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## **UN SECURITY COUNCIL AND MILITARY INTERVENTION IN IRAQ**

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### **ABSTRACT**

The United Nations Security Council (UNSC) is the principal organ and main function to maintain peace and security in world .It is also collective security system of world. All members' states have accepted decision of Security Council (UN Charter, Article 25). For peacekeeping operation Security Council is empowered to put international sanctions and military action by passing resolution. Since 1980 Security Council involved Iraq and also internal fight and specially 2003.The Security Council post war strategy towards Iraq involved different resolutions and sanctions. This research is focus on the role of Security Council in Peace keeping and providing stability Iraq and also in conflict resolution in Gulf region.

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**Keyword:**Security Council, United Nation, maintain peace, intervention in Iraq, different resolution, sanctions, conflict, Gulf region.

### **INTRODUCTION**

The Security Council (S.C) is one of principal part of the United Nations. The primary responsibility of Security Council is maintenance of international peace security<sup>1</sup>. Similarly UN Charter prohibits use of force against another state. S.C maintain security and peace<sup>2</sup>. The member states have also agreed to carry Security Council decisions. S.C is only organ to make recommendations, and can issue resolutions, which are binding on all members. In maintaining peace and security in conflict condition, S.C first step is to solve the problem in amicable way. When dispute between parties reach fighting than the Security Council tries to bring to end such fighting. It can issue order of ceasefire and also send peacekeeping forces to control situation and

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<sup>1</sup> The United Nations, Charter of the United Nations (1945)

<sup>2</sup> Article 1 UN Charter 1945.

also impose economic sanction and military action. Council's other responsibilities are to invite other members and give admission them (Kingsbury, Nico and Richard, 2004).

Five are permanent member of this council and they have veto power. They are China, France, Russia, United Kingdom and United state, while remaining ten-members are non-permanent member of the Security Council. The president of S.C is appointed in alphabetical order. And voting procedure is different in substantive matter. Decision on any matter takes by affirmation of nine members out of fifteen.

UNSC intervention in Iraq lasted for three decades. S.C adopted different phases of its strategy in Iraq. In 1980 Security Council took undefined or interim decision on the Iraq-Iran war. But council in took proactive decision in Cold war 1987. The settlement plan of S.C was accepted by Iran and Iraq so that hostilities came to an end.

S.C imposed sanctions against Iraq, when Iraq invaded Kuwait in 1990. Later on military intervention and also weapons inspectors and sanctions of disarmament imposed on Iraq by Security Council.

Later on humanitarian programmed affected S.C sanctions. In the period 2002-2003, S.C role was political and finally became successful in peace keeping after 2003. Further more Security Council involvement with Iraq was to promote international peace and security.

## **UN SECURITY COUNCIL**

S.C is the chief executive organ of the UNO. It is also called Enforcement wing of the UNO. It was established for maintenance of international peace and security. Although it's a fact that S.C isn't successful in fulfilling that job of maintaining peace but still it enjoys supreme authority in UNO.

S.C is consisting of five permanent members also known as "P5" China, France, Russia, the United Kingdom and the United states. 10 are non-permanent members. These non-members are elected by General Assembly in such a way that almost all the region of the world given opportunity. They are elected in such proportion. 5 from Asia and African States, 1 from Eastern Europe, 2 from Western Europe and other states, 2 from Latin America.

S.C holds meeting in which every state represented by his member. Meeting was held at the call of the President. The head quarter of the UNSC is in New York, but the meetings can be held at any other place on request of any member. Every member state has one vote. Veto power is given to the five permanent members. The P5 and their unanimous decision is milestone in safeguarding the international peace and security.

### **THE ROLE OF THE UN SECURITY COUNCIL IN PEACEKEEPING**

The dispute is settling by S.C peacefully. Political and Diplomats are settling dispute by various peaceful techniques, these are negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means.

Under Chapter VI of UN Charter, Security Council provides peace settlement to dispute. For keeping peace, Security Council also investigates the threatening situation. Council makes non-binding resolution because of lack of enforcement mechanism but it keeps peace internationally<sup>3</sup>. The use of force of Security Council is for self-defense (Cockeayne and Malone, ND, P.5). It is accepted fact that Security Council is authorized to take action.

Peace keeping is the non-aggression use of military force to help nation in conflict settlement. Peacekeeping S.C force plays a neutral role. S.C goes into area of conflict as observers. It can prove provide a buffer between parties. S.C also maintain cease-fire and provide humanitarian aid. S.C takes effective collective measures for the prevention and removal of threats to peace and act of aggression (Traub, 2005). This was legal armed action, which was used in Kuwait and Iraq in 1990 and 2000.

### **HISTORY**

#### **Iran-Iraq**

In 1979 the Iranian revolution ousted Shah of Iran and Ayatollah Khomeini came to power. Long war Iran–Iraq caused loss of hundreds of thousand people live. Iraq attack in Iran and Security

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<sup>3</sup> Article 51 UN Charter 1945

Council favored Iraq. Iraq had been long time trading France and Soviet Union. Security Council failed to solve the tension between these two. Security Council adopted Resolution 479 that Iran and Iraq should stoop hostilities and solve their matter peacefully. In 1987 Gorbachev's came into power in Soviet Union and S.C adopted Resolution 598, which imposed cease-fire in Iraq and Iran<sup>4</sup>. The withdrawal of forces to border was in 1990.

### **Iraq-Kuwait**

Taking advantage of war Kuwait began for concession in its border dispute. In 1990 its oil production quota price in Iraq exceeded. Iraq invaded Kuwait in 1990. Security Council invaded and condemned it and declared a breach of peace<sup>6</sup>. UNSC Resolution 661 imposed sanctions on Iraq and Kuwait. This showed effective decision of Security Council in Post-Cold War era. When sanction didn't result fruit fully, than S.C deployed force for the purpose of maintaining international peace. Bush latter wrote that S.C did not authorize advancement in Iraq capital.

### **The UNSC Resolutions Relating to Iraq**

Security Council resolutions relating to Iraq were passed since 1990 Iraq's invasion in Kuwait. UNSC Resolution 678 authorizes member states 'to use all necessary means' that Iraq withdraws from Kuwait immediately<sup>5</sup>. This resolution prohibits Iraq supporting terrorism and also set out cease-fire in Gulf war 1991<sup>6</sup>. UNSC Resolution 1154 result had severe because Iraq failed to act on UN Special Commission (UNSCOM) and international Atomic Energy (IAEA)<sup>7</sup>. Resolutions 1194 and 1205 criticized that cease of cooperation with UNSCOM. Resolution 1284 replaced UNSCOM to United Nation Monitoring Verification and Inspection Commission (UNMOVIC)<sup>8</sup>. In November 2002 Security Council passed another resolution 1441 which gave final chance to Iraq to act disarmament obligations. In this resolution Security Council so many times warned Iraq that the breaches would be severe consequences. Iraq resisted in inspection process in 1991 and 1998 and also refused to submit inspections 2002. Iraq continued to breach prohibition under WMD and

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<sup>4</sup> Resolution 660 (1990) (August 2, 1990).

<sup>5</sup> SC Res 678, UN SCOR, 45th sess, 2963rd mtg, UN Doc S/RES/678 (1990)

<sup>6</sup> SC Res 687, UN SCOR, 46th sess, 2981st mtg, UN Doc S/RES/687 (1991)

<sup>7</sup> SC Res 1154, UN SCOR, 53rd sess, 3858th mtg, UN Doc S/RES/1154 (1998)

<sup>8</sup> SC Res 1284, UN SCOR, 54th sess, 4084th mtg, UN Doc S/RES/1284 (1999)

ballistic missiles. It is clear that involvement of Security Council in Iraq continuously breach its resolutions.

### **IRAQ CIVIL IRAQ WITH KUWAIT**

Gulf war was basically invasion of Iraq in Kuwait. Security Council declared that it is violation of international peace. So in this response economic sanction were imposed. S.C called and helped Kuwait government and allows Iraq to do inspection of maritime cargo. According to Resolution 678 if Iraq did not follow existing resolution then S.C would take all necessary measures against Iraq for purpose of maintaining peace. It is rightly argued that Gulf war provided guidelines to S.C in post cold war. One basic thing was that war led to all mean of use of force. Gulf war clarified that all permanent five member of Security Council agreed to use force for maintaining peace. In this regard S.C passed two Resolutions one is weapon of mass destruction (WMD). Under this Iraq shall accept the removals and supervision of all chemical and biological weapons and manufacturing of ballistic missile. While other resolution 660 Iraq in vision in Kuwait is illegal and breach of peace. After war due to antigovernment uprising in South and North more than million of refugees escaped northern part of area. Security Council asked the Iraqi government to cease the repression for international peace and security.

### **Humanitarian response**

Soon after civil war humanitarian crisis started in Iraq. Shia and Kurdish militant rose up in North and South. US intervention in this situation and then S.C had passed Resolution. So approximate two million of Kurdish was fled for their lives. US did conciliation to address the crisis situation.

Under Resolution 688 Security Council became prominent decision-making. The internal repression and human right issues lead to threat and disturbed peace. So India and China have showed their reservations.

### **Sanctions and Weapons Inspection**

Addressing internationally Iraq military action remained worrying. Resolution 689 was main resolution in which direction was given to Iraq for weapon of mass destruction and missile and implication of disarmament in Iraq weapon inspection.

The United Nations Special Council was established for purpose of removing biological and chemical weapons. International Atomic Energy also imposed such similar responsibility. UK and US once again imposed sanction. In 1995 sanction were being lost their popularity and led to division. The bad sanction impact of Council that was imposed but due to lack of unity it created negative image about imposing sanction.

The oil and food program were started and Baghdad was allowed to sell oil. UN conducted this whole process. In S.C regime time limit is one of important point .The Security Council not only alter the power but also measure the effectiveness and protecting human rights. There has been imposition of sanctions.

### **Legal-Regulatory Approach**

The role of Security Council on Iraq was important. The military and political intervention was legal regulatory. UNSCOM and UNMOVIC sanctions were one of the examples of legal regulatory approach. Law binds agencies and national spheres. Security Council point of concern is not only making rule of law but also legitimizing it (Diamond, 2005).

Security Council sanction on Iraq was one of the successful and long lasting implementation. And second regulatory agent and member states must be answerable. Third agent must be independent.

### **The UN Security Council and Iraq, 2001-2003**

The terrorist attack 9/11 September in 2001 against US and this attack was threat for all. In 2002 President Bush alone use force against such act. This is accepted doctrine that uses of force against any threat and it security (Roth, 2004).

So it is clear that use of force against Iraq was result of 2002 strategy. And also S.C demand of disarmament. According to UN 1441 Resolution 2002, that Iraq has breached of resolution so that's why it faced sever consequences. In this resolution Iraq has to go through inspection and also eliminate WMD activities.

In 2003 Iraq had told the S.C not to follow disarmament. So in this respect UNMOVIC and IAEA was a failure in Iraq. In final attempt permanent members of Security Council made a resolution that it had final opportunity to accept the resolution 1441. So on 19<sup>th</sup> March 2003 Security Council invaded Iraq. The Security Council was showing drama during Cuban missile crisis and Operation Desert Storm. The invasion of US in Iraq was not only criticized by Security Council but also widespread. Instead of double intervention they faced double failure, one UN and other was US. But UN intervention was not due to US, its act was unilaterally and US showed no favor for collective decision-making. Later on US realized and then participated with UN and also went to war.

### **The Occupation of Iraq (2003-2013)**

UN presence in Iraq continues to risk legitimate and coalition purposes. Security Council obscene would show waived humanitarian and peacekeeping mission. Military operation controls the country and Security Council passed new resolution 1483, which was accepted by UK and US. In this resolution special representative of Secretary-General was appointed to Iraq (Diamond, 2005).

In 2003 UN faced big loss of civilian employee data. A truck bomb blast in headquarters of Baghdad. This terrorist attempt shocked the UN and it started his role peacekeeping. After this task rebuilding of country started. Provisional authority with the head of administration of US appointed interim administration in Iraq. Interim Government formed in 2004 and elections were held December 2005 (Malone, David M. and James Cockayne, 2006).

After this difficult task US call UN to play role for acceptance of it plan. The special Envoy, Mediators, and other accepted interim government. On March 2004 Transitional law was signed which allowed to frame new constitution. On 28 June 2004 election was held and government formed and restored sovereignty took place. The disbanded Iraqi military caused security vacuum.

And present security unable to meet needs of Iraq's people. The humanitarian cost was burden on Iraq. In 2003 five million people displaced. While minority people remain unsecure.

### **United Nations Assistance Mission for Iraq (UNAMI)**

The role of UN Security council was since 2003 peacekeeping builder. This mission was established in Iraq by Resolution 1500 in 2003. Its main objective was supporting political dialogue, electoral process; facilitate dialogue between neighbors and protecting human rights<sup>9</sup>. In 2003 and 2005 UNAMI became handicapped because bomb blast headquarter and all of data were lost. However this mission played important role in drafting constitution in 2005 (Malone, 1999). Iraq entered into an agreement with UN, World Bank, reconciling the political environmental and also stabilize economy (Pincus and Priest, 2003).

Significant achievement of Security Council in Iraq that it has able to improve quality of life, justice and politics etc<sup>10</sup>.

### **CONCLUSION**

Iraq experience shows that the Security Council is a big harm, problem to the ebb of international politics. P-5 member alienate and pose considerable risk, which was faced in 1990s by Iraq (Bowring, Bill 2011). The Iraq –Iran war broke out then Security Council acted steadily in Iraq-Kuwait war. And started action against aggression of Iraq. During 1991 and 1993 Security Council passed 185 resolutions and in that 15 relates with peace keeping mission. Security Council invaded because threat of peace and legitimate use of force. These two links collective security. And use of force became legitimate to maintain peace and security. Post cold war period threat to force showed three new actions, terrorism, violation of human right and civil war .All this humility by Iraq also size sovereignty of a nation<sup>11</sup>.

In 1990 US Administration, Security Council work on operation *Desert Storm* gave expensive expression. In 1999 Russian veto threat, NATO without authorization of Security Council started

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<sup>9</sup> <http://unami.unmissions.org/>

<sup>10</sup> The most recent, at the time of writing, dated 11 July 2013, appears as UN Document S/2013/408

<sup>11</sup> UN Press Release IK/552(27 July 2006)

air strike because of support of Muslim. In 2003 UK and US coalition wanted no involvement Arab participation. They overthrew Saddam Hussian's government. And act of Security Council was legitimate.

Various resolutions took place by Security Council that use of force was legitimate. Resolution 687 Gulf war cease-fire and 1441 was Iraq Weapon Mass Destruction. But Iraq was not adhere with these Resolutions and continuously violated. So severe consequences in this response had taken (Franck, 2003). UK and US undertake military action again Iraq. Security Council imposed economic sanctions and also inspection of weapons. UN Council thought forward flight on Iraq 1991 so restriction was imposed. Violation of humanitarian act caused. But failure of UN Security Council and approval of invasion in Iraq 2003 lost great deal of legitimate and public opinion. Challenged by European Court adopt effective measure to sweep terrorism, weapon mass destruction.

On Iraq legacy within the Council UN Secretary-General sum up:

The Security Council is place of where Ghost inhabited by Iraq. Reopening of crisis again crisis showed distrust and result conflict. The opposition also want protect human right turned it back (Clark, 2003).

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