

ARTICLE 19

The focal point of attention at the Nineteenth Session of the General Assembly in 1965 was the question of whether Article 19 would be invoked against the Soviet Union and France. The Soviets alleged that, since the General Assembly cannot make apportionments of peacekeeping binding upon states, Article 19 does not apply to those who refuse to pay such apportionments. Some of the smaller states contended that, since the Assembly had acknowledged that the UNEF and ONUC expenses were "extraordinary expenses", there is no basis for including payments due for such emergency operations with unpaid contributions to the regular budget. Accordingly, they have also argued that Article 19 is not applicable.

In practice, the General Assembly failed to apply Article 19 to the Soviet Union and France. However, two essential points of consensus were reached, they were:

- The financial difficulties of the Organization should be solved through voluntary contributions to be made by the Member States, with the advanced countries making substantial contributions.
- The financing of peacekeeping should be carried out in conformity with the Charter, and the General Assembly and the Security Council should co-operate in this respect.

Various methods of financing United Nations peacekeeping operations have been devised as the needs have arisen. In the case of ONUC, a differential financing arrangement was created. The majority of the more advanced states accepted and paid at a higher rate of assessment and made voluntary contributions over and above their apportionments. In addition, concessions were made in favour of the developing countries in the form of rebates. However, these arrangements do not obscure the fact that some of the Members have continued to oppose apportionments and refuse to pay their share of the costs.

In the case of the UNTEA and the UNIPOM, the costs were borne by the parties to the conflict. When UNFICYP was authorized it was apparent that the costs would exceed what Cyprus, Greece and Turkey would pay. When interested states pledged enough to cover the expenses for the first three months of operations the Force was established. It has continued to be financed by voluntary contributions. Yet, persistent financial difficulties caused by insufficient funding of UNFICYP threatened its disbandment on a number of occasions.

The financing of the "police action" in Korea was made possible through bilateral arrangements with those states which participated in UNCK. Constitutional difficulties prevented financing this mission through the regular budget of the Organization. In practice, the United States bore most of the expenses.

Currently, there is general agreement on a financing formula with a scheduled rate of assessment of Member States. Nations are assessed according to their level of economic development, with the more developed nations shouldering a larger share of the costs of the operation. The total appropriation for peacekeeping operations supported by assessed contributions presently amounts to \$200 million per annum. Voluntary contributions to support and augment operations

currently amounts to some \$30 million. Nonetheless, UN peacekeeping efforts are marked by increasing indebtedness. Today, 68 percent of the overall deficit of the Organization is due to peacekeeping operations.

The combined effect of the failure of some Member States to pay their contributions on time and the deliberate withholding of assessed contributions by other states has impaired the ability of the United Nations to reimburse those Member States contributing troops for peacekeeping operations. The result is that the troop contributing countries bear the real burden of the withheld contributions.

CONDITIONS NECESSARY FOR SUCCESSFUL PEACEKEEPING OPERATIONS

The term "peacekeeping" has acquired connotations that apply to a wide variety of methods of handling conflicts. While the United Nations has never formulated a precise definition of peacekeeping, nonetheless, there is one used by the International Peace Academy which helps to train UN peacekeeping personnel. It defines international peacekeeping as follows:

the prevention, containment, moderation and termination of hostilities between or within states, through the medium of a peaceful third party intervention organized and directed internationally, using multinational forces of soldiers, police and civilians.

With the exception of the Korean War (1950-1953), the United Nations peacekeeping operations have been based upon two fundamental principles:

- that they take place with either the consent or at the request of the states concerned,
- that force is not used to obtain an end to the fighting or maintain law and order.

One must keep in mind the function of peacekeeping when considering the conditions necessary for its effective implementation. Peacekeeping is not the culmination of conflict, but it is the use of nonenforcement military measures to facilitate a continuation of the process of peaceful resolution.

Most importantly, enforcement plays no part in UN peacekeeping which is a concept of peaceful action. The "weapons" of negotiation, mediation, patience and quiet diplomacy are used by the United Nations peacekeeper, not persuasion by force.

Consensus, co-operation and voluntary agreements form the cornerstone of the United Nations approach to peacekeeping. This has developed from a measure to ease the decolonization process to a device for maintaining the delicate balance of international peace when it is threatened by a regional conflict in which the great powers are likely to become involved. This role of an impartial and objective third party to ensure a cease-fire and de-escalate tensions is the primary concern of the UN peacekeeper.

A fundamental requirement of a peacekeeping operation is **shared agreement** among all participants. These participants include the Security Council, countries or parties principally concerned in the conflict, and the states contributing personnel to the peacekeeping effort. It is very difficult to sustain an effective peacekeeping mission if a consensus is absent.