

INTRODUCTION

SINCE THE end of the Second World War the world community has been largely powerless when confronted with local crises. Internal conflicts have usually been perceived as occurring within sovereign states and therefore not warranting outside intervention. Most of the time serious opportunities to mediate and check crises at an early stage have gone unheeded. Occasionally, when crises have reached important dimensions and affected large populations, hasty and ill-prepared emergency relief operations have been put in place while a few timid attempts at reconciliation have been initiated. Even in most of the recent cases, such as Rwanda, Angola, Mozambique, Liberia, Somalia, Cambodia, Afghanistan, and Bosnia, the international community and the United Nations (UN) have begun to take serious initiatives only when large-scale civil wars have engulfed the countries and human tragedies have become overwhelming.

Most of these internal conflicts result from a number of factors, such as the legacy of colonial times, as, for instance, in border issues; the context of the Cold War, in which corrupt or authoritarian rule was tolerated in the name of confronting communism, on the one hand, or capitalism, on the other; and the failure of many of Third World elites to cope with the political, economic, and sociological challenges of the new era. With the end of the Cold War and the proliferation of new challenges—such as the environment—internal conflicts are bound to continue to erupt worldwide for the foreseeable future. Apart from their impact on the local population, such conflicts might present a serious threat to peace and security in entire regions of the world. Therefore, it is important to explore

ways of checking these internal conflicts before they become unmanageable, before their impact on innocent people becomes unbearable, and before they disrupt regional stability. Early intervention, both political and humanitarian, can save hundreds of thousands of lives and avoid a disaster that might affect a whole generation of people in many ways.

The framers of the UN Charter were keen to offer the international community a document that would provide means for peaceful solutions to all disputes, including conflicts within states that could become a threat to international peace and security. Only in exceptional situations does the charter advocate the use of force, and even then it clearly spells out a number of measures—such as imposing economic sanctions—to be taken first.

Article 33 of the charter, which is central to the whole architecture of the document, reflects the framers' preference for peaceful solutions:

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 own choice.

The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Chapter VIII of the charter, which deals in three long articles with regional arrangements, underlines further that member states should make every effort to achieve peaceful settlement of disputes through regional organizations before referring them to the Security Council. The UN and regional organizations should cooperate to put in place a monitoring system in different regions of the world that can alert UN headquarters to an impending crisis and suggest ways to avert a larger conflict. Preventive action must rely on permanent structures and adequate human resources. Statesmen experienced in brokering peace should be available on short notice to undertake specific mediation operations as special envoys of regional organizations and, when necessary, of the UN.

In addition to the members of the UN, the secretary-general himself is authorized to bring "to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security" (Article 99 of the charter). This authorization has hardly been used by recent secretaries-general. Yet it is clear that by referring to

"any matter" here the drafters of the charter broadened the scope of the secretary-general's mandate to allow him to determine whether and when specific situations warrant the attention of the Security Council and to address such matters to the council. This article implies that the secretary-general is entitled to make the necessary investigations and to assess the means of resolving an issue well before it evolves into a dangerous conflict.

It is my belief that if the international community had intervened earlier and more effectively in Somalia, much of the catastrophe that has unfolded could have been avoided. In theory, there should have been no shortage of actors who could have intervened to mediate the conflicts that engulfed Somalia. Somalia is a member of the League of Arab States, the Organization of African Unity (OAU), and the Islamic Conference. During the Carter and Reagan administrations, Somalia was also a close ally of the United States, receiving hundreds of millions of dollars in American economic and military assistance. Somalia also maintained good relations with the former colonial powers Great Britain and Italy, two important members of the European Community. Finally, Somalia was, of course, a member of the UN. Any one of these actors could have offered its services as a mediator or supported the mediation efforts timidly undertaken at various times. Sadly, none of these nations or institutions, all supposedly friends of Somalia and its people, moved seriously to help the country in its hour of need in a timely and efficient way. When the international community finally did begin to intervene in early 1992, hundreds of thousands of lives had already been lost.

In the following pages I will look at the Somali case, which provides specific examples of how the failure of the international community to intervene in different phases of a crisis can be detrimental and lead to further deterioration. I will examine the relationship between intervention and sovereignty—how there is no basic contradiction between the two if certain precautionary measures are taken—and attempt to assess some of the reasons for the failure of the UN to take adequate and timely action to prevent conflict.