

A UN 'Protection' Force for Palestinians:

Background and Implications

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Brief Analysis

In recent weeks, Arab parties from the Palestinian Authority (PA) to the Arab League summit have called for the dispatch of a United Nations force to the West Bank and Gaza in order to protect Palestinian civilians from Israeli military force. Rather than reject this idea because of its contribution to the internationalization of the Israeli-Palestinian dispute, the U.S. view has been to cite its impracticality, given Israeli opposition. Remarkably, the Israeli government itself seems to be hinting that it may be willing to consider the proposal, especially in the event of a reduction in violence. This is evidenced by recent talks between Israeli and Palestine Liberation Organization (PLO) representatives to the United Nations, reportedly hosted by their Egyptian colleague.

UN Peacekeeping and Monitoring Forces: Conceptual Framework Peacekeeping is not defined in the UN Charter; former UN secretary general Dag Hammarskjöld saw it as falling somewhere between the traditional methods of peaceful resolution of disputes, discussed in Chapter VI of the charter, and military intervention, discussed in Chapter VII. The guiding principle of peacekeeping missions is that an impartial UN presence on the ground can ease tensions and facilitate negotiated solutions to conflicts.

Peacekeeping operations have traditionally involved the deployment of primarily military personnel from a number of countries, under UN command, to help "control and resolve" armed conflict between hostile parties. Although peacekeeping was initially developed as a means of dealing with inter-state conflict, it has increasingly been applied to intra-state conflicts and civil wars. The missions may be divided into three categories:

- 1) Small, unarmed missions of military observers, charged mainly with monitoring and verifying compliance of agreements, as in Kashmir;
- 2) larger forces composed of national contingents of troops that carry out tasks similar to those of the military observers and also serve as a buffer between hostile parties, as in Cyprus;
- 3) a complex operation composed of both military and civilian personnel, mandated to help the creation and strengthening of political institutions, as in East Timor.

Generally, UN missions are lightly armed and use minimum force only in self-defense or when prevented from

carrying out their authorized tasks; they do not constitute a robust military presence. UN peacekeepers usually rely on persuasion and negotiation when one or more of the hostile parties involved fails to live up to their commitments. This being said, the last years have seen the creation of more aggressively armed UN missions with broader mandates, such as the UN operation in Sierra Leone.

Establishing a Peacekeeping Force The first step, usually involving intense diplomatic efforts, is to secure a halt to fighting and gain the consent of the parties. The fifteen-member UN Security Council can then authorize the deployment of a peacekeeping operation and determine its mandate. The decision requires at least nine votes in favor, and is of course subject to a veto by any of the council's five permanent members. There are no hard and fast rules for these missions; each new situation calls for the formulation of guidelines from scratch. The secretary general gives his recommendations as to how the operation should be carried out, and reports to the council on the mission's achievements. Alternatively, the General Assembly may establish a force, as was the case with the United Nations Emergency Forces in the Sinai (see below), but it should be noted that the General Assembly's powers are generally confined to making recommendations.

The Security Council, in contrast to the General Assembly, is empowered to adopt "decisions" which are binding on UN Members, with or without their consent. Such a step, however, usually requires the Security Council to declare the existence of a threat to the peace, breach of the peace, or an act of aggression, in accordance with Article 39 of the UN Charter. Such a situation would probably step outside the bounds of classic peacekeeping and approach military intervention, as described in Chapter VII of the UN Charter.

UN Peacekeeping Operations in the Arab-Israeli Arena Here is an overview of the various peacekeeping forces that have already conducted operations in the Arab-Israeli arena:

UNTSO. The United Nations Truce Supervision Organization (UNTSO) was established in June 1948 by Security Council Resolution 50 to assist the United Nations Mediator and the Truce Commission in supervising the observance of the truce in Palestine. Since then, UNTSO has performed various tasks entrusted to it by the Security Council, including the supervision of the General Armistice Agreements of 1949 and the observation of the ceasefire in the Suez Canal area and the Golan Heights following the 1967 war. At present, UNTSO assists and cooperates with the UN Disengagement Observer Force (UNDOF) and UN International Force in Lebanon (UNIFIL) and maintains a presence in Sinai. Its mission has long been taken over by other peacekeeping forces, but bureaucracies are hard to kill, even when they fulfill no useful function. UNTSO numbers 153 military observers, supported by another 225 international and local civilian staff members.

UNEF I and II. The first United Nations Emergency Force (UNEF I) was established by the General Assembly in November 1956 to supervise the cessation of hostilities in Sinai, including the withdrawal of the armed forces of France, Israel and the United Kingdom from Egyptian territory. UNEF then served as a buffer between the Egyptian and the Israeli forces, and was also supposed to safeguard the passage of Israeli shipping through the Straits of Tiran. The UN forces, numbering 6,703 military personnel, were initially located along the Suez Canal and the Sinai Peninsula, and later along the Armistice Demarcation Line in the Gaza area and on the Egyptian side of the international border in Sinai. On May 18, 1967, Secretary-General U Thant consented to an Egyptian request for the prompt removal of UNEF. Thant's decision was based upon both legal and practical considerations: legally, Thant believed that UNEF could not legitimately remain on Egyptian territory in the face of Egypt's objection; and practically, given that on May 17 and 18 Egyptian units took over a number of UNEF's posts, Thant concluded that the force's "effectiveness as a buffer and as a presence had already vanished." After UNEF's withdrawal, the Gulf of Aqaba was closed to Israeli shipping, which Israel interpreted as proof of the Security Council's fecklessness and unwillingness to keep its commitments. It is important to note that UNEF was the only peacekeeping force created by General Assembly resolution, an option Palestinian representatives have recently raised to circumvent a possible

U.S. veto. But the two cases are not analogous. In 1956, the local parties supported the creation of UNEF, but great power politics blocked it in the Security Council. Today, the situation is reversed.

In October 1973 Security Council resolutions 340 and 341 established a second Emergency Force (UNEF II) to supervise the ceasefire between Egyptian and Israeli forces. UNEF II was dismantled in July 1979, after the signing of the Egypt-Israel Peace Treaty.

UNDOF. The United Nations Disengagement Observer Force (UNDOF) was established in May 1974 by Security Council Resolution 350 to maintain the ceasefire between Israel and Syria, to supervise the disengagement of Israeli and Syrian forces, and to supervise the areas of separation and limitation, as provided in the Syrian-Israeli Agreement on Disengagement. The mandate of the UNDOF has since been renewed every six months. The forces are deployed in the area of separation along the border, which is policed by Syrian authorities, but no military forces other than UNDOF are permitted within this buffer area. UNDOF's current strength is 1,040, assisted by some 80 military observers of UNTSO's Observer Group and international and local civilian staff. UNDOF has operated without incident, but only because Syria and Israel have a strong interest in keeping their border quiet.

UNIFIL. The United Nations International Force in Lebanon (UNIFIL) was established in March 1978 under UNSC resolution 425, in response to a protest submitted by the Lebanese government against the incursion of Israeli forces. The purposes of the force were: 1) To confirm the withdrawal of Israeli forces from southern Lebanon; 2) to restore international peace and security; 3) to assist the government of Lebanon in ensuring the return of its effective authority in the area. The Israeli criticism of the UNIFIL was —and still is — that it does not prevent Palestinian and Lebanese guerrillas from attacking Israeli soldiers and civilians, and therefore does not fulfill its second purpose.

Following the Israeli withdrawal to the international Lebanese-Israeli border this summer, the Security Council accepted the Lebanese government's request to extend the mandate of UNIFIL for a further interim period, until January 31, 2001. UNIFIL troop strength was also increased from the previous level of 4,513 to 5,744, and it has deployed southward but not fully across the length of the border. The experience of the last four months shows that UNIFIL neither prevents Hizballah activities against Israel nor stone-throwing across the frontier. The government of Lebanon has taken the position that, so long as there is no comprehensive peace with Israel, its army will not be deployed along the border. So far, UNIFIL has not managed to persuade the Lebanese authorities to assume their full responsibilities along the Blue Line, and currently Hizballah is effectively in control of this area.

TIPH. Along with the 1,844-member U.S.-led Multilateral Force and Observers (MFO) in the Sinai monitoring the Camp David Treaty, the other non-UN peacekeeping force is the Temporary Presence in Hebron (TIPH). Following the massacre of Palestinian worshippers in the Patriarchs' Cave/Al-Haram al-Ibrahimi by an Israeli settler on February 25, 1994, the Security Council passed resolution 904, which called for "measures to be taken to guarantee the safety and protection of the Palestinian civilian throughout the occupied territory, including, inter alia, a temporary international or foreign presence." Despite this resolution, the TIPH was not based on a UN mandate but instead on an agreement among Israel, the Palestinian Authority, and the three participating European powers (in this first arrangement, Norway, Denmark and Italy). It was comprised of 160 lightly armed observers who arrived in Hebron in May. The TIPH was intended to provide the Palestinian residents of Hebron with a sense of security and to promote stability in the city. This was the first time Israel accepted armed observers in the territories, and when its mandate ran out after a few months, Israel did not agree to extend it.

The September 1995 Oslo II accord envisioned a special role for Hebron and a new TIPH. The agreement on the TIPH was concluded on May 9 1996, and was mandated to "assist in promoting stability and in monitoring and reporting the efforts to maintain normal life in the city of Hebron." The TIPH staff of 60 do not have any military or police functions. It reports to a Joint Hebron Committee comprised of representatives from each side, and periodically

reports to the Monitoring and Steering Committee established in the Interim Agreement. The TIPH mandate was extended every three months until the signing of the TIPH Agreement on January 21, 1997. This agreement increased the number of TIPH personnel to 180, but did not change its mandate. TIPH has generally been viewed as inconsequential, injecting little confidence into the Hebron cauldron.

Conclusion The lessons from past deployments of UN forces are that they are, for the most part, either irrelevant or ineffective. When the going got rough, UNEF backed down and did not protect Israel's right of naval passage through the Straits of Tiran. Even under its limited mandate, UNIFIL never has impeded Hizballah activities in southern Lebanon. In no case has an international force been usefully deployed to achieve a cessation of hostilities. And deployments are usually not short-term operations; the fact that there remain UNTSO observers deployed along Egypt's border with Israel despite the "truce" of 1949 having been superseded by a full peace treaty says much about the bureaucratic tenacity of these institutions.

In the current situation, the details of a potential West Bank/Gaza deployment are extremely problematic and would, in themselves, skew the possible future return to diplomacy. Palestinians reportedly are seeking authorization for an unarmed, mobile 2,000-person force. Obvious questions are: Where would such a force be deployed? Area A? Area B? Area C? Palestinian-claimed Jerusalem? If defined as a "protection force," how would the force interact with the Israeli Defense Forces (IDF)? With Israeli settlers? With Palestinian security forces? Would it substitute for the Palestinian-Israeli security cooperation mandated by the Oslo Accords or interfere with IDF freedom of maneuver in Zones B/C, as authorized under the Oslo accords? And would a force designed to "protect" Palestinians also monitor Palestinian acts of violence (e.g., rock-throwing, shooting, etc.)?

In the larger context, the preeminent lesson of the past is that the key to a "return to normalcy" is not an international force deployed between Palestinians and Israelis. It is the willingness of each side to implement their commitments to each other (and to the U.S. president) to prevent violence. Once that goal is achieved, then a resumption of diplomacy may be possible. However, if the follow-up to a cessation of violence is the deployment of a UN protection force, then the parties may very well have begun the slippery slope toward a wider role for third-parties (the United Nations, the European Union, the Arab League, etc.), which runs the risk of undoing one of the few remaining achievements of the original Oslo accords, the establishment of face-to-face, direct, bilateral negotiations between Israel and the Palestinians.

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