

UNITED NATIONS EMERGENCY FORCE-II

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## Preface

The subject of this dissertation is a case-study of the United Nations Emergency Force II in the Middle East from 1973, when it was first established to 1979 when it was withdrawn, by the Security Council. The study has been divided into four Chapters. In the introductory Chapter a historical background to the establishment of the UNEF II has been given - a brief history of the UN role in the Middle East since 1948 to 1973 has been traced before enumerating the special circumstances in which the 1973 Arab-Israeli war began and ended by the setting up of the second UNEF. The second Chapter deals with <sup>the</sup> mandate, composition and financing of UNEF II. In this the Status of UNEF II as an international force has been discussed, and the principles regarding withdrawal of the force have also been briefly mentioned. In the concluding portion of this chapter the functions of the Force in its 3 main phases and the attitude of the major powers vis-a-vis UNEF II have been critically examined. The third Chapter begins with the UN efforts to solve the Middle East problem, and a critical analysis of the Camp David Accords followed by a brief sketch on the special circumstances that led to the withdrawal of the UNEF II. The last part of this Chapter is devoted to a discussion on the future of peace keeping in the Middle East. The fourth and final Chapter of the dissertation is an indepth evaluation of UNEF II - the

main focus has been to find out<sup>in</sup> what ways it has either been innovatory or a mere link in continuity in international peacekeeping. The study concludes with an examination of the role of UN peacekeeping in the present day world and discussion on the ways and means by which its efficiency can be improved.

I am extremely grateful to Professor M.S Rajan, my supervisor and guide for his helpful comments and appropriate suggestions which enabled me to improve in many places the quality of my work. The present study was mainly carried out in the Libraries of Jawaharlal Nehru University, Indian Council of World Affairs (Sapru House) and the United Nations Information Centre, New Delhi. I acknowledge with thanks the cooperation and assistance of the staff of these institutions. Thanks are also due to Mr Dawarka Jagdish who has worked hard to complete the task of typing the dissertation.

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Chapter I

INTRODUCTION : BACKGROUND TO  
THE ESTABLISHMENT OF UNEF-II

Chapter IINTRODUCTION : BACKGROUND TO THE ESTABLISHMENT OF  
UNEF - II

THE establishment of ~~the~~<sup>a</sup> United Nations Peace Keeping Force (UNEF-II) after a lapse of ten years (the last was the United Nations Force in Cyprus in 1964), in October 1973 provided the United Nations with a fresh opportunity to examine the pros and cons of peace-keeping as an instrument for the maintenance of peace. A study of the history of UN peace-keeping will reveal its essentially ad hoc and improvising nature and it is in this context that the role of UNEF-II needs to be studied. In what ways has it either been innovatory or a mere link in continuity in international peace-keeping? Its political significance lies in the fact that though it owes its institution partly to the initiatives of the non-permanent members of the Security Council, it was also the result of the first-ever Super Power collaboration in submitting a resolution on peace-keeping in the Security Council.

It may be relevant here to trace briefly the history of UN role in the Middle East since 1948 when fighting first broke out between the Arabs and the Israelis, till the circumstances leading to the establishment of UNEF-II in 1973. For more than three decades, the United Nations has been involved in the affairs of the Middle East. Following the termination

of the British mandate over Palestine, adoption of the Palestine partition plan by the General Assembly in 1947, and the subsequent proclamation of the state of Israel by the Jewish Agency in 1948, hostilities broke out between Israel on the one side and the Arab states and Palestinians on the other. The fighting ended by a truce called for by the Security Council and supervised by the United Nations -- Truce Supervision Organization (UNTSO). Armistice Agreements were signed in 1949 by Israel and four Arab countries -- Egypt, Jordan, Lebanon and Syria -- following negotiations carried out with a United Nations Mediator. In the supervision of the application and observance of the terms of the Agreements, UNTSO was to assist the parties to the Armistice Agreements through the Mixed Armistice Commissions.

The Suez Crisis of 1956, which had been brought about by the military intervention of France and UK against Egypt, joined by Israel, was resolved by an agreement on the withdrawal of Israeli, British and French troops from Egyptian soil and the establishment of a United Nations Emergency Force (UNEF) to maintain the peace in the area. The United Nations also helped to clear the Suez Canal blocked as a result of the hostilities. UNEF-I, set up by a General Assembly resolution, was posted entirely on the Egyptian side of the border with Israel and with the consent of the

former government. It was withdrawn in May 1967, at the request of the Egyptian government which informed the Secretary-General that it would no longer consent to the stationing of the peace force on its territory, and in Gaza.

Fighting broke out again between the Israelis and the Arabs in 1967 and the Security Council on 6 June called upon the governments concerned to take all measures for an immediate cease-fire. When hostilities ended on 16th June, Israel had already occupied Sinai and the Gaza strip, the West Bank of the Jordan including East Jerusalem, and part of the Golan Heights. The Secretary-General, acting on the decision of the Security Council, subsequently stationed United Nations military observers in the Israel/Syria and Suez Canal sectors to observe the cease-fire.

The Security Council in its resolution 242 of 22 November 1967, unanimously decided on a plan for a lasting peace settlement. The key provisions of this resolution were: withdrawal of Israeli forces from occupied areas, an end to the state of belligerency, and respect for the right of all states in the area to peaceful existence within secure and recognized boundaries. The Council also affirmed the need to guarantee free navigation through international waterways, settle the refugee problem justly and guarantee the territorial inviolability and political independence of every state



in the area through certain measures, including the establishment of demilitarized zones.

At the Council's request, the Secretary-General designated a Special Representative to the Middle East to promote agreement among the states concerned for a peaceful and acceptable settlement within the framework of this resolution. Despite the Special Representative's efforts, the differing views of the parties on the basic issues precluded any significant progress.

War broke out again in the Middle East in October 1973 with Arab forces engaged in battle with Israel on the Egyptian and Syrian fronts.<sup>1</sup> When the fighting started, the only UN presence in the area was the thinly-spread-out observer posts of the UNTSO. The members of the UNTSO on both the Egypt-Israel and Israel-Syria fronts were soon engulfed in the war and overrun by the Egyptian and Syrian armies. Only after the fighting halted three weeks later were they allowed to return to their posts.

The war raged for three weeks, during which Israel, caught unprepared initially, was first in the defensive, but recovered quickly enough to mount a counter-offensive in order to contain sufficiently the Egyptian and Syrian

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1 A detailed account of the 1973 war and the events leading to the establishment of UNEF-II may be found in Indarjit Rikhye, et. al., The Thin Blue Line: International Peace-Keeping and its Future, (New Haven, 1974), pp. 309-39.

armies. In the north, where the Syrians had been making serious inroads into Israeli territory, the Israeli army concentrated in drawing off the Syrians from the Golan Heights and eventually dislodging them from the whole of Mt. Hermon.

Israel turned next to the Egyptian army which had crossed the Suez Canal and advanced a few miles into the Sinai. On 14 October, one of the biggest tank battles in the history of armoured warfare was fought between the Gidi Pass and the Little Bitter Lake. The Israelis inflicted a crushing defeat on the Egyptians in what was to be a turning-point of the war. Israelis, thereafter established a firm foothold on the Canal and by the time the cease-fire was ordered, they had practically cut off Egypt's Third Army on the east of Suez.

The Security Council met on 7 October 1973 to discuss the Middle East situation. This was the beginning of a series of meetings that the Council held on the Middle East during the following two weeks, but nothing concrete emerged, mainly due to Great Power disagreement on vital issues. However, the deadlock was finally resolved by the Super Powers themselves and a cease-fire was brought about.

This was probably the first time when the United Nations was made to take a decision in a conflict-situation under the impact of a Super Power detente. The degree of the detente would be obvious if we take into

account the fact that the proposed resolution had the full support of the belligerents. The war had reached a stage where containment of the hostilities was in everybody's interest. The Super Powers were finding it difficult to avoid direct involvement. The military situation was such that neither Israel nor any of the Arab countries could afford a war of attrition. Both sides were equally eager to settle for "an honourable settlement" embodying a face saving device. On the other side, neither of the Super Powers was in a position to influence events on their own in the Middle East. The United States was yet to gain a foothold of influence among the Arabs and the Soviet Union had absolutely no leverage with Israel.

The Super Powers could not, therefore, enforce a unilateral settlement of their own liking in the Middle East. But jointly, and with the active consent of the parties in war, they could arrange for a cease-fire and create the necessary atmosphere for a negotiated settlement.

The military situation that emerged was also such that the belligerents had no alternative but to accept a cease fire. Although Israel had occupied vast chunks of Arab territory, it was not confident of its ability to hold them for long. It would, however, be in a bargaining position and could use its gains in a negotiated settlement after a cease-fire took effect. Egypt was in a humiliating position after having suffered

terrible losses. Its Third Army on the east bank of Suez was held by the Israeli forces and it was not in a position to provide even the barest essentials to its beleaguered forces.<sup>2</sup> Therefore, Egypt's need for a cease-fire was even more desperate.

On 21 October, a cease-fire resolution was jointly presented by the United States and the Soviet Union before the Security Council,<sup>1</sup> calling for a cease-fire,<sup>4</sup> "no later than twelve hours after the moment of the adoption of this decision", and that "immediately and concurrently with the cease-fire,<sup>4</sup> negotiations under appropriate auspices aimed at establishing a just and durable peace,<sup>4</sup> in the Middle East".<sup>3</sup> The resolution was adopted unanimously,<sup>4</sup> the only abstention was that of China -- a position it maintained in subsequent votings on the issue.

This was the first time in the history of the United Nations that the United States and the Soviet Union combined to initiate a peace formula in a conflict-situation.<sup>4</sup> Needless to say, this collaboration was born

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2 UNEF personnel and vehicles carrying essential supplies were permitted to pass through the Israeli check posts to the besieged Suez town and to the Egyptian army. Meanwhile,<sup>4</sup> according to the broad terms of the Kissinger settlement signed by Egypt and Israel, UNEF check posts replaced the Israeli ones, unhindered non-military supplies to Suez City and the entrapped Egyptian army in the Sinai were resumed and exchange of prisoners of war between Egypt and Israel effected, under UN auspices. Text of the agreement in the Report of the Secretary-General, S/11056/Addl., 11 November 1973

3 Security Council Resolution S/Res/338,<sup>4</sup> 21 October 1973

of a serious desire on the part of both to avoid direct confrontation, which would have gradually become unavoidable if the war had continued indefinitely. It is in this context that Super Power relations become important in the functioning of world institutions -- they provide the necessary backdrop to their success or failure. The thaw in the Cold War and the continued interest of the Super Powers in preserving the gains of detente led to their subsequent collaboration in the United Nations and working for a lasting peace in the Middle East through a negotiated settlement. Another significant point to be noted is the re-assertion of authority by the Security Council, constitutionally granted the primary responsibility of maintaining international peace and security by the UN Charter, but which had been partly eclipsed by the General Assembly initiatives in this direction over the past few years.

The first cease-fire resolution was followed on 23 October, by a second, also jointly sponsored by the two Super Powers which, besides confirming the first resolution, requested the Secretary General to arrange for the immediate despatch of UN observers to supervise the cease-fire arrangements on the Egypt-Israeli sector.<sup>4</sup>

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4 Security Council Resn. S/Res/339, 23 October 1973.

Despite the acceptance of Resolution 338 by both the belligerents, repeated violations of cease-fire were reported to UN Headquarters. This led to Resolution 339 and an attempt to reactivate UN observer presence in the troubled zone. The observers found it extremely difficult to function again, since the cease-fire had almost completely collapsed, with the Israelis making arbitrary advances on the West Bank of the Suez Canal. Egypt in desperation turned to the Super Powers to provide a peace-keeping force to supervise the cease-fire but the United States declined to oblige. The initiative was now taken up by the non-permanent members (mainly non-aligned) and Resolution 340 of 25 October was the outcome. The Resolution sponsored by Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan and Yugoslavia, called for an immediate cease-fire and a return to the positions occupied by the belligerents prior to 22 October.<sup>5</sup> The resolution also called for the institution of a second UNEF and received unanimous approval of the Council, China abstaining, as before, from the voting.

In this connexion, the position of China vis-a-vis the establishment of UNEF II may be examined. The Middle East Crisis of 1973 was the first issue on which China's attitude towards peace-keeping was called in question since its representation in the United Nations

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5 Security Council Resn. S/Res/340,  
25 October 1973

in 1971. China openly sided with the Arab cause and since Israel was making rapid territorial gains, China was equally anxious to bring an end to the conflict which was weighing heavily against the Arabs. The Chinese head of delegation at the United Nations stated quite clearly and unambiguously that the proposed UNEF-II was merely a veiled attempt to occupy Arab lands and hence as much to China's dislike as all previous UN intervention. But keeping in view the earnest requests of its Arab allies, China would not veto it.<sup>6</sup> China followed this self-imposed convention of not supporting the UNEF at subsequent meetings of the Security Council.

The Security Council met on 26 June to consider what action had been taken by the Secretary-General in accordance with the directions given to him under Resolution 340, towards the establishment of a peace-keeping force. The Secretary-General in his report set down the terms of reference of the force which would bear the title of its Middle East predecessor "UNEF".

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6 1750th Security Council meeting of  
25 October 1973.

Chapter II

THE MANDATE, COMPOSITION AND  
FINANCING OF UNEF - II



## THE MANDATE, COMPOSITION AND FINANCING OF UNEF-II

THE establishment of UNEF-II within three weeks of the fourth Arab-Israeli War, once again proved <sup>the</sup> potentiality of the UN peace-keeping machinery to deal rapidly with crisis situations. Years of experience came quite handy, but it was soon realized that the mounting of this latest peace-keeping force would follow once again an ad hoc improvization. Besides, old precedents do not always suit particular exigencies. The need for the UNEF rested on well-established foundations -- there was a far reaching consensus among the Security Council members to put an end to hostilities, provide humanitarian assistance to the beleaguered Egyptian army, hasten the disengagement of the warring forces and continue efforts towards building a base for a long term negotiated settlement in the Middle East.

Secretary-General Kurt Waldheim laid down as below the terms of reference of what was to be UNEF-II:<sup>7</sup>

a) To use its best efforts to prevent a recurrence of the fighting and to cooperate with the International Red Cross in its humanitarian tasks.

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7 Progress Report of the Secretary-General on establishment and functioning of UNEF-II, UN Year Book 1973, (New York), vol. 27, pp. 203-4.

b) Supervision of the complete implementation of the cease-fire and the return of the parties to their respective positions prior to 23 October 1973.<sup>1</sup>

c) To receive the cooperation of UNTSO Observers in the fulfilment of its tasks.

Certain essential guidelines on which the peace force was to be based were also elaborated by the Secretary-General:<sup>8</sup>

i) The UNEF must enjoy freedom-of-movement, communications, and other facilities necessary to the performance of its tasks.

ii) The members of the force should be granted all the relevant privileges and immunities provided for by the Convention of the Privileges and Immunities of the United Nations.

iii) It should operate at all times separately from the armed forces of the parties concerned, that is, separate living quarters, and wherever feasible, buffer zones should be arranged in agreement with the parties. Appropriate status-of-force agreements should be concluded with both parties.

iv) Its composition will be agreed upon in consultation with the Security Council and the parties concerned, bearing in mind equitable geographical representation.

v) It is to be armed with defensive weapons

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8 Rikhye, n.1, pp. 317-19.

only.<sup>9</sup> No force will be used except in self-defence. Self-defence to include resistance to attempts by forceful means to prevent the UNEF from discharging its duties under the Security Council mandate. The UNEF is to proceed on the assumption that both parties will take all steps for compliance with the Security Council decisions.

vi) In performing its functions, it will act with complete impartiality and will avoid actions that could prejudice the rights, claims, or positions of the parties which in no way affects implementation of the operative paragraphs of Security Council Resolution 339 and 340.<sup>10</sup>

The Security Council vested the overall command and direction of the UNEF in the Secretary-General. Field command was to be exercised by a Force Commander appointed by the Secretary-General, with the approval of the Security Council. The Commander would be responsible solely to him. The Council was to be kept fully informed of the latest developments regarding the functioning of the Force by the Secretary General. It was also his duty to refer to

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 9 This amounted to the use of small arms and personal weapons only. No armed cars or helicopters were to be used.

10 Respn. 339: "Confirms its [Security Council] on an immediate cessation of all kinds of firing and of all military action, and wishes that the forces of the two sides be returned to the positions occupied at the moment the cease-fire became effective.  
 Resn. 340: "Demands that immediate and complete ~~cease-fire~~ be observed and that the parties return to the positions occupied by them at 1650 hours GMT on 22 October 1973."

the Council for its decision, any matter pertaining to the nature and effectiveness of the force. While the UNEF-II was from a legal point of view, the creation of the Security Council, the major single contribution to the creation and direction of the Force was made by the Secretary General. By Respn. 340, the Security Council delegated the primary responsibility of establishing the Force to the Secretary General. It was he who set down the terms of reference of the Force. The Security Council delegated its powers and responsibilities in the administrative and executive spheres to the Secretary General, contenting itself, when need arose, with approving his actions and extending the mandate of the Force. It was the Secretary-General who concluded agreements with States and other authorities regarding the composition of the Force. The authority given to the Force Commander was to be exercised in consultation with the Secretary-General. The Commander could issue command orders, but these were to be subject to review by the Secretary-General. The Commander was to be primarily responsible for the day-to-day administration of the Force.

A significant point that emerges from all this is that, inspite of endless debates in the Special Committee on Peace-Keeping Operations regarding authorization and control of peace-keeping forces, the issue was settled in favour of the ideas and views of the Secretary-General, as in the past. This may well lead to the setting up of recognized precedents in this matter to be followed in future peace-keeping operations.

The Secretary-General's report contained some other proposals regarding the composition, direction, financing and mandate of the Force. They are listed below:<sup>11</sup>

#### COMPOSITION

Major-General E. Siilasvuo (Finland),<sup>1</sup> who was then functioning as Chief of the UNTSO was to be appointed as the Interim Commander of UNEF-II. The total required strength of UNEF was estimated to be around 7000,<sup>2</sup> whose headquarters staff was to come initially from the UNTSO. The initial period of the mandate for the UNEF would be six months, to be extended, if necessary, by the Security Council. The cost of maintaining this force for the initial six-month period was estimated at US \$ 30 million. This cost should be considered as "expenses of the United Nations",<sup>3</sup> to be borne by members in accordance with Article 17 (2) of the UN Charter. In view of the urgency to send a peace force as soon as possible to the battle area,<sup>4</sup> the Secretary-General proposed to draw upon the Austrian,<sup>5</sup> Finnish and Swedish contingents of the UNFICYP,<sup>6</sup> subject to the approval of the respective governments. Negotiations would simultaneously start with other governments for the provision of contingents and logistic support, including those countries which were members of the Security Council. A resolution giving effect to these proposals was adopted by the Security Council.<sup>12</sup>

11 See n.7,<sup>1</sup> pp.203-4

12 Security Council Resn. SC/Res/341,<sup>2</sup> 27 October 1973.

## FINANCE

Some significant points emerge from the creation of UNEF-II -- old debates regarding "authorization and financing" become redundant in the face of emergency, and the principle of collective responsibility for financing was accepted. On 11 December 1973, the General Assembly adopted resolution 3101 (XXVIII) dealing with the financing of the UNEF-II established pursuant to Security Council Resolution 340 (1973) of 25 October. The resolution was adopted by a recorded vote of 108 to 3, with 1 abstention, on the recommendations of the Assembly's Fifth (Administrative and Budgetary) Committee. For its considerations of this question, the Fifth Committee had before it a report of the Secretary-General in which he submitted for approval budget estimates totalling \$ 30 million for the organization, operation and maintenance of a force of 7000 officers and men for a period of six months, beginning on 25 October 1973. In its related report the Advisory Committee concluded that ~~for~~ providing for the expenses of the Force in a special account had several advantages over providing for them in the UN regular budget. It suggested that an effort be made to invite in addition voluntary contributions, in cash or in kind, to help defray the costs of the Force and considered early payment of contributions essential.

At the outset of the discussion in the Fifth Committee, a draft resolution was introduced on behalf

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of 37 countries. When he introduced <sup>the</sup> 37 power text in the Fifth Committee, the representative of Brazil said that it was based on the principle of collective responsibility of member states in sharing the costs of the Force -- as recognized by the General Assembly resolution of 27 June 1963 and complied fully with the decision [341 (1973)] of 27 October 1973 of the Security Council, when it decided to establish the Force, that the costs of UNEF-II should be considered as expenses of the United Nations borne by the member states in accordance with Article 17 paragraph 2, of the UN Charter. The proposal was inspired by past decisions of the Assembly to the effect that any peace-keeping operation involving heavy expenditure should be financed through a procedure different from that which applied <sup>to</sup> the regular budget of the United Nations, and it followed the guidelines embodied in the stand previously taken by the Assembly on the question of financing peace-keeping operations. In setting up the four categories of countries and in calculating the amounts to be shared by them, the Brazilian representative said, the sponsors had borne in mind, among other things, past experience of the Assembly in dealing with similar issues and elements of judgement derived from political and economic considerations.

The Fifth Committee approved this resolution on 23 November 1973 by a recorded vote of 105 to 2, with 4 abstentions, it was subsequently adopted by the General Assembly.

In the aforementioned resolution, the Assembly among other things also took into account the fact that the economically more developed countries were in a position to make relatively larger contribution and that the permanent members of the Security Council had a special responsibility in the financing of such operations.

General Assembly Resolution 3101 (XXVIII) laid down four categories of contributing members for the purpose of apportionment of expenses of UNEF-II: (i) Five permanent members to pay more than three-fifths of the cost of \$ 30 million, i.e. \$ 18,945,000 on the scale of assessments for the year 1974-75; (ii) approximately one-third (\$ 10,434,000) to be paid by economically developed countries; (iii) \$ 606,000 to be contributed by developing countries; and; (iv) a nominal amount of Rs.15,000 would come from the least developed countries. The resolution also invited voluntary contributions. China consistently refused either to contribute or to participate in the voting of the resolution. A significant point to be noted here is that ~~the~~ France and the Soviet Union, for the first time since the 1965 "financial crisis", agreed to bear a part of the costs. The Secretary-General in his progress report (1974) on the functioning of UNEF-II stated: with regard to the financial aspects, that in the course of consultations on the question of reimbursement, the troop contributing countries had put forward an agreed proposal for reimbursement. The Peruvian text was approved by the



Fifth Committee on 29 November 1974 by 81 votes to <sup>19</sup>2, with 8 abstentions, and endorsed in a plenary meeting of the General Assembly on the same date by 91 votes to 3, with 10 abstentions. Thus the Assembly decided:

(a) that the rate of payment to troop contributing countries for pay and allowances for their troops serving in UNEF and UNDOF should be standardized, and that with effect from 25 October 1973, these payments were to be established at the rate of \$ 5000 per man per month, and

(b) to establish at the standard rate of \$ 150 per man-month a supplementary payment for a limited number of specialists serving with various Force contingents, on the understanding that this payment was to be limited to a maximum of 25 per cent for the logistic contingents and to 10 per cent for other contingents of their actual total strength and that the rates of payment were to be subject to review by the Assembly.

The financial arrangement was remarkable in the sense that, for the first time, all major Powers (excepting China) accepted the cost of peace-keeping as falling under Article 17 (2) of the Charter. Both Super Powers agreed to share partly the cost of the Emergency Force, estimated at \$ 30 million for the initial period of six months. It was to be considered "as expenses to be borne by the members as apportioned by the General Assembly". Though the force was set up by a Security Council mandate, the financial arrangements were finalized by a General Assembly resolution. It is, however, interesting to note

that the Soviet Union made it quite clear that these arrangements were of an ad hoc nature, so that they need not be considered as precedents for future operations.

#### WITHDRAWAL

UNEF-II is credited with many "firsts" -- it was the first peace force to include a contingent from a socialist country (Poland) and it was also the first time Israel had agreed to the interpositioning of a UN peace-keeping force. Its main task was to provide<sup>a</sup> political environment for the suspension of violence and building up efforts towards a negotiated peace. The UNEF-II discharged the same functions as the earlier peace-keeping forces -- it was a non-belligerent, impartial force functioning with the consent of the parties involved in the conflict. The terms of reference of the force deserve to be emphasized. First, though the UNEF-II had been stationed in the scene of conflict with the consent of Egypt, neither the Security Council, in the mandate of the force, nor the Secretary-General in his report, does anywhere mention the word "consent". This is noteworthy because in previous mandates for peace-keeping forces, there was an explicit mention of the consent of the state (states) for the location of these forces. On the other hand, in the case of UNEF-II, it has been stated that the UN force "must operate with full cooperation of the parties concerned."<sup>13</sup>

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13 Report of the Secretary-General (S/11052/Rev.1) approved by the Council in its Resn. 341.

The Secretary-General in his report stated clearly that "all matters which may affect the nature or the continued effective functioning will be referred to the Council for its decision...." The implications are obvious. Although UNEF-II is located within Egyptian territory with its implicit consent, and is stationed there under the authority of the Security Council, the Secretary-General did not have the authority to take any decision himself pertaining to the continuance or otherwise of the UN Force. This means that withdrawal can be effective only when the Security Council so desires. Thus, the experience of UNEF-II added a new dimension to the issue of withdrawal which has been placed in such a chain of restraints as to permit more time to set in motion political factors at work to find a way out, and to prevent, if possible, any repetition of the events of May 1967. It will also seem to imply that when once a UN presence is accepted, or acquiesced in, by a member state, that state cannot unilaterally demand its removal; and that only the UN agency establishing it can take that action.

#### STATUS OF UNEF-II AS AN INTERNATIONAL FORCE

The status of UNEF-II as a United Nations international force is reflected in the fact that it represented neither the interests of the national states contributing members to it, nor one which could be used as an instrument of its policies by the host state. This principle is reflected through-out in the Status of Force



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Agreements and the Regulations of the Force, both of which documents were accepted by the participating states. The Force was to be a subsidiary organ of the United Nations, in particular of the Security Council. The ultimate strategic and political control of the Force was vested in the Security Council which had the ultimate power of dissolution of the Force. So long as their contingents remained under UN command, the powers of the participating states in respect of that force were limited. As was the case in previous peace-keeping operations, the contingent contributing states had no say in the political or strategic direction of the operation of UNEF-II, nor in the command of their troops in the field. The contingents were to take orders from the Security Council which were channelled via the Secretary-General and the chain of command. The powers of the states were confined to the sphere of personnel matters. The recruitment of members of their contingents was in their hands; they could place regular units of their armies or special voluntary units at the disposal of the United Nations. They had the freedom to withdraw particular units or replace the commander of their units in consultation with the commander of UNEF-II.

Each UN peace-keeping function is an independent operation performing the specified task granted to it by an ad hoc mandate. UNEF-II was the first force which had its roots elsewhere in another operation, a rather

unusual affair. Needless to say, the Austrian, Finnish and Swedish contingents of the UN force in Cyprus were least prepared for this rapid switchover from a quiet passive role in Cyprus to active peace-keeping in a hot war situation in the Middle East. To move from one scene of operation to another with a complex change of roles requires great effort and skill -- qualities, amply demonstrated by UNFICYP in mounting UNEF-II successfully and in the shortest possible time in the scene of conflict. With the arrival of the Austrians at Cairo Airport on 26 October, UNEF-II was officially established. General Siilasvuo assumed command at once. At the same time, the Secretary-General was continuing his efforts to bring UNEF-II upto the requisite strength of 7000 with the appropriate geographical representation. Austria, Finland and Sweden were asked to provide additional forces sufficient to bring their contingents to a working battalion strength. Ireland agreed to supply a contingent. Many other states approached by the Secretary-General also agreed to provide contingents -- namely, Canada, Ghana, Indonesia, Nepal, Panama, Peru and Poland. It was also agreed at an informal meeting of the Security Council that at least three African States should be included in the force to ensure a more broad based, geographical representation. Kenya and Senegal were both approached, and they readily agreed to supply men for the force. On 1 December, after additional contingents had arrived,

UNEF-II's strength, excluding headquarters personnel was 3174, including forces from Austria, Canada, Finland, Ireland, Peru, Poland and Sweden, Indonesia and Panama. A few months later, when the disengagement agreement was signed on 18 January 1974, it was nearly 5,500. In addition UNTSO had 296 Observers deployed, 112 on the Canal and 124 on the Golan Heights.

#### LOGISTICS OF UNEF-II

The efficient performance of a force depends vastly upon an equally efficient logistic support which must be activated as soon as possible after the establishment of the force. UNEF-II had to establish its own logistic system. The Secretary-General had initially allocated that responsibility on Canada, which had readily agreed. However, the establishment of the System was delayed by the Soviet bloc's insistence that the responsibility should not rest on a Western blockcountry alone, but should be shared with a Socialist bloc country, namely Poland. The Soviet Union's suggestion was carried out, but not before considerable delay in the establishment of the logistic base and the flow of supplies to the contingents on the ground. In the Security Council's meeting on 2 November, the division of responsibility between Canada and Poland regarding logistic support was sorted out by discussions between these two countries. To begin with, Canada was to provide the signal communications and Poland an engineer unit. The logistic base would consist

of a road transport unit including a maintenance unit from Poland and a composite service unit consisting of a supply company, an aviation unit, a maintenance company, a movement control unit and a postal detachment, all provided by Canada. Poland later undertook to provide a mine clearance unit and a 100 bed hospital. This entire system would be under the direction and control of a Chief Logistics Officer, who in the first instance, would come from Canada. He would be vested with command of the whole base, but be responsible to the Force Commander. The manning of the base would be relative to the commitment as divided between the two countries, though the units of each would be administered by their respective contingent headquarters.

The manner of setting up the whole logistic system has often been criticised, since a division of responsibility led to unnecessary delay in the starting of <sup>the</sup> logistic base.<sup>14</sup> The experience of the UN force in Cyprus amply demonstrated the advantages in economy and effectiveness that result from a single country taking the responsibility of providing logistic support to a peace force. Another hurdle was Israel's refusal to allow any Polish soldiers into Israeli-controlled areas when the Poles first assumed responsibility under the Memorandum of Understanding.<sup>15</sup> This denial of freedom of movement to members of the UN force runs contrary to

14 For details see Rikhye, n.1, pp.324-28

15 United Nations Document, Annexure to S/11056/Add.6, 21 November 1973

the Status of Force agreement that lists the rights of UN forces and its members. Previously, it had been the norm that in accepting a peace-keeping force, a country automatically accepted its freedom of movement without any discrimination. By violating this norm, Israel had set a bad departure, which it is only to be hoped will not be followed in future practice. However, in spite of these difficulties once the logistic system was set in motion, the organization proceeded with admirable speed and precision.

#### FUNCT IONS

Ever since its inception in October 1973, till ~~its~~ termination in 1979, the functions of UNEF-II passed through three main phases. First, as an interposing force and observation element between the Egyptian and Israeli forces, later in controlling the separation and disengagement process, and since that time in manning the zones of disengagement and inspecting the norms of limited armaments and forces.

The arrival of the UNEF-II to <sup>the</sup> battle zone did not immediately put an end to the fighting or to the cease~~less~~ ~~fire~~ efforts of the Israelis to improve their positions on the West Bank of the Canal. The Force's initial activities, the Secretary-General also reported had taken place in areas of actual confrontation and had involved supervision of the cease-fire in cooperation with UNTSO observers. On 27/28 October, on the Cairo-Suez Road, the



first meeting of high level military representatives of Egypt and Israel was held in the presence of UNEF-II officers, to discuss the observance of the cease-fire and humanitarian questions. On 29 October, an agreement was reached with Israel for the stationing of UNEF-II troops on the East Bank within Israeli-held territory,<sup>15</sup> but all efforts to pressurize Israel to withdraw<sup>16</sup> the pre-22 October position failed to succeed. The cease fire was really precarious and was feared to collapse any time,<sup>1</sup> unless some other political measure was taken to prevent it. In a series of meetings between Egyptian and Israeli military representatives between 29 October and 3 November, the question of a return to the 22 October position as well as a mutual disengagement and the establishment of a UNEF buffer zone, were extensively discussed. The tangible result of these meetings was the agreement signed between Egypt and Israel on the following six points.<sup>16</sup>

a) Egypt and Israel agreed to observe scrupulously the cease-fire called for by the UN Security Council.

b) Both sides agreed that discussions between them will begin immediately to settle the question of the return to the 22 October position in the framework of agreement on the disengagement and separation of forces under the auspices of the United Nations.

c) The town of Suez will receive daily supplies of food, water and medicine.<sup>1</sup> All wounded civilians in the town of Suez will be evacuated.

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16 Progress Report of the Secretary-General on the Functioning of UNEF-II, UN Year Book, 1974 (New York) vol.28, pp.191-96

d) There shall be no impediment to the movement of non-military supplies to the East Bank.

e) The Israeli check-posts on the Cairo-Suez road will be replaced by UN check-posts.

f) As soon as the UN check-posts are established on the Cairo-Suez road, there will be an exchange of all prisoners-of-war, including the wounded.

General Siilasvuo called the military representatives of Egypt-Israel and obtained signed acceptance of the agreement. Both sides signed in the presence of the Peace Force Commander, who signed on behalf of the United Nations. This agreement was the first step towards a peace conference. The scene of peace negotiations then shifted to Geneva, where on 21 December the conference to settle the Middle East problem began under UN auspices, co-chaired by the United States and Soviet Union. The presence of the Commander of UNEF-II in the Geneva Peace Conference led experts to speculate whether the Military Commander could participate in political conferences. However, the political initiatives a Force Commander can take are essentially limited by convention and if he does exercise any such moves, it will be in all likelihood as a representative of the Secretary-General who may delegate any additional power to the Commander if he so desires. After holding three meetings, the conference adjourned, on the understanding that it would remain in session. It decided to continue its work through a military working group which would discuss the question of disengagement of forces. The Secretary-General maintained contacts with the co-Chairman of the Peace Conference for an ex-

towards

change of ideas on ways of making progress towards a solution of the Middle East problem.

On 18 January 1974, an agreement on disengagement was signed by the Egyptian and Israeli military commanders in the presence of UNEF's Force Commander.<sup>17</sup> The terms of agreement were as under:

a) Egypt and Israel will scrupulously observe the cease-fire on land, sea and air called for by the UN Security Council and will refrain from the time of signing of this agreement from all military or paramilitary actions against each other.

b) The area between the Egyptian and Israeli lines will be a zone of disengagement in which the UNEF will be stationed. The UNEF will continue to consist of units from countries that are not permanent members of the Security Council.

c) The area between the Egyptian line and the Suez Canal will be limited in armament and forces.

d) The detailed implementation of the disengagement of forces will be worked out by military representatives of Egypt and Israel, who will agree on the stages of this process.

e) This agreement if not regarded by Egypt and Israel as a final peace agreement constitutes a first step towards a just and durable peace according to the provisions of Security Council Resolution 338 and within the framework of the Geneva Conference.

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17 Security Council Document S/11091. See UN Year Book, 1974 (New York), pp. 191-92

The disengagement process was completed with the assistance of UNEF-II -- on 4 May 1974. With the disengagement agreement, quiet was effectively maintained in the Egypt-Israel sector. On 4 September 1975, Egypt and Israel concluded a further agreement providing for new zones of disengagement. On 3 May 1974, an agreement on disengagement between Israel-Syria forces was reached and was signed at Geneva at a meeting of the Military Working Group of the Peace Conference on the Middle East. On the same day, the Security Council welcomed the agreement and decided to set up immediately under its authority a United Nations Disengagement Observer Force (UNDOF), as called for in the agreement. The Force with an authorized strength of 1250 personnel was made up of contingents from Austria, Canada, Peru and Poland together with military observers drawn from UNTSO. Like UNEF-II, UNDOF was set up for an initial period of six months, its mandate being continuously extended by the Council every six months.

The Agreement between Egypt and Israel of 4 September 1975 consisted of nine Articles and an Annexure.<sup>18</sup> The parties agreed that the conflict between them and in the Middle East was not to be resolved by military force and that they were determined to continue their efforts to reach a final and just settlement by means of negotiations called for by Security Council resolution 338 (1973).

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18 Rikhye, n.7, pp.331-2

They further agreed to continue to observe the cease-fire and to refrain from all military and para-military actions against each other. Article IV of the Agreement laid down the principles for the new deployment of the military forces of the parties and provide that the details concerning such redeployment and all other relevant matters -- including the definition of lines and areas, the buffer zones, the limitations on armaments and forces, aerial reconnaissance, the operation of the early warning and surveillance installations and the UN functions -- would all be in accordance with the provisions of the Annex and the attached map, which formed an integral part of the Agreement and of its Protocol for Implementation. The Agreement also stressed that UNEF<sup>3</sup>-II was essential, that it was to continue its functions, and that its mandate was to be extended annually. A joint commission established under the Agreement was to function under the aegis of the Chief Co-Ordinator of the UN peace-keeping missions in the Middle East in order to consider any problems arising from the implementation of the Agreement and to assist UNEF-II in the execution of its mandate. In addition to the Annex and its map, the Agreement was supplemented by a document, relating to an early warning system referred to in Article IV, in which the United States proposed that there should be (a) two surveillance stations to provide strategic early warning, one operated by Egyptian and another operated by Israeli personnel; (b) three watch stations operated by the United States civilian personnel

in the Mitla and Giddi passes to provide tactical early warning; and (c) three unmanned electronic sensor fields at both ends of each pass and in the general vicinity of each station.

During 1976, various aspects of the situation in the Middle East continued to receive consideration by the Security Council and the General Assembly, among other UN bodies.

With regard to the Egypt-Israel sector, the Security Council on 22 October 1976 renewed for one year -- to 24 October 1977 - the mandate of the UN Emergency Force. The Force was deployed in the zone of disengagement between the Egyptian and Israeli forces in accordance with the Agreement between Egypt and Israel of 4 September 1975, which together with its Protocol of 22 September 1975, superseded the Agreement on Disengagement<sup>of</sup> Force of 18 January 1974.

The Council's decision of 22 October 1977 was embodied in resolution 396 (1976), by which the Council, also, among other things, called on all the parties concerned to implement immediately its Resolution 338 (1973) of 22 October 1973. That resolution after calling for a cease-fire in the October 1972 hostilities, called on the parties concerned to start immediately after the cease-fire, the implementation of Security Council resolution 242 (1967) in all of its parts. Negotiations were to start immediately, aimed at establishing a just and durable peace.

In the Secretary-General's report of 18 October 1976, it was stated that the situation in the UNEF-II area of operations had remained stable throughout the period under review, and the Force had continued to discharge its responsibilities efficiently. He noted that UNEF-II had assumed new functions and responsibilities under the terms of the Agreement of 4 September 1975 that were far more extensive than those discharged previously.<sup>19</sup> He also pointed out that the Force was deployed in an area more than four times the ~~size~~<sup>size</sup> of the former area of disengagement. As at 17 September 1976, its strength stood at 4,174 personnel, made up of contingents from Australia, Canada, Sweden, Finland, Ghana, Indonesia, Poland and assisted by 124 military observers of the UNTSO in Palestine.

The report went on to say that the Chief Coordinator of the UN Peace-Keeping Missions in the Middle East, Lt. General Ensio P.H. Siilasvuo, and the Commander of UNEF, Lt General Bengt Liljestrand<sup>20</sup> had continued the practice of holding separate meetings with the military

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19 For details of the Agreement of 4 September 1975, see UN Year Book 1975, (New York) vol. 29, pp. 209-215

20 The Secretary-General had proposed in August 1975 that it would be useful to all concerned to establish a coordinating mechanism for the activities and administration of the peace-keeping operations in the Middle East, namely the UNTSO, the UNEF-II and UNDOF. Therefore, should the Council agree, he proposed to appoint Lt. General Siilasvuo currently commander of UNEF, as Chief Coordinator of UNTSO, East, and to appoint Major-General Liljestrand, currently Chief of Staff of UNTSO, as Commander of UNEF-II. The Secretary-General's proposals were accepted by the Security Council. See UN Year Book 1974 (New York) vol. 28, pp. 194-5

authorities of Egypt and Israel concerning the implementation of the terms of references of the Force and the inspections carried out by UNEF-II in the areas of limited forces and armaments. The Chief Coordinator was maintaining contact with the parties at the ministerial level on important issues.

The Secretary General reported that the problem of restrictions on the freedom of movement of personnel of certain contingents still existed. He again stressed, as he had in the past, that UNEF-II had to function as an integrated and efficient military unit, that its contingents had to serve on an equal basis under the command of the Force Commander, and that no differentiation could be made regarding the UN status of various contingents.

The Secretary-General said that UNEF-II had continued to receive the full cooperation of the parties in carrying out the functions entrusted to it. There were no significant violations of the cease-fire or the Agreement of 4 September 1975, although numerous limited incursions in the buffer zone by both parties by land and air had been observed and reported. In such cases, however, assurances that remedial action would be taken had been received from the party concerned. A number of complaints from both parties alleging violations, had been taken up with the party concerned by the Force Commander or the Chief Coordinator, and in some instances discussed at meetings of the Joint Commission set up under the Agreement.



The report went on to say that UNEF-II had maintained close contact with representatives of the Red Cross and had extended its assistance in providing facilities for family reunions and student exchanges. The Secretary-General concluded his report by observing that the presence of UNEF-II in the Egypt-Israel sector had undoubtedly been a major factor in maintaining the cease-fire and in helping to deal with urgent problems on ground. However, if there was a continuing lack of progress in efforts to implement Security Council resolution 338 (1973), the situation in the Middle East would inevitably remain unstable until negotiations were resumed for a just and stable peace in the Middle East.

#### ATTITUDE OF MAJOR POWERS VIS-A-VIS UNEF II

An analysis of the Security Council discussions on UNEF-II from 1973 to 1979 clearly reveals the attitude of the major interested Powers vis-a-vis UNEF-II in particular, and, often, of peace-keeping forces in general. The two Super Powers, United States and the Soviet Union, continued to support enthusiastically the UNEF-II since its inception in 1973 for about six years; when in July 1979 a Soviet veto led to the termination of the Force (for reasons explained in the following Chapter). Disillusioned with Third World hostility in the General Assembly the United States moved away from being an avid supporter of the General Assembly -- it once was, to being nearer to the Soviet position of strengthening the Security Council in current years. The United States continues to support an active role for the Secretary-General, as was seen in

the case of UNEF-II. Regarding financial operation, it was of the view that until a reliable and equitable system for financing peace-keeping is agreed upon, Permanent Members of the Security Council should undertake to pay their fair share of peace-keeping operations authorized by the General Assembly, in addition to what others may contribute. The United States' strong support for Israel, along with its dependence on oil from Arab States (and thereby the importance of its relations with the oil-producing countries of the Arab world) made peace in the Middle East very much in the US interests after the 1973 Arab-Israeli war. To safeguard American interests, the United States had to rely mostly on its own ability but to keep the peace, they had great faith in the United Nations machinery of peace-keeping. These were some of the reasons why the United States representatives remained eloquent in their praise throughout <sup>of</sup> the valuable contributions of UNEF-II towards peace in the Middle East and volunteered full cooperation to the Security Council and the Secretary-General regarding financing of the Force.

During the debates of the Special Committee on Peace-Keeping Operations, the Soviet Union has firmly maintained not only the supremacy of the Security Council over peace-keeping operations but also that it is the sole organ empowered to take action to maintain or restore peace. So far as the role of the Secretary-General is concerned, the Soviet Union continues to maintain that his responsibilities are defined in Article 97 of the Charter and that it is his primary mission to facilitate the implementation of decisions taken by the main organs of the United

Nations. He is not empowered to take political decisions and independently implement them. Thus, the Soviet Union remains committed to the Security Council as the sole repository of all powers regarding peace-keeping. Therefore, it was more guarded in its praise for UNEF-II while extending fullest cooperation to the maintenance of <sup>n</sup> <sup>the</sup> Force. The Soviet Union, together with France, had agreed, for the first time since the financial crisis of 1965, to pay their due share of the costs of the upkeep of the Force. It called for full freedom of movement of UNEF's contingents insisting particularly that the principle of equitable geographical distribution should be applied in all the command posts and units of the Force as well as in the Secretariat department conducting UNEF affairs. It was on its insistence that Poland became the ~~first~~-ever Socialist country to be included in a peace-keeping contingent. Throughout the repeated extensions of the UNEF-II, the Soviet Union continued to press for the resumption of the Geneva Peace Conference, and a radical political settlement to the Middle East problem which, in its view could be obtained only when Israeli troops were withdrawn from all Arab territories and the lawful rights of the Arab peoples restored.

China maintained a stand of continued hostility to UNEF-II, while not vetoing its extension when even required. It refused to pay its share of the costs and abstained to vote on any matter pertaining to the Force. It maintained that if a genuine settlement in the Middle East was to be achieved, Israel must withdraw from the Arab territories. It was of the firm view that the

Palestinian people must regain their national rights and the Super Powers must cease to practise what it called "hegemonism and power politics" in the area. The only other Power to support the Chinese stand was Iraq, which opposed the Force on the ground that all UN forces merely helped in "freezing" the conflict situation and hence in perpetrating the status quo.

The representative of Egypt announced that his government had accepted Security Council resolution 340 as a first step in the implementation of the Council decision, and was ready to cooperate in the implementation of the two previous resolutions as well. Egypt considered the presence of UNEF-II on its territory as of temporary nature. In giving its consent to the entry and presence of the Force, Egypt was exercising its sovereign rights to enable the United Nations to proceed with this first step towards peace. The Israeli representative welcomed the Force and said that Israel's policy had continued to be guided by three principles -- cease-fire, negotiations and peace. It pledged to extend full cooperation to the Force. It may be recalled that this was the first time that Israel had consented to the interpositioning of a UN Force.

Chapter III

THE WITHDRAWAL OF UNEF-II

Chapter III

## THE WITHDRAWAL OF UNEF-II

UN EFFORTS TO SOLVE THE MIDDLE EAST PROBLEM AND THE  
CAMP DAVID ACCORDS

THE General Assembly has increasingly stressed on all aspects of the Middle East problem and in November 1974, it reaffirmed the "inalienable rights of the Palestinian people in Palestine" to self-determination, national independence and sovereignty. It recognized the Palestinian people as a principal party in the establishment of a just and durable peace in the Middle East. It also invited the Palestine Liberation Organization (PLO) to participate in the session and work of the Assembly as an Observer. Earlier, in 1968, it had set up a special committee to investigate Israeli practices affecting the Human Rights of the population of the Israeli-occupied territories.

In 1975 the Assembly established a Committee on the Exercise of the Inalienable Rights of the Palestinians which later recommended a programme, endorsed by successive sessions of the Assembly aimed at enabling the Palestinians to exercise those rights. As requested by the Assembly, a Special Unit on Palestinian Rights was established within the United Nations Secretariat in 1979. The Unit is responsible for the preparation and the promotion of publicity on the rights of the Palestinians, on the relevant UN resolutions and on the activity of the Palestinian Rights Committee, and other

UN bodies. In 1978, the Assembly invited all governments and organizations to lend their cooperation to the Committee on the Inalienable Rights of the Palestinian People and the above Special Unit to perform its tasks.

The General Assembly has repeatedly called for early resumption of the Geneva Peace Conference on the Middle East with the participation on an equal footing of all parties concerned, including the PLO.

In 1978, direct negotiations between Egypt and Israel in Camp David under the auspices of the United States resulted in agreements on a framework for peace in the Middle East and the conclusion of a peace treaty between Egypt and Israel. The peace treaty was signed by both states in March 1979. Following the signing, the League of Arab States called on all countries to refrain from supporting the treaty. Later in 1979, the General Assembly noted with concern that the Camp David Accords had been concluded outside the framework of the United Nations and without the participation of the PLO and declared that these accords had no validity.

The Assembly strongly condemned "all partial agreements and separate treaties", which constituted a flagrant violation of the rights of the Palestinian people, the Principles of the Charter and the resolutions adopted in the various international forums on the Palestinian issue. The Assembly called anew for the

early convening of the Peace Conference on the Middle East under the auspices of the United Nations and the co-chairmanship of the Soviet Union and the United States with participation on an equal footing of all parties concerned including the PLO.

It will be relevant here to discuss some of the controversial provisions of the Camp David agreement. In the first instance, the tripartite US-Egypt-Israel summit meeting and the resulting Accords represent a unilateral action by the three countries in defiance of UN resolutions which still remain the most widely accepted and, perhaps, only realistic path to a just peace in the Middle East. These Accords by ignoring the key issues of the conflict -- namely, the unconditional withdrawal of Israel from all the occupied Arab territories and the fulfilment of the inalienable national rights of the Palestinians -- may increase tension and intensify ~~the~~ dangers of instability and lead eventually to war in the area. It has been pointed out by most Arab states that the Accords constitute a dangerous precedent, in that territories of other countries can be conquered by aggressive wars and annexed, consequently encouraging future aggressors. The subsequent flare-up in Lebanon and the escalation of the provocations by the Rightists there and the consequent killing of thousands of people, coming as it did, in the wake of Camp David Accords underlines the dangers stemming from the attempts of the Israelis to impose these accords on the other concerned states in the area, particularly on Syria and the Palestinians.



The Camp David Accords sanctioned the continued, indefinite, Israeli occupation of the West Bank, the Gaza strip and the Golan Heights, as well as the continued occupation of Sinai by Israel for a minimum of another three years. They intentionally ignored the sole, legitimate, representative of the Palestinians, the PLO, and deprived them of their rights to self-determination in their homeland, including the establishment of their own independent, sovereign state.

The Camp David accords are designed to torpedo the Geneva Conference which was specially set up for the achievement of a just settlement in the Middle East. The signatories to <sup>the</sup> Camp David Accords -- the United States, Egypt and Israel -- stand opposed to the will of world public opinion and to the United Nations Resolutions Nos. 3236<sup>21</sup>/74 and 3237/74<sup>22</sup> which state that the essence of the Middle East conflict is the Palestine question. The same resolutions recognized the right of the Arab peoples of Palestine to return to their homes and property and to exercise their right to self-determination and to the establishment of their independent state. They also recognized the PLO as the sole, legitimate, representative of the Palestine people, and in consequence, the United Nations admitted the PLO as an Observer. The Camp David Accord, it has been pointed out, is a brazen violation of all these.

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21 General Assembly Resn. 3236 (XXIX),<sup>3</sup> 1974,<sup>1</sup> on the question of Palestine.

22 General Assembly Resn. 3237 (XXIX),<sup>1</sup> 1974,<sup>1</sup> granting Observer status to the PLO.

The Camp David Accords offer the Palestinian people "self rule" in the occupied West Bank and the Gaza Strip. This is a denial of the right of the Palestinians to self-determination and to establishment of their own independent state. It sanctioned the continued presence of the Israeli armed forces in the occupied territories and the existence of Israeli settlement on the West Bank.

Regarding the future of UNEF-II the Camp David Accord had specified that its continued presence would be necessary to carry out the task of monitoring ~~the~~ compliance with the military provisions of the Egyptian-Israeli treaty and for the supervision of the Israeli withdrawal from occupied territories. In case the Security Council failed to extend its mandate the USA was to undertake the responsibility of establishing a multinational force which would be entrusted with the same task.

Briefly, these are the chain of events that served as a prelude to the termination of UNEF II in July 1979. The Security Council decided in July 1979 not to extend the mandate of the force stationed in the Egypt-Israel sector. The immediate reason for the withdrawal was a Soviet veto of a proposal to extend its mandate, which came rather paradoxically from a Power which professes to disapprove strongly of the Israeli-Egyptian peace treaty.<sup>23</sup>

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23 See UN Monthly Chronicle (New York), vol. XVI, no. 6, July 1979

The Soviet representative stated that since the Camp David Agreement was signed outside the aegis of the United Nations and was in fact an open violation of UN resolutions for peace in the Middle East the United Nations should completely dissociate itself from undertaking any responsibility in the implementation of the Accords. Stating therefore that in the changed circumstances UNEF II would become redundant, the Soviet Union vetoed its continuance leaving it to the USA to make arrangements for the establishment of a multi-national force to supervise the implementation of the military clauses of the treaty.

After terminating the mandate of the UNEF II, the Security Council decided that the UN Truce Supervision Organization (UNTSO) (which had been present in the Middle East since the 1949 Arab-Israeli armistice) would carry out the task of monitoring compliance with the military provisions of the Egyptian-Israeli peace treaty in accordance with the request of the parties thereto. The proposal to replace the UNEF troops with UNTSO Observers had been advanced by the United States in consultation with the Soviet Union after the latter had made it clear that it would veto any attempt to renew the UNEF mandate. The move was strongly opposed by the Israeli government, however, which claimed that the UNTSO did not constitute the "acceptable alternative multinational force" on which the United States had given a commitment to both Begin and Sadat at the time of signing of the Camp David Accords.

In opposing the US-Soviet scheme Israeli officials

maintained inter alia (i) that the peace treaty had specifically envisaged the renewal of the UNEF mandate and that the failure of the Security Council so to renew, it gave Israel the right to invoke the US commitment concerning an alternative force, (ii) that UNTSO, currently with only a few hundred unarmed personnel, was not an effective alternative to the 4000 strong UNEF presence, (iii) that the presence of Soviet Officers in UNTSO was unacceptable and that any Sinai force should be composed only of troops from countries having diplomatic relations with Israel, and (iv) that since UNTSO was under the direct control of the UN Secretary-General rather than the Security Council, there was a danger of repetition of the events of 1967 when the then Secretary-General (U Thant) had withdrawn an earlier UN Force on his own decision at the request of one state - i.e. the United Arab Republic - and had thus, in Israel's view precipitated the third Arab-Israeli war.

Rejecting the Israeli arguments United States officials argued inter alia, (i) that the peace treaty had effectively left open what sort of UN force would be used and that UNTSO was an acceptable alternative to UNEF II, (ii) that Dr Waldheim (the UN Secretary-General) had the authority to expand and adequately equip UNTSO to enable it to discharge the duties envisaged for it, and (iii) that in practice the Secretary-General would not withdraw UNTSO without consulting the Security Council, and that although the United States could not veto a pull out, it could equally not prevent the Soviet Union from vetoing the extension of the UNEF mandate. In addition State Department Spokesman maintained that the US

undertaking concerning the creation of "an acceptable alternative multinational force" was intended to refer to the period after the final Israeli withdrawal from Egyptian territory three years since the signing of the Camp David Accords.

However, continuing Israeli dissatisfaction regarding the presence of Soviet observers in UNTSO, led to the removal of both US and Soviet forces from UNTSO after 1979. An agreement was reached by Begin and Sadat providing for joint Egyptian-Israeli supervision of the military provisions of the peace treaty. Recently in July 1981, Egypt, Israel and the United States concluded an agreement on the composition of a multinational peace-keeping force in the Sinai after the scheduled final withdrawal by ~~the Israel~~ from Egyptian territory by April 1982. The force is to comprise about 3000 men, drawn from about 30 countries. The US contribution would be a total of about 800 Americans plus the Commander of the Force - to monitor the border from both the Israeli and Egyptian sides. The USA has also undertaken to contribute half of the expenses towards the upkeep of the Force. Israel and Egypt have agreed that the peace-keeping Force should be in place about a month before the last phase of the Israeli withdrawal. The duration of the Force is open since the 1979 peace treaty between Egypt and Israel did not set any expiration date.

UNEF-II, the mandate of which lapsed on 24 July, had served for nearly six years. It was set up urgently at <sup>a</sup>~~the~~ time of intense international tension and was

deployed in a confused, and still violent, conflict-situation. It was remarkably successful in stabilizing the cease-fire and implementing successive disengagement agreements. It has assisted the transition from conditions of war to a peace treaty in its area of operations. The Force, the Secretary-General readily acknowledged, had been an outstanding peace-keeping operation.<sup>24</sup>

The procedure of withdrawal of UNEF-II has not been so controversial as that of its predecessor. The Force was established by the Security Council which was also responsible for the termination of its mandate. This indeed, has been a heartening procedural development. The sudden withdrawal of UNEF-I had led to widespread criticism; and it was widely believed then that unless the consent-principle, and, in particular, the issue of termination of consent by a host country was put under constraints, the future of peace-keeping operations was uncertain. On the other hand, a blanket rejection of this principle, would have meant trouble both in terms of political acceptance by a host state and those contributing national contingents. The way these thorny issues were sorted out in establishing UNEF-II and UNDOF in 1973-74 is truly remarkable. Here, the consent principle has been in fact adhered to, although not expressly, but terms of withdrawal have been put under such brakes as to

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24 Report of the Secretary General on the work of the Organization, 1979, (New York, 1979), p.10

allow more time to set the political forces in motion to find a way out to meet the changed circumstances. Withdrawal of UN force under the new mandate cannot be that abrupt and brusque as it was in 1967.

After six years of an arduous peace-keeping job in the buffer zone separating the armies of Israel and Egypt in the Sinai, the 4000-strong UNEF-II was ordered to be disbanded, following the decision of the Security Council to replace it by another body of men, who, while representing the United Nations all the same, are to be vastly different in number, character and function. The new men, drawn from the already existing UNTSO, will be a handful of 150 unarmed men and confined to the duties of simple Observers. The only merit of this change-over is that it has the support of the United States and the Soviet Union. But both know that since Israel has accepted the UNTSO only conditionally, the new arrangement may not last and that by scrapping <sup>the</sup> 4000-strong UNEF-II, they are perhaps saying goodbye to whatever little stability there has so far been in the international aspect of the Middle East conflict. Because of UNEF-II, the two Super Powers through the Security Council could periodically, but openly, make mutual adjustments to keep the lid over the conflict. The UNTSO by its very nature, will reduce such possibilities. However, this brings us to another point. If the Egyptian-Israeli peace treaty is properly implemented, UNEF or any other UN presence in Sinai, is quite unnecessary, and so far, it has worked extremely well, the return of El Arish to

Egypt having been lately followed by yet another Israeli territorial withdrawal. If it is not implemented, and from this or any other cause, fresh risk of hostilities arises, there seems no reason whatever to believe that the existence of the UNEF or anything like it would be of the faintest use as a deterrent. To this, the whole record of UNEF (I and II) itself bears eloquent testimony.<sup>25</sup> Before the six-day war of 1967, its presence on Egyptian territory (the Israelis have always refused to permit it on their own) did nothing to prevent Israeli outrages now and then. In 1967, quite evidently as a prelude to an invasion, but one forestalled by the Israeli air strike, President Nasser unilaterally ordered it out, and U Thant promptly complied. He also had it concentrated in Gaza preliminary to evacuation, just in time to suffer casualties during the Israeli attack on the Gaza Strip. During the negotiations preparatory to the Israeli-Egyptian treaty, UN presence may have slightly helped to facilitate disengagement, particularly Israeli withdrawal from the Mitla and Giddi passes. But an incomparably greater part has been played in Sinai by direct contacts between Sadat and Begin than the UN ever achieved or is likely to.

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25 Editorial in The Statesmen (New Delhi),  
on "Withdrawal of UNEF II", 30 July 1979.



## FUTURE OF PEACE KEEPING IN MIDDLE EAST

This brings us now to the future of peace-keeping in the Middle East. Since the beginning of the Arab-Israeli conflict in 1948, Egypt has borne the major burden in human and financial costs. It was Sadat who finally turned Arab humiliation to pride as a result of the October 1973 war. The peace treaty between Egypt and Israel has now buried the hatchet between the major Arab antagonist and the Jewish state. It is true that the Arabs have increased their arms and forces, but Israel, with the material support that it still enjoys from the United States, remains more than confident of meeting any possible challenge from the Arab states. Of the remaining frontline states, Syria could be a potential threat, were it not for its major commitment in Lebanon. Jordan, being militarily weak, has kept its options and communications open in all directions, including to the Israelis, and Lebanon, never of any consequence in the past from a military point of view, remains ineffectual.

The threat by the hardline Arab states appears to have all but fizzled out. An effective union of Iraq and Syria, with combined armies of under half a million and Iraq's \$ 8 billion oil revenues, has not materialised. Besides, Iraq is now too preoccupied with the war with Iran. The third major Power in the anti-Sadat coalition, Saudi Arabia, is more concerned with the threat of "communist influence" from across the Horn of Africa, and closer from South Yemen. At the same time, the royal family is divided and therefore the Saudis are reluctant

to become more involved in a confrontation with Egypt, or, for that matter, with the Israelis, since Israel poses no direct threat to their security. The future of <sup>the</sup> Al Aqsa mosque in Jerusalem, however, remains a major point of conflict.

The UN peace-keeping missions serve the cause of Arab states and Israelis alike. In spite of the an~~ti~~ Sadat Arab group's attempt to reject the peace treaty and prevent the renewal, and thereby the redeployment of UNEF-II, the final decision was ultimately taken by the two Super Powers. The Americans were eager to keep UNEF, but its future was decided by the Soviet veto. In anticipation of a Russian veto, the Americans had been prepared with alternative arrangements for the supervision of the disengagement in the Sinai.

The future of the United Nations Interim Force in Lebanon (UNIFIL) depends on several factors. This latest peace-keeping force in the Middle East was set up by the Security Council in 1978 following a massive invasion of southern Lebanon by Israeli forces. The Israelis have made it obvious that if this force is withdrawn, they will feel free to reenter South Lebanon to protect their northern settlements from PLO attacks. The Syrians are unlikely to ask for the withdrawal of the force because their troops are needed in Lebanon and the UN presence precludes need for them to go south to help the Muslims and cause an Israeli confrontation.

Similarly, the Syrians are most unlikely to refuse continuation of UNDOF, because this would leave Damascus exposed to the Israelis. The Americans and the Russians, for different reasons, wish the force to remain. However, there are chances that the troops contributing states would tire of the intransigence of the Israeli supported Christian forces, and the PLO might reduce its level of cooperation with the force. Lack of finance for the operation could also be another factor, but the Americans and the West remains anxious to maintain a UN presence as an alternative to another Israeli intervention, an event which would surely be <sup>contrary</sup> to their interests.

As for the UNTSO, it provides the remaining link with the General Armistice Agreement of 1949, which no member state of the United Nations wishes to disturb. It may be important in this connexion to trace some of the important changes in the character of UNTSO since the cease-fire of 22 October 1973. Earlier, UNTSO was organized on a system of static observer posts; now it operates mostly on a patrol basis. This has made its observers more mobile, because they are no longer confined strictly to the 250 square meters of their post area. The observers now have recognized and accepted patrol duties where they are able to move much more freely than before. Another significant development has been the inclusion of Observers from the United

States and the Soviet Union together with UNTSO until recently. Both Super Powers had consistently refused any kind of participation in a peace force in the Middle East and Security Council Resolution 340 had specifically barred permanent member nations to send contingents to UNEF-II. Hence, it came as a surprise to most member states when the United States and Soviet Union decided to send Observer~~s~~ teams to UNTSO. The Russian team was deployed on the Arab side, whereas the Americans remained engaged on both sides. They did not operate independently in the observation posts, but with members of other contingents -- in accordance with the established rules and~~y~~ procedures.

The UN peace-keeping missions in the Middle East continue to play an effective role in developing an environment in which negotiations may continue. Any reduction, withdrawal or changes will have their effect both on the conditions of peace in the area and the interests of the countries which call for it. The peace treaty between Egypt and Israel, yet to be fully implemented, is only a first step in the solution of the long-standing and complex problems. It will take time to heal the wounds of war and reconcile opposing interests. In spite of its limitations, ~~the~~ UN peace-keeping has proved a valuable tool in diplomacy and an aid to the world community to maintain a diplomatic communications link and relative <sup>a</sup>claim in the area.

Chapter IV

UNEF-II : AN EVALUATION

Chapter IV

## UNEF-II : EVALUATION

A close study of UNEF-II will clearly reveal its links with past peace-keeping operations as well as the many "firsts" it is justly credited with. The ad hoc pattern which characterises the institution and operation of many peace-keeping forces is also discernible in the mounting of UNEF II. Its links can be traced to UNFICYP which provided the initial contingent, expertise and logistic support to help UNEF stand on its feet. Since ad hocism and improvisation have been the main thrust, of the evolution of every UN peace-keeping operation in the past, (perhaps even in the future, also) each is likely to be in many ways an independent experience. Member states have been consistently reluctant to commit themselves even to well tested precedents, preferring to keep their options open in respect of every new operation. This leaves them with ample opportunity to make commitments and ~~make~~ improvisations commensurate with the circumstances of each case<sup>26</sup> and their national interest, as and when the need arises.

The reinstatement of a peace force after a lapse of ten years after UNFICYP in the form of UNEF-II

26 The General Assembly laying down the apportionment principle refers to it "as ad hoc arrangements....." General Assembly Resn. 3107 (XXVIII), 11 December 1973.

not only ~~argued~~<sup>augured</sup> well for the future of UN peace-keeping, but also belied speculation that the future of peace-keeping is bleak. However, the mounting of UNEF-II proved once again that a peace force can only be launched under certain conditions -- the most important being the inability of the Super Powers to impose a unilateral solution and the tacit approval of the states to prevent the hostilities to develop into a wider conflagration. In every conflict-situation where the Super Powers could intervene militarily and in a decisive manner, UN peace-keeping became redundant and was not even called for. This includes Vietnam, Hungary, Czechoslovakia, or, most recently, in Afghanistan.

After the 1973 war, the nature of the Middle East situation called for a peace force and was welcomed by all parties. Neither of the Super Powers had an exclusive leverage with both Egypt or Israel, and hence was in no position to impose a solution of its liking in the area. Egypt had suffered terrible reverses and looked upon the peace force as a saviour to solve some of its immediate problems like supplying essential services to its army besieged by the Israeli force. Israel had made substantial territorial gains, but doubted its capacity to hold on to them for long. It welcomed the interposition of a peace force which could be followed by a negotiated settlement, in which obviously Israel would be in a better bargaining position.

Ever since the Third World attained a majority in the UN General Assembly, the United States and Soviet Union have been drawn closer together in their thinking about the UN peace-keeping and its role. UNEF-II was the first peace-keeping operation that was mounted under the shadow of a Super Power detente and it was the first-ever time they had collaborated to submit a resolution on peace-keeping in the Security Council. With the successful launching of UNEF-II, the Security Council seemed to have regained the momentum to deal effectively with international crises, a power that was being usurped by the General Assembly over the years. The abstention of China from voting, rather than using its "veto" power, is also significant from the stand point of the future effectiveness of the United Nations. By abstaining, rather than using its veto, China displayed a willingness to let the United Nations function, rather than torpedo all efforts towards a solution of the crisis. Of course, it did so largely to avoid antagonizing Egypt (and other Arab States), which desired an end to the war without losing their "face".

The reactivization of UNEF proved once again that the old controversies regarding authorization and control had lost much of their potency. A pattern can now clearly be seen -- that every peace-keeping operation to be successfully launched would need an express approval of the five permanent Powers, the formal consent of the belligerent parties leading to an underlying consensus among UN members. The main thrust of the evolution of UN peace-

Members ?



keeping has been to learn by trial-and-error and to establish new precedents in every operation. A contingent from a Socialist country was included for the first time in UNEF-II, and it was also the first operation where France and the Soviet Union agreed to pay a share of the costs. Years of experience have now begun to tell upon the functioning of these operations -- the mounting of UNEF II with the contingent support and expertise of UNFICYP is a commendable example. Of the UNEF contingents, the Canadians, Finns, Indonesians, Irish and Swedes are experienced UN peace-keepers. The Austrians are also fast coming up. Of the rest of the contingents, including those from Ghana, Nepal, Panama, Peru and Senegal, only Ghana had previous experience in UN peace-keeping operations. However, it is heartening to note that the United Nations is now drawing upon newer resources and training up fresh contingents to draw upon in future.

To improve the future operational efficiency of peace keeping forces, effective education and technical training will be required.<sup>27</sup> With the practical experience

27 For a detailed discussion on this aspect see D.W. Bowett, United Nations Forces, (New York, 1964) The author presents an elaborate scheme for instituting a permanent military staff stationed at the UN Headquarters, stand-by forces stationed in their country of origin respectively, training of UN Staff; logistic support and every other aspect of the operation prepared in advance, political authority to be exercised by the General Assembly or the Security Council. Also Larry L. Fabian, Soldiers Without Enemies: Preparing the United Nations for Peace-Keeping (Washington, D.C., 1971), elaborates a ten point strategy for shaping the future preparations.

gained from past experience and willingness of many small countries to provide contingents for new operations, the United Nations should make all-out efforts to organise peace-keeping more efficiently in future than in the past.

The experience of UNEF-II clearly showed that it is essential to train up contingents for all types of operations, so that they are better equipped for the task when they take up their job. With ad hoc arrangements, a lot of loopholes are bound to crop up, and contingents arrive at the scene with only the barest idea of what their operation involves and very little time to adjust mentally to their task. The initial contingents of UNEF-II were drawn from UNFICYP which had to launch the new peace-keeping operation in the Middle East in record time. The launching of most peace-keeping operations involves the rapid deployment of national contingents, but they all have a home base and organization from which to initiate such a move which are then directed and controlled within the capabilities of the national organization. To shift from one operation theater and role to another as in the mounting of UNEF II creates serious problems, particularly as the organization will tend to be of an adhoc nature. It entails a lot of mental flexibility to adjust from a passive role in Cyprus to an active centre of war as in the Middle East. Besides, moves by air at any time require considerable detailed planning and prior knowledge at unit level. The Austrians, Finns and Swedes, who landed

in Egypt had scanty experience of packing and preparation of equipment stores and vehicles for moves by air and in the compilation of load tables. It was with the active assistance of the British contingent at UNFICYP that these tasks were undertaken and the initial contingent of UNEF II was ready in time. The planning of logistic support also proved that operational efficiency can be improved by vesting responsibility in one hand, rather than two. Therefore, the point that needs to be emphasized is that a lot of these operational deficiencies can easily be corrected by the United Nations by preparing, for the future, a basic manual of peace keeping, including all its operational aspects of organization, administration, training as well as status-of-force agreements and international law as it affects international peace-keeping. This would be of immense practical value.<sup>28</sup>

UNEF-II with all its limitations, has renewed faith in the potentiality of the United Nations to launch an effective emergency operation. It has shown that the United Nations has the ability to mount a unanimously acceptable peace-keeping operation in a conflict zone more quickly than any other organization can or could under the circumstances. Above all, it has ~~been~~ shown that peace-keeping with an international force is a formidable factor to reckon with in cases of international

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28 See Report of Committee on Peace-Keeping Operations in UN Year Book 1974 (New York), vol.28, pp.191-96

crisis. As more and more nations, especially the smaller ones, join the peace-keeping forces, a greater sense of involvement would grow in the effectiveness of the United Nations.

If the events leading to the institution and withdrawal of UNEF II is any guide, it may be safely assumed that the Security Council is acquiring exclusive authority in matters of peace-keeping in future. The reasons for this are many -- the growing United States' disillusionment with the General Assembly progressively destroyed the opposition (built up earlier mainly by the United ~~Nations~~<sup>States</sup>) to the Soviet stand-point that action for the maintenance of international peace and security could be taken by the Security Council alone. France has already committed itself to the Soviet view. There are also strong reasons for China and Britain to agree to this stand. Britain has long been supporting the American moves, while Beijing, if its recent utterances in the United Nations is any guide, is equally anxious to retain its privileges, like any other Permanent Member of the Security Council, rather than get swamped by the Third World majority in the General Assembly.

The new mandate of UNEF-II may bring the role of UN forces nearer to what was envisaged about UN military force under Article 43 of the Charter.<sup>29</sup> That, however,

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29 See K.P. Saksena, "Not by design: Evolution of UN Peace-Keeping Operations--and-Its Implications for the Future" International Studies (New Delhi) vol. 16, no.4, pp.459-82

does not give a UN peace-force the liberty to forcibly implement political settlement of a conflict, opposed by one or the other of the belligerents. Even the Charter does not authorize the Security Council to take such action.

Without completely circumscribing the consent-principle in the matter of withdrawal, the mandate of UNEF-II has now placed it under such constraints that it would be difficult to terminate a peace force in a manner similar to <sup>the</sup> withdrawal of UNEF-I in 1967 -- automatically on the withdrawal of the consent of the state in which they are located. These constraints will allow more time to lapse before a decision could be taken in effect by the Security Council, -- to set in motion political forces at work to find a solution to the problems, if possible. UNEF-II's manner of withdrawal has proved beyond any doubt that the Super Powers had the final say -- when the Security Council decides the issue. It may not be irrelevant here to hazard a few conclusions about the future of peace keeping operations from our study of UNEF-II.

The basic controversy in the United Nations over the respective roles of the Security Council, the General Assembly and the Secretary-General, with respect to peace-keeping operations is not likely to be resolved in the near future, but this will not preclude initiation of new peace-keeping operations. The major Powers will find it in their own interests to support specific peace-

keeping operations, specially in those instances where they ~~can~~<sup>can</sup> serve to insulate local conflicts from Super Power confrontation. New operations may differ in some aspects from the old ones, but continuity will be more marked than discontinuity. Most of the present problems of these operations may recur again in future, but they are likely to be solved on an ad hoc basis. For the foreseeable future, peace-keeping will continue to be based on the principles of consent (implicit or explicitly stated), voluntary participation, strictly limited use of force, and a reestablishment of the principle of collective responsibility in financing.

Thus, the evolution of UN peace-keeping instruments has amply demonstrated its built-in potential and resilience for further growth and operational efficiency in the years to come. It may in course of time become a truly international armed force. Peace keeping is a characteristic product of the past 35 years; it is an indispensable element conducive to the realities of our multi-state world. The necessity comes from the fact that in this nuclear era, another global war is suicidal for mankind. Even small wars have a danger of erupting into a wider conflagration. Hence, containment of war becomes essential to our age -- and it is here that the role of peace-keeping comes in.

Peace-keeping cannot be a panacea for all evils. It cannot be activated under all circumstances; nor can

it provide peace without building up the necessary political support. It may help to "freeze" the conflict situation, but the time gained by the interposition of a UN force has to be used to build-up a negotiated settlement. A peace-keeping force can merely be a means to that end -- although a very important means.

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