africans were mobilized in capitals to support France's effort in the implementation of the UN Security Council resolution. With a robust and strong response, France gave provided the wherewithal to complete liberation of Mali

One need not state that the mission led by the French was and is an embarrassment to Africans and the African Union. That a former colony was, on African soil, in African conflict can deploy troops and provided logistics, is shameful. Without strong resolutions at the UN Security Council, providing the legal basis for intervention and assistance, it would have been impossible for France to assist like it did. It has helped to stabilize Mali, relatively.

Conclusion and Recommendations

It is wont to argue from the above critical appraisal of the efforts of the UNSC in some selected conflicts that the UNSC has had both successes and failures in utilizing its legal foundational provisions in the bid to maintain international peace and security. It has also shown clearly that as in the case in Rwanda that the UN has great challenges in coordination and in getting the permanent members of the UNSC to show interest in the resolution of the conflicts. One conclusion we can deduce as affecting the UNSC today is the increase in the series of conflicts in various continents of the world, with their humanitarian consequences. These problems have been exacerbated by the rise in technological warfare, terrorism and insurgent groups as the cases in Nigeria, Syria, the sectarian crisis in Iraq and other parts of the Middle East, Africa and other parts of the world. This has been given impetus by the actions of non-state criminal actors. It is also the conclusion of this chapter that composition of the UNSC is also a problematic in its ability to achieve its goal of maintaining international peace and security. As a result of the continuous manipulation of the UNSC by the five permanent members which usually do not consider the interest of non-members of the SC has weakened the spirit of many members in contributing towards the success of the UN. Consequently, regional blocks, economic block and states continue to mount pressure for inclusion in the Council. Another conclusion is that many members states of the UN especially those from developing countries' are entangled in the issues of poverty, inequality, hunger, starvation, inequity, injustice, illiteracy, proliferation of small arms and lightly weapons, bad governance, corruption, terrorism, and cybercrime which have continued to destabilize them hence the persistence of conflicts which has constitute high impediments to global peace and security. Based on these findings, it is clear that conflicts today have high level of humanitarian casualties and in many cases, conflicts in the weak states are not promptly responded to by the UNSC due to lack of interest of the permanent members, to this effect, this chapter recommend that the Principle of Responsibility to protect adopted by the World Forum, 2005, must be prioritized, to enable the United Nations, intervene, in conflict situations around the world to curtail human rights and humanitarian violations. This is imperative in a world bristling with fundamentalism, insurgency, mass killings, use of chemical weapons etc. The Security Council of the twenty first century must give a pride of place to all the Principle of Responsibility to protect lives and property. It is also discovered in the work that most member state of the UN feel marginalized due to their exclusion in the SC, as a result, they do not contribute to the effective operation of the UN, to this effect, the work recommends for the expansion of the Security Council cannot be over-emphasized. It is suggested that the Council be increased from 15 members to 21, reflecting only regional and economic power blocs. There will be no doubt that the expansion of the UN Security Council will ease tension on the floor of the General Assembly and indeed, at the United Nations. Decisions taken will no longer be looked at as parochial and against certain vested interests but will be regarded as inclusive as various regions would have been represented on the Council.

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