

Pacific Partners:
A Comparison of Canadian and Japanese Peacekeeping Experiences,
Looking for Avenues of Cooperation

by

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Abstract

Canada and Japan share similar circumstances and interests as America's allies, trading nations and middle powers in the Pacific region. However, they have widely different histories of peacekeeping involvement. Analyzing their experiences of UN Peacekeeping Operations (PKOs) from perspectives of history and political science allows us to understand the role they play in their respective foreign policies. The role of PKOs has evolved over the half-century history of the UN. The increasing complexity and number of armed conflicts in recent years has increased the personnel and financial burden on many UN members, including Canada. Japan faces a question of how far it can participate in PKOs under the Constitution. The rationale exists for Japan and Canada to share personnel and financial costs, knowledge and technology for peacekeeping as pacific partners. Understanding their different strengths abilities, advantages, and interests can help make co-operation more beneficial.

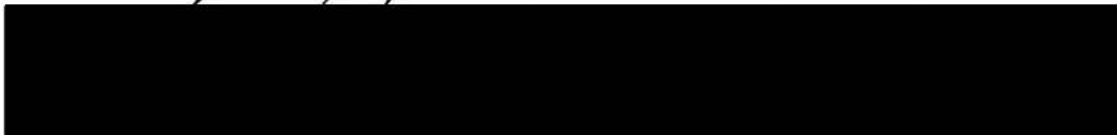
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List of Abbreviations

ASEAN	Association of Southeast Asian Nations
CAF	Canadian Armed Forces
CAR	Canadian Airborne Regiment
EC	European Community
LDP	Japan, Liberal Democratic Party
MOFA	Japan, Ministry of Foreign Affairs
NAFTA	North American Free Trade Agreement
NATO	North Atlantic Treaty Organization
NORAD	North America Air Defense
PKF	Peacekeeping Force
PKO	Peacekeeping Operation
SDF	Japan Self Defense Force
UN	United Nations
UNHCR	UN High Commissioner for Refugees
UN Peacekeeping Operations	
ONUVEN	United Nations Observer Group for the Verification of Elections in Nicaragua
ONUC	UN in Congo
UNEF	UN Emergency Force
UNDOF	UN Disengagement Observer Force
UNFICYP	UN Forces in Cyprus
UNITAF	UN Task Force
UNMOGIP	UN Military Observer Group India -Pakistan
UNOSOM	UN Operations in Somalia
UNPROFOR	UN Protection Force
UNSF	UN Security Force in West Irian (West New Guinea)
UNTAC	UN Transitional Authority in Cambodia
UNITAF	Unified Task force
UNTAG	UN Transition Assistance Group
UNTSO	UN Truce Supervision Organization
UNYOM	UN Yemen Observation Mission

Note

Japanese names in the context are in order of family name and first name.

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Chapter 1: United Nations Peacekeeping Operations

1.1 Introduction

As political scientist, Kim Nossal stated, “a nation’s history will always play an important part in shaping policy.”¹ This thesis analyzes the history of Canadian and Japanese United Nations Peacekeeping Operations (PKOs) by using case studies and providing historical background, to better understand what is shaping current policy regarding PKOs. Towards this aim, this thesis also looks at common interests between Canada and Japan, current and historical challenges facing PKOs generally, and how both countries are adapting their policies to meet those challenges. This research suggests that both Canada and Japan could learn from one another’s experiences and that Japanese-Canadian cooperation may be advisable.

Despite their differences in history, national interests, public opinion and political environment, Canada and Japan share similar circumstances and interests: part of the Pacific region, dependency on trade, strong political, military and economic relations with the US, and middle power status.²

¹ Kim Nossal, The Politics of Canadian Foreign Policy – 3rd ed., (Scarborough, Ontario: Prentice Hall Canada Inc., 1997), 15.

² Percent of total world exports in 2000 (\$6,273,114 million): the United States- 12.5%, Japan- 7.7%, Canada- 4.1%. Percent of total world imports in 2000 (\$6,518,899 million): the United States- 18.7%, Japan-5.8%, Canada-4.1%. Data obtained from JETRO (Japan External Trade Organization), Imidas 2001 (Tokyo: Shueisha, 2000). For both Japan and Canada, the United States is the biggest trading partner: 87% of Canadian export, 64 % of Canadian import, 30% of Japanese export, and 19% of Japanese import were with the United States in 2000. Japan. Ministry of Finance, Trade Statistics Customs and Tariff Bureau. <<http://www.mof.go.jp>>; Canada. Industry Canada. “Trade Data” <http://strategis.ic.gc.ca/sc_mrkti/tdst/engdoc/tr_home.html>

Potentially, they have much to gain by cooperating in PKOs and influencing the future direction of UN policy. In regards to PKOs these differences and similarities can provide mutual lessons, answer questions and help solve problems either country may face. Japan can learn from Canada's active and lengthy history of participation of PKOs. Japan's recent involvement in PKOs might give Canada new perspectives.

Canada and Japan have already begun cooperating. PKO officials from both countries began a dialogue in regards to the United Nations Transitional Authority of Cambodia (UNTAC). When Japan dispatched a transport contingent to the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights in 1996, cooperation between the two countries increased. In this instance a Japanese Self Defence Force (SDF) transport group replaced a similar Canadian group and is operating within a larger Canadian logistics unit.³ To provide proposals for more interactive Canada-Japan cooperation, it is necessary to understand the definition and changing role of the PKOs, the motivation of the Canadian and Japanese governments, and how they became involved in PKOs.

³ Raymond Chan, "Peacekeeping and Foreign Policy," in Alex Morrison, Ken Eyre and Roger Chiasson ed. Facing the Future: Proceedings of the 1996 Canada-Japan Seminar on Modern Peacekeeping. (Clementsport, NS: The Canadian Peacekeeping Press, 1997), 81.

1.2 The Changing Role of PKOs

The end of the Second World War did not end warfare. The creation of the United Nations as a forum for dispute resolution and the establishment of a permanent security council, although useful, has not eliminated the underlying causes of armed conflict. Old sources of conflict remain including ethnic, cultural and religious differences, territorial disputes, as well as environmental strains caused by pollution, population increases and famine. New sources of tension and threats include rapidly changing ways of life, struggles between fundamentally opposed universal secular ideologies, new international economic interests, the building of new empires during the Cold War, and the rapid development of weapons technology.

From 1948 to January 1, 2001, 54 PKOs have been established, of which 15 are currently active. The demand for PKOs has increased in the post-Cold War era; forty-one of these PKOs have been established since 1989.⁴ The Cold War suppressed regional conflicts, although the US and the Soviet Union used several regional conflicts to advance their Cold War objectives. The end of the Cold War allowed these conflicts to re-emerge, placed a heavier demand for other mechanisms such as the UN and PKOs to help prevent and stop bloodshed. The increase of PKOs in the post-Cold War shows the necessity of conflict management (prevention, settlement and resolution) and humanitarian support by both military and civilian peacekeepers to deal with a diverse range of

⁴ The facts are up to January 1, 2001. The United Nations PKO fact sheet from <<http://www.un.org/peace/bnote010101.pdf>>

disputes.

The UN Charter did not foresee PKOs but the UN created them because of the need to establish structures to resolve multiple cases of international and intra-national armed conflicts. Secretary-General Dag Hammarskjöld claimed the PKOs were covered by Chapter "Six and a Half" of the Charter, because PKOs involving military personnel are not the means of voluntary settlement of disputes declared in Chapter VI, nor are they the enforcement powers envisaged in Chapter VII.⁵ To understand the definition and roles of PKOs requires an explanation of Chapters VI and VII.

Chapters VI and VII of the UN Charter assert the UN's fundamental objective, concrete measures and responsibility for maintaining international peace and security.⁶ Article 36 of Chapter VI calls on the Security Council and the General Assembly to settle disputes by peaceful means and allows the Security Council to "recommend appropriate procedures or methods of adjustment". The action of the Security Council is limited to making recommendations to the parties for a pacific settlement of the dispute. The settlement is, in this context, dependent on voluntary consent of the parties. If Chapter VI is ineffective, Chapter VII may be activated.

Chapter VII permits the Security Council to enforce a wide range of

⁵ United Nations, The Blue Helmets: A Review of United Nations Peace-keeping (New York: United Nations Department of Public Information, 1985), 3; Roy S. Lee, "United Nations Peacekeeping: Development and Prospects," Cornell International Law Journal Vol.28 (1995), 622.

⁶ Appendix III.

measures in the territories of member states when the Security Council agrees on “the existence of any threat to the peace, breach of the peace, or act of aggression.”⁷ First the Security Council can, in accordance with Article 41, take initial non-military-involvement measures which include “complete or partial interruption of economic relations and of rail, sea, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.” If the Security Council deems measures under Article 41 inadequate, it may use, under Article 42, force including “demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.” All member states are expected to contribute armed forces, assistance and facilities. Moreover, in case military measures are required urgently, “members shall hold immediately available national air-force contingents for combined international enforcement action,” which is advised and assisted by a Military Staff Committee.⁸

Decisions under Chapter VII require a majority of at least nine votes (out of a total of fifteen). The majority must include the five permanent members.⁹ Decision-making is strongly influenced by the power balance between member states of the Security Council. The necessity of the concurring vote of the five permanent members prevented the application of Chapter VII during the Cold War. The presence of the two main Cold Warriors among the permanent Security

⁷ Lee, “United Nations Peacekeeping: Development and Prospects,” 619; Appendix III, Article 39.

⁸ Appendix III, Article 43, 45.

⁹ Lee, “United Nations Peacekeeping: Development and Prospects,” 619.

Council members ensured that any use of Chapter VII would be vetoed by either one or the other. The collapse of the Soviet Union and the disappearance of the East-West divergence reduced the need for the US and Russia to exercise their veto to protect strategic interests. The five permanent members agreed to intervene in Somalia and the former Yugoslavia under the provisions of Chapter VII. The criteria of Chapter VII is, however, still susceptible to abuse in that threats to peace and measures for settlement may be defined to serve members' own interests and actions.

The development of PKOs compensated in part for the inapplicability of Chapter VII. The UN establishes PKOs to maintain or help restore international peace and security in areas of dispute. There is no fundamental definition of peacekeeping operations, because the role of PKOs has changed significantly since their inception. However, the basic role of a PKO is to provide means and time for negotiation and peaceful settlement. PKOs are only a part of the peaceful resolution of conflict. They can stop hostilities and maintain ceasefires, but they cannot resolve the fundamental causes or political problems underlying the hostilities.¹⁰

PKOs are usually established by a resolution of the Security Council and created as a subsidiary organ of the Security Council under Article 29.¹¹ One of

¹⁰ United Nations, The Blue Helmets: A Review of United Nations Peace-keeping, 7; Indarjit Rikhye, "Peacekeeping and Peacemaking," in Henry Wiseman ed. Peacekeeping, Appraisals & Proposals, (New York: Pergamon Press, 1983), 7.

¹¹Chapter V Article 29. "The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions." "Charter of the

the few exceptions is United Nations Emergency Force I (UNEF I) in 1956-67 established by a resolution of the General Assembly. Britain and France vetoed the Security Council resolution, and then the Security Council activated the "Uniting for Peace" resolution to allow the transfer of responsibility to the General Assembly. UNEF I existed as a subsidiary organ of the General Assembly under Article 22.¹² Whether established by the Security Council or the General Assembly, the Secretary-General directs PKOs.

The Korean War and Desert Storm conducted in Kuwait were authorized, but not directed by the UN and not under UN responsibility. Consequently, they are not considered PKOs.¹³ If states or a multinational force carry out operations, even though they may be authorized by the Security Council, it is not a PKO unless it is directed by the UN. In addition, although UN peacekeeping operations use military forces, they are not for encouraging combat but for maintaining and observing peace.

PKOs assume a variety of duties depending on the circumstances of the conflict. These duties may involve observer missions, peacekeeping forces and civilian groups. The observer missions are in charge of monitoring armistices, demilitarized zones, withdrawal of weapons, and disarmament. In order for military personnel to operate in the front line of demilitarized zones and borders,

United Nations," <<http://www.un.org/aboutun/charter>>

¹² Chapter IV Article 22. "The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions." "Charter of the United Nations," <<http://www.un.org/aboutun/charter>>

¹³ Lee, "United Nations Peacekeeping: Development and Prospects," 622.

they require discipline and knowledge of the task. For this reason, traditionally active participants like Scandinavian countries and Canada specifically train their members for observer missions. Additionally, the participating forces must come from countries that enjoy a stable relationship with all nations involved in the dispute. The peacekeeping forces (PKF) consist of corps from UN member states. They maintain armistices, disarmament and public order. PKF members are allowed to use weapons to guard themselves and other military and civilian personnel, to provide their safety, and to remove obstructions. The civilian groups consist of civilian police and electoral assistance groups. They observe the protection of human rights, help organize election administration and supervise elections. In any duties, PKOs operate under several fundamental principles.

PKOs must have the consent of the parties and governments involved in the dispute. Member states provide military personnel on a voluntary basis. The UN decides on the composition of the forces and the host state is not allowed to choose contingents, though it may object to the participation of parties with a vested interest. The use of force is limited to light defensive weapons only for self-defence. States that contribute personnel for the PKO must be impartial to the dispute. PKOs must not interfere in the internal affairs of the host country. They also must be collectively financed by member states.¹⁴

¹⁴ United Nations, The Blue Helmets: A Review of United Nations Peace-keeping, 4; Boutros Boutros-Ghali, "Empowering the United Nations," Foreign Affairs Vol.71, No.5 (Winter 1992-93), 90; Lee, "Peacekeeping: Development and Prospects," 623; Paul Martin, "Peacekeeping and the United Nations: The Broader View," International Affairs Vol.40, No.2 (April 1964), 197.

The principle of collective financing became a burden for many member states. PKOs are usually financed from the UN regular budget. The expenses of PKOs are apportioned according to a special formula. The permanent members of the Security Council and the developed member states pay proportionately more for peacekeeping than for the regular UN budget.¹⁵ Reflecting the increased number of complex PKOs in the 1990s, the cost also rose. From a \$0.4 billion budget in 1991, the cost went up to \$3.6 billion in 1993. The peacekeeping budget fell in the late 1990s (\$1.0 billion in 1998), but increased again to \$2.5 billion in 2000-2001.¹⁶ Some member states, including the US, are not meeting individual dues because of political disagreements with the UN, increased costs and their domestic financial strains.¹⁷

The role of PKOs has changed since their foundation. There are three generations in the history of PKOs. The first and second generations are characterized as traditional PKOs. The third generation is contemporary PKOs in which Chapter VII was applied. Traditional PKOs were conducted by unarmed military observers, lightly-armed PKF, civilian personnel, or a combination of the

¹⁵ Lee, "United Nations Peacekeeping: Development and Prospects," 622.

¹⁶ United Nations, "United Nations Peacekeeping from 1991 to 2000: Statistical Data and Charts," <<http://www.un.org/Depts/dpko/dpko/pub/pdf/7.pdf>>

¹⁷ According to the report of 1999, \$1.7 billion was unpaid by the US. United Nations Association in Canada, Winnipeg Branch, "UN Reform," <http://www.winnipeg.unac.org/virtuallib/topindex/un_reform.html>; The US owed \$1 trillion to foreigners and became the country with the highest net foreign debt in 1986. James Laxer. Stalking the Elephant – My Discovery of America, (Toronto: Viking, 2000), 269.

three. First generation PKOs focused on observing the implementation of an armistice and disarmament based on consensus. The first generation includes the United Nations Emergency Force I (UNEF I), UN Operations in the Congo (ONUC) and UN Forces in Cyprus (UNFICYP).

The character of the second generation is defined by a humanitarian focus and features an expanded scope of activities, in particular by civilian personnel. As the Cold War ended, the purpose of PKOs gradually developed to organize and monitor elections, help resettle refugees, protect human rights, manage public administration, monitor local police and preserve demilitarized zones. The role of civilian police is significant to the operations involved in humanitarian aspects.¹⁸ The multidimensional operation in Cambodia illustrated the interaction between unarmed military observers, lightly-armed peacekeeping forces and civilian police. In traditional PKOs, it was essential to maintain the use of force only for self-defence, and to operate under the consent of the disputing parties and under the existence of a ceasefire or a peace arrangement approved by the Security Council. These characteristics faded in the third generation of PKOs.

Unlike traditional PKOs, the third generation involves complicated disputes within national borders, or intra-state conflict. Since the end of the Cold War, conflicts between nations have decreased and conflicts within national borders and between ethnic groups have increased. For example, only one of the

¹⁸ Boutros-Ghali, "Empowering the United Nations," 91-92.

25 conflicts in 1997 was a conflict between states.¹⁹ In a “failed state” like Somalia, the government is too powerless to ensure citizen protection and armed conflict occurs within a chaotic power vacuum. Moreover, threats to human rights and safety from natural disasters, massacres and persecution have resulted in significant movement of refugees across national borders straining the capacity of bordering countries to ensure the safety and order. Stressing the importance of human security, third generation PKOs have justified intervention and given high priority to humanitarian assistance for refugees and minority groups in places like Somalia and the former Yugoslavia.

In 1992 for the first time in the history of PKOs, the Security Council allowed the United Nations Operation in Somalia II (UNOSOM II) to use force without agreement from the government of Somalia or the parties in dispute. In the third generation PKOs such as United Nations Protection Force (UNPROFOR) and UNOSOM II, the Security Council enforced humanitarian intervention without consensus among parties involved. In these cases the Security Council has decided that the interest of human security has outweighed the importance of national sovereignty and legitimated the use of military force in order to carry out humanitarian rescue and to protect the delivery of humanitarian supplies from destruction, obstruction or theft in a continuing conflict.

Secretary-General Boutros Boutros-Ghali's The Agenda for Peace,

¹⁹ Dick Zandee, “Civil-military interaction in peace,” based on his Building Blocks for Peace: Civil-Military Interaction in Restoring Fractured Societies, <http://www.nato.int/docu/review/1999/9901_03.htm>

published in 1992, asserted the currently strong belief of the UN in humanitarian operations supported by military actions. The UN considers contemporary PKOs “the highest form of humanitarianism, since peace is the prerequisite for the normalization of the lives of the victims of conflict and security is necessary for effective delivery of humanitarian assistance.”²⁰ Thus, the UN justifies the use of force without consensus of the parties involved. However, the UN justification of armed humanitarian operation brings some questions. Military intervention may compromise the impartiality of humanitarians, endanger them in the field and politicize their efforts. It may also jeopardize the activities of assistance providers. In addition, military forces are more expensive to maintain and to transport than civilian assistance groups. While the military has provided security and logistics, communications and intelligence, civilian personnel have been better suited for meeting the objectives of humanitarian operations.²¹ However, considering the circumstances of a conflict zone, the use of military force may be necessary.

Although, frequently justified on humanitarian grounds, one problem of contemporary PKOs is whether they are guided by power interests or humanitarian concern. Noam Chomsky, a political activist and linguist, argues that humanitarian intervention is a guise for self-interested intervention by

²⁰ S. Neil MacFarlane, Peace Support Operations and Humanitarian Action: A Conference Report, (Halifax: Centre for Foreign Policy Studies, Dalhousie University, 1998), 11-12.

²¹ *Ibid.*, 12-13.

countries that emerged victorious from the Cold War.²² Humanitarian action may complicate the response to urgent human needs and jeopardize the work of other international humanitarian organization. On the other hand, a political scientist, Neil MacFarlane says that the international community has a moral obligation to intervene to help cease hostilities and to provide humanitarian assistance when states are incapable of doing so.²³ The Charter of the UN itself is self-contradicting in this regard. Article 2 requires non-interference in domestic affairs, while Article 39 accepts compulsory interference by the Security Council when "threats to the peace" are approved.²⁴

Some argue that UN-sanctioned humanitarian intervention in internal conflict is, whatever the circumstances, a violation of state sovereignty.²⁵ However, in internal conflict, or in interstate conflicts where governments are not able to exercise full authority and responsibility over their territory and are unable to control or to settle the dispute, there is no single state or government, but there are sometimes several authorities. The leaders of such groups are often inaccessible and their identity may be even unknown.²⁶ The failed state is in a

²² Noam Chomsky, The New Military Humanism: Lessons from Kosovo (Vancouver: New Star Books, 1999), 11-13.

²³ MacFarlane, Peace Support Operations and Humanitarian Action: A Conference Report, 16.

²⁴ Takahiro Shinyo, Kokusai Heiwa Kyouryoku Nyumon. (Tokyo: Yuhikaku, 1995), 21.

²⁵ MacFarlane, Peace Support Operations and Humanitarian Action: A Conference Report, 17.

²⁶ Boutros-Ghali, "Empowering the United Nations," 91.

complete chaos. The definition of sovereignty should be flexible in a place with no government. Boutros-Ghali claims “underlying the rights of the individual and the rights of peoples is a dimension of universal sovereignty that resides in all humanity and provides all peoples with legitimate involvement in issues affecting the world as a whole.”²⁷ There is no government to protect human security, but the UN. Humanitarian intervention should be accepted as long as the UN does not serve the national interests of a particular nation. However, as explained earlier, the imperfect decision-making process of the Security Council is sometimes influenced by the media, public opinion in member countries, the power balance and importance of the nations involved, and the views of UN members generally. In order to maintain neutrality and impartiality in humanitarian intervention, Security Council members must decide carefully whether the situation genuinely constitutes a “threat to the peace”.

This section previews some challenges and problems facing PKOs. PKOs, by themselves, do not permanently settle conflicts.²⁸ Peacekeeping must be followed by political negotiation and diplomacy to re-establish peace. The role of PKOs has expanded as the circumstances of conflict zones have become more complicated. On their own, traditional PKOs cannot succeed in establishing peace, so contemporary PKOs have taken expanded roles including conflict prevention,

²⁷ *Ibid.*, 98-99.

²⁸ *Ibid.*, 90.

peacemaking, peace enforcement, and post-conflict re-building.²⁹ As a result, UN member states face a complicated dilemma between humanitarian needs and the peacekeepers' safety, sovereignty and increasing costs.

1.3 Canadian Involvement in PKOs

Canada is a pioneer in peacekeeping and has deployed over 90,000 personnel in PKOs. Canada proposed the dispatch of the UN Emergency Force I (UNEF I) at the Suez Crisis of 1956. The UNEF I became the first "peace keeping force," which allowed the use of weapons for self-defence, and the model of later PKOs. Since this success, PKOs have been a major part of Canada's foreign policy and a source of its international prestige as a committed peacekeeper.

In light of the popularity of PKOs with Canadians, Canadian historian J.L. Granatstein points out, "we have now forgotten that Canada initially was not enthusiastic about the idea of participation in UN peacekeeping operations."³⁰ As the case studies in Chapter 2 demonstrate, Canada was a reluctant peacekeeper in the late 1940s to the early 1950s. In the first years after the Second World War only a handful of Canadian military personnel were deployed. The Canadian government was often restrained by its relations with the Commonwealth and NATO. Not until after the Suez Crisis did the Canadian public become

²⁹ Lee, "Peacekeeping: Development and Prospects," 624.

³⁰ J. L. Granatstein, "Peacekeeping: Did Canada Make a Difference? And What Difference Did Peacekeeping Make to Canada?" in John English and Norman Hillmer, eds., Making a Difference: Canada's Foreign Policy in a Changing World Order. (Toronto: Lester Publishing Limited, 1992), 225.

enthusiastic about PKOs. The change in attitude resulted from the awarding of the 1957 Nobel Peace Prize to Lester B. Pearson for his contribution to the creation of UNEF. Since then, PKOs attracted Canadians and Canadian governments "have been anxious to follow in Pearson's footsteps."³¹

Moral obligations and national interest have driven Canada's peacekeeping policy; however, social, historical and political factors have affected that policy. Canada's moral obligations can be described as altruism, voluntarism or humanitarianism. As a member of the UN, Canada has felt obliged to carry out its supportive duties. Canada also acted under national self-interest. Canada's active involvement and success in PKOs have helped unify national support for foreign policy. As well, the UN and PKOs have helped secure Canada's national defence, have provided international recognition, and have protected Canada's trading relationships.

Canadian opinion was divided between English- and French-Canadians over military involvement in the First World War and Canada's place within the British Empire, but isolationism was never a real option. Canada became the geographic middle-ground in the Cold War between the United States and the Soviet Union. The development of high technology meant that geography no longer protected Canada in the same way as it had before 1939. Politically, Canada was not in the middle-ground. Its membership of North Atlantic Treaty

³¹ Quoted in David Pugliese, "Nobel fever: with Somali still in the headlines, why were the Chrétians determined to make the same mistake in Zaire?" Saturday Night, Vol.112, No.4 (May 1997), 55.

Organization (NATO) and North America Air Defense (NORAD) clearly placed Canada in the Western bloc. Canadian national defence policy was greatly influenced by its powerful neighbour, the US. The US disliked Canada questioning American policy or expressing independent interests. However, as a middle power, Canada's values and policies differed somewhat from that of America.³²

In addition to the implication for Canada's defence policy created by its bilateral relationship with the US, Canada sought national defence by ensuring international peace and broader collective security through the UN. International stability removed threats to Canada's trade relationships. Canada's ability to contribute to the success of the UN allowed it to play a larger role in international affairs than its power would otherwise warrant. Canada's two official languages, regional differences, many kinds of ethnic groups and multiculturalism created political skills in cross-cultural communication and negotiation that have been useful within the United Nations. Because of its middle power status, Canada has focused on these strengths, which have rationalized Canada's involvement and contributions to international decision-making. Within the international community and international organizations, Canada's active role in peacekeeping has provided Canada with relatively greater influence than other middle powers.

The Canadian governments' view of PKOs has changed over time,

³² Lauren McKinsey and Kim Richard Nossal, "Introduction: The American Alliance and Canadian-American Relations," in Lauren McKinsey and Kim Richard Nossal eds., America's Alliances and Canadian-American Relations (Toronto: Summerhill Press, 1988), 25-26.

reflecting the international power balance, the increased financial requirements of the UN and the changing capabilities of the Canadian Armed Forces (CAF).³³ Despite Canada's enthusiastic contribution to PKOs after the Suez Crisis, the policy implications were not clearly and officially defined until the 1964 White Paper on Defence. It ambitiously stated three major objectives: "To preserve the peace by supporting collective defence measures to deter military aggression; to support Canadian foreign policy including that arising out of our participation in international organizations; and to provide for the protection and surveillance of our territory, our airspace and our coastal waters."³⁴ This paper became a cornerstone of Canadian peacekeeping policy because it indicated the importance and value of peacekeeping and the necessity of integrating defence and foreign policies.³⁵

In 1973, Secretary of State for External Affairs, Mitchell Sharp announced Canada's criteria for peacekeeping participation: 1) The agreement must have a reasonable chance of fostering a political settlement of the conflict; 2) The peacekeeping force must be responsible to the UN; 3) The sponsoring

³³ Rod B. Byers, "Peacekeeping and Canadian Defense Policy: Ambivalence and Uncertainty," in Henry Wiseman ed. Peacekeeping, Appraisals & Proposals (New York: Pergamon Press, 1983), 152.

³⁴ Canada, Minister of National Defence, White Paper on Defence, (Ottawa: Queen's Printer, March 1964), 5.

³⁵ David Cox, "Canada's Interest in Peacekeeping: Some Political and Military Considerations" in Taylor et al. ed. Peacekeeping: International Challenge and Canadian Response, quoted in Byers, "Peacekeeping and Canadian Defense Policy: Ambivalence and Uncertainty," 135.

authority should receive reports and have adequate power to supervise the mandate of force; 4) The parties to the conflict must agree to a ceasefire and to Canada's participation in the mission; 5) The prospective peacekeeping operation must have an enforceable mandate; 6) There must be an agreed and equitable method of financing the operation.³⁶

The Canadian government's attitude toward PKOs concerned some military officials. Since PKOs were officially designated as a priority for the CAF in the 1950s, the CAF have focused planning, training, equipment, and resource allocations on PKOs.³⁷ This emphasis on PKOs could affect the CAF's capability to sufficiently fulfill its NATO and NORAD commitments. In response to Sharp's statement, the Canadian military claimed that peacekeeping should be recognized as "a competitor to traditional military roles" and the CAF's commitment in the NATO and NORAD should not be minimized.³⁸ Reflecting this view, Minister of National Defence, James Richardson limited the number of deployed peacekeepers to a maximum of 2000 at any one time in 1975.³⁹

Canada's peacekeeping policy in the 1970s illustrated "disillusionment over the utility of and future prospects for peacekeeping."⁴⁰ The sudden

³⁶ Canada. House of Commons. Debates. November 14, 1973, 7798

³⁷ Byers, "Peacekeeping and Canadian Defense Policy: Ambivalence and Uncertainty," 130.

³⁸ *Ibid.*, 148.

³⁹ Canada, House of Commons. Debates, November 17, 1975, 9593.

⁴⁰ Byers, "Peacekeeping and Canadian Defense Policy: Ambivalence and

withdrawal of UNEF I, the failure of a permanent peace settlement in the Middle East, and the problems of financing PKOs disappointed Canadians. Thus, the Canadian government re-evaluated its commitment in PKOs. The publication of Defence in the 70s: Comments on the White Paper exemplified the shift of priorities; peacekeeping was deemed the least important defence priority whereas the protection of Canadian sovereignty, the defence of North America and NATO were determined to be most important.⁴¹ Nevertheless, the 1971 White Paper reiterated Canada's commitment to maintaining a standby peacekeeping battalion and training for PKOs.⁴² Canadian governments have retained that view. However as the UN changes its attitude to PKOs and the burden on member states increases, the Canadian government needs to re-evaluate its criteria and military capacities.

1.4 Japanese Involvement in PKOs

Japan has a very different experience and involvement in PKOs. Japan is a latecomer to PKOs. The Second World War caused Japan to shift its focus 180 degrees from militarism towards a focus on peace and a near complete rejection of

Uncertainty," 136.

⁴¹ "Defence in the 70s: Comments on the White Paper" Behind the Headlines Vol.30, No. 7-8 (October 1971), in Geoffrey A.H. Pearson, "Canadian Attitudes to Peacekeeping," in Henry Wiseman ed. Peacekeeping, Appraisals & Proposals, (New York: Pergamon Press, 1983), 125-126.

⁴² Byers, "Peacekeeping and Canadian Defense Policy: Ambivalence and Uncertainty," 136.

military activity. The post-war Constitution fortified this shift and reoriented Japan towards international cooperation, through the renunciation of war and non-use of force described in Article 9.⁴³ The preface of the Constitution recognizes the importance of playing an active role in the world in cooperation with the multinational community that is interpreted as encouraging support for the UN and international peace efforts. However, the UN Charter requires member nations to provide armed forces if requested. In respect to Japan's demilitarization, in 1946, then Minister of State Shidehara said:

When Japan joins the UN, it has to reserve adaptation of the Constitution and Article 9. Japan agrees with the principle of the UN. However, as long as Japan reserves Article 9, we cannot cooperate when the UN orders apply sanctions, because we cannot break renunciation of war and Article 9. If we preserve our policy, other nations will support us. The best way to protect Japan's right and freedom is not to have armed force and participate in any war.⁴⁴

The Japanese government also stated when Japan joined the UN it

⁴³ Appendix IV. There is contradiction between the renunciation of war and Japan's rearmament by the SDF and a large military budget. It has been controversial whether the existence of the SDF itself violates the renunciation of the right of belligerency. By 2000 there had been no definitive ruling on this question by the Japanese Supreme Court. The Supreme Court dealt directly with Article 9 at the Sunakawa Decision of 1959. However, it did not touch the constitutionality of the SDF, but focused on the constitutionality of US bases in Japan. Theodore McNelly, The Origins of Japan's Democratic Constitution, (Lanham, Maryland: University Press of America, Inc., 2000), 135; John M. Maki, Court and Constitution in Japan – Selected Supreme Court Decisions, 1948-60, (Seattle: University of Washington Press, 1964), xxxvi, 298-361.

⁴⁴ My translation. Hoshino, "Kaigai hahei to kenpo," in Ryokufu Shuppan ed. PKO mondai no souten, (Tokyo: Ryokufu Shuppan, 1991), 97-98.

would accept obligations under the UN Charter within the scope of its discretion. Nevertheless, it made clear that it would not share any military cooperation and participation in the UN and would not dispatch the SDF overseas. In addition, the Japanese government stressed its obligation not to repeat past mistakes and that the SDF was strictly for internal order.⁴⁵ The interpretation of “internal order” was expanded under the alliance with the US and increased its defence production, which is explained in Chapter 3.

Article 9 of Japan’s Constitution caused Japan to believe that it had no obligations towards maintaining international security. The Japanese government was reluctant to discuss issues of militarization and overseas military operations, which remained too controversial in light of Japan’s military history. In addition, the Japanese government did not need to consider issues of international peace and security while it was under the protective umbrella of the security arrangements with the United States.

Since the Gulf War, the definition and role of the SDF has changed from internal protection to broader protection. During the Gulf War, Japan’s inability to cooperate in armed peace initiatives with other UN members became internationally and domestically apparent, and Japan’s contributions to the war effort failed to allay criticism in the US. The US as well as domestic pressure against Japan’s reluctance to contribute personnel led to the passing of the International Peace Cooperation Law (PKO Law) in June 1992, to let civilians

⁴⁵ *Ibid.*, 98-100.

and SDF personnel participate in PKOs. Few countries have enacted such a law specifically for international peace cooperation. Switzerland and Austria limit overseas dispatches of military forces because of their permanent neutrality. The Scandinavian nations, which have standby corps for PKOs in their ministries of defence, have enacted such laws.⁴⁶

To maintain consistency between the Constitution and UN PKO requirements, the PKO Law included basic guidelines. These guidelines, the so-called five principles, define criteria for participation of SDF members in PKO:

- 1) Agreement on a cease-fire shall have been reached among the parties to the conflict;
- 2) The parties to the conflict, including the territorial state(s), shall have given their consent to deployment of the peacekeeping force and Japan's participation in the force;
- 3) The peacekeeping force shall strictly maintain impartiality, not favouring any party to the conflict;
- 4) Should any of the above guideline requirements cease to be satisfied, the Government of Japan may withdraw its contingent;
- 5) Use of weapons shall be limited to the minimum necessary to protect the members' lives.⁴⁷

The last two principles are unique to Japan and ensure respect for Japan's no-war clause and no-use-of-force.

Japan's first PKO was the deployment of 27 civilians to Namibia in October 1989 as part of United Nations Transition Assistance Group (UNTAG). In February 1990, although it was not an official UN PKO, 6 Japanese civilians participated in the United Nations Observer Group for the Verification of

⁴⁶ Shinyo, Kokusai Heiwa Kyoryoku Nyumon, 186.

⁴⁷ Japan. Defense Agency. Bouei Hakusho (Defense of Japan), 1992, 159.

Elections in Nicaragua (ONUVEN). In both cases, Japan's peacekeepers were civilians. For these operations, the Law of Establishment of Ministry of Foreign Affairs and Dispatching Law were applied to send Japanese peacekeepers. Japan's first dispatch of both civilian and military personnel under the PKO Law was in the United Nations Transitional Authority of Cambodia (UNTAC) in September 1992.

Both the Japanese government and public opinion have begun to pay more attention to PKOs since the enactment of the Law. Attention to SDF's participation in PKOs appears in the National Defense Program Outline adopted by the Japanese Security Council and the Cabinet in 1995. The Defense Program Outline adopted in 1975, had focused on the power balance among super powers such as the United States, China and the Soviet Union, and had relied on the Japan-US Security Treaty to maintain Japan's security and stable international relations.⁴⁸ The Outline of 1995 was also drafted on the premise of the continuation of the Japan-US Security Treaty for the maintenance of international relations. It presumes that the international political structure, the Asian region and Japan's domestic situation will remain relatively secure.⁴⁹ However, it considers the significant changes that occurred in the international situation between 1975 and 1995 including the demise of the military confrontation between East and West. It also considers the increased role of the

⁴⁸ Japan. Defense Agency. Bouei Hakusho (Defense of Japan), 1996, 90.

⁴⁹ Japan. Defense Agency. Defense of Japan, (Translated by the Japan Times) 1998, 324.

SDF in providing aid in cases of large-scale disasters and contributing to a global security through participation in international peace cooperation activities.⁵⁰

The Outline of 1995 declares that when a situation in the areas surrounding Japan affects national peace and security, Japan should participate in UN activities in accordance with the Constitution and relevant laws and regulations, and ensure the implementation of the Japan-US Security Arrangements.⁵¹ The Outline represented a significant shift in Japan's defence planning by recognizing the importance of participating in international peace cooperation activities to preserve the stability of Japan's political environment, national defence and national interests.

Japan's participation in PKOs is based on securing stability of areas important to Japan's national interest. Situations in the Middle East, Africa, South West Asia and South America influence Japan's economic stability and prosperity because these areas provide oil and other resources, and adjoin sea-lanes important to Japan's trading relationships. Being an economic superpower, trading nation and centre of global finance, Japan has broad interests around the world. Thus, Japan has considerable interests in preserving international stability.

Japan's participation in PKOs helps to protect those interests. The preface of Constitution declares, "We have determined to preserve our security and existence trusting in the justice and faith of the peace-loving peoples of the

⁵⁰ *Ibid.*, 324.

⁵¹ *Ibid.*, 327.

world.” This is optimistic as the world experiences complicated and continued conflicts. Japan needs to be more active to protect itself. Participating in PKOs secures not only Japan’s economic relationship, but helps prevent conflicts in Japan’s sphere of interest. Participation also raises Japan’s international profile.

Besides its self-interest, Japan can contribute greatly to international peace by becoming active in UN operations. Although the constitution may limit Japan’s contribution, its technological, organizational and logistical capabilities could prove invaluable to the success of UN PKOs. Participation not only contributes to global peace and security, but also helps to lesson the pressure on like-minded and allied countries such as the United States. Japan stands to benefit from becoming a full and active partner in the international operations. Indeed, it may be impossible for Japan to avoid doing so.

Chapter 2: A Pioneer – Canadian PKOs

It is beyond the scope of this study to look at every PKO involving Canada. Some cases between the first UN PKO and the Suez Crisis and two cases in the 1960s provide examples of traditional PKOs. Two in the 1990s illustrate the changing role, definition and problems facing the future of PKOs. These examples focus on the significant decision-making processes, the opinions of the Canadian government and public, and the results of the operations.

Canada learned from the two world wars that it could not remain reluctant to participate in world affairs. As Secretary of State for External Affairs, Paul Martin stated in 1964, Canada learned that “the price of peace is constant vigilance and willingness to make sacrifices for its preservation.”¹ In addition, the security of Canada’s geography was threatened by the instability between the Soviet Union and the Western allies, a situation which threatened to cause another world war.

Canada has used peacekeeping to achieve several foreign policy objectives. In the post-Second World War era Canada has given high priority to international organizations to ensure collective security. For Canada, peacekeeping is a way to hold influence as a middle-power within these organizations. Canada has used this status to alleviate tensions between nuclear superpowers. In addition, given its comparative reliance on trade and foreign investment, the maintenance of international peace has

¹ National Archives of Canada (NAC), External Affairs, RG25 Vol.10134 File 21-14-2-1, Statement and Speeches, “Text of a speech made by the Secretary of State for External Affairs, the Hon. Paul Martin, to the Ottawa Branch of the United Nations Association, at the International House, Ottawa, May 4, 1964”, 2.

enhanced Canadian economic stability.

2.1 The Emergence of Canadian PKOs

Palestine, Indonesia, India/Pakistan

Before the United Nations established its first official peacekeeping force, it had peacekeeping activities in Palestine, Indonesia and India/Pakistan. The operations exhibited the reluctance of Canada to engage in military operations in the early years following the Second World War. The Canadian government took a reluctant attitude toward these PKOs in part because these nations were former colonies of Canadian allies. This created a dilemma for Canada between its membership in the UN and its role as an ally of NATO, organized in 1949, and a member of the British Commonwealth.

The first conflict that the UN dealt with was the Palestine question in 1947. After the Second World War, the conflict between the Arab and Jewish residents of Palestine intensified. Britain, which had administered Palestine under the League of Nations since the First World War, withdrew and entrusted the UN with the Palestine question. The Assembly set up United Nations Special Committee on Palestine in April 1947. The Committee produced a report recommending partition and a federal governmental structure in Palestine. The majority of UN members, including the US, the Soviet Union and Canada, favoured the partition report, while the Arab countries refused to accept the Assembly resolution and endorsed Palestine's independent sovereignty. The question over the Arab proposal and the proclamation of Israel escalated armed

conflicts in the area. Armistice agreements were signed between Israel and Egypt, Lebanon, Jordan, and Syria and they have been observed by the United Nations Truce Supervision Organization (UNTSO) since May 1948 to the present. Pearson was not satisfied with the armistice, concerned that it would not create long-term peace unless there was progress towards political settlement.² He was right. The UN did no more than observe the armistice. Conflict between the Jewish and Arab ethnic groups occurred again at the Suez Crisis of 1956.

Canada, elected to be a non-permanent Security Council member in 1948, did not present its own views of how the Palestine question could have been resolved. In spite of lobbying by Zionist supporters within Canada, the Palestine question had little effect or influence upon Canadian policies. The early 1948 Gallup Poll showed that 23 % of all Canadians supported the Arab cause while 19 % supported the Jews. The support for the Jews was lower in Quebec; 15 % backed the Jews while 30 % favoured the Arab.³ Canada used its role to find a practical resolution of the conflict and to support both groups.⁴ At the First Committee of the General Assembly on November 22, 1948, Canada announced its neutrality by supporting both the existence of a Jewish state and a divided

² John A. Munro and Alex I. Inglis eds., Mike: The Memoirs of the Right Honourable Lester B. Pearson Vol.2, 1948-1957 (Toronto: University of Toronto Press, 1973), 217.

³ David J. Bercuson, Canada and the Birth of Israel: A Study in Canadian Foreign Policy, (Toronto: University of Toronto Press, 1985), 137.

⁴ F.H. Soward and Edgar McInnis, Canada and the United Nations (New York: Manhattan Publishing Company, 1956), 109.

Palestine for the Jews and the Arabs.⁵

Canada started participating in UNTSO in 1954 when a dangerous tension made it necessary to increase strength of UNTSO.⁶ The number of Canadian personnel was small, however some Canadian individuals played important roles. General Howard Kennedy was appointed Director of the United Nations Relief and Works Agency for Palestine Refugees in 1950. From 1954 to 1956, Major General E. L. M. Burns was the Chief of the UNTSO.

The UN also played a mediator role in Indonesia. Indonesia's declaration of independence in August 1945 was followed by the Netherlands' military intervention. Indonesian and Dutch representatives met at Linggarjati in West Java. The negotiation resulted in the *de facto* recognition by the Dutch of Indonesia's sovereignty over only Java, Sumatra and Madura. However, the Linggarjati agreement, signed in 1947, led to intensified conflicts between Indonesia and the Netherlands because Indonesia felt that it had not achieved full independence. When the Security Council appealed for an armistice and a peaceful resolution, Canada was reluctant to contribute to the UN appeal, because it wanted to maintain a balance between its long-standing friendship with the Netherlands, a member of NATO, and Indonesia's rightful demand for

⁵ Department of External Affairs, Canada and the United Nations 1948, (Ottawa: King's Printer, 1948), 238-239,

⁶ J.L. Granatstein, "Canada: Peacekeeper, A Survey of Canada's Participation in Peacekeeping Operations," in Alastair Taylor, David Cox and J.L. Granatstein eds., Peacekeeping International Challenge and Canadian Response, (Toronto: The Canadian Institute of International Affairs, 1968), 116.

independence.⁷ The Canadian government tried to be impartial: a cease-fire and a release of Indonesian political criminals, and immediate withdrawal of the Dutch army.

Canadian personnel were not included in a group of military observers that the Security Council dispatched in 1947 and 1948. Canada contributed in the Indonesian case by working on a compromise to reconcile the Dutch proposal (a transfer of sovereignty) with the Security Council resolution (independent sovereignty of Indonesia). The Canadian representative, General A. G. L. McNaughton, proposed to set preliminary negotiations between the Netherlands and Indonesia. The negotiations brought an effective solution to the UN and independence of Indonesia. Lester B. Pearson announced that the "peaceful and satisfactory solution" was "the result of a Canadian resolution."⁸

Canada was again reluctant to become involved in the Kashmir dispute in December 1947. The dilemma facing Canada between Indonesia and the Netherlands was small in comparison to the dilemma it faced regarding India and Pakistan because they became independent of Britain in 1947 and remained in the British Commonwealth. As in Palestine, the roots of the problem were territorial division and competing cultural and religious identities. India was predominantly Hindu, whereas Pakistan was Muslim.⁹

⁷ Department of External Affairs, Canada and the United Nations 1949, (Ottawa: King's Printer, 1949), 66-67.

⁸ Canada, House of Commons, Debates, November 16, 1949, 1842.

⁹ Norrie MacQueen, The United Nations Since 1945: Peacekeeping and the Cold

As a UN member, Canada's involvement was minimal. Canada was a member of the United Nations Commission for India and Pakistan, which established a cease-fire effective January 1, 1949. The Canadian representative, General McNaughton was the President of the Security Council in December 1949. He was appointed as an informal mediator and worked to frame the resolution even after his retirement. Canada also joined the United Nations Military Observer Group in India and Pakistan (UNMOGIP).

The Canadian military believed its forces would be over-stressed to participate in UNMOGIP because Canada had reduced its total military force to fewer than 40,000 personnel. However, Canada's role as a non-permanent Security Council member and the strong support of the UN by the newly appointed Secretary of State for External Affairs, Lester B. Pearson, resulted in Canada's dispatch of 8 military officers in 1949. It was Canada's first PKO and 27 personnel participated between 1949 and 1979.

UNMOGIP was not actively discussed at the House of Commons or even recorded in the annual report of the Department of National Defence.¹⁰ Canada consistently avoided involvement in any judging of the rights and wrongs of the Kashmir case. Prime Minister St. Laurent stated in April 1949 that Canada's position as a middle power on the Security Council would be important on the Kashmir issue; however given Canada's close relationship with the UK and the

War, (New York: Longman, 1999), 20.

¹⁰ Granatstein, "Canada: Peacekeeper, A Survey of Canada's Participation in Peacekeeping Operations," 102.

US, it would be hard for Canada to make its own judgment, as it would be expected to follow the two superpowers.¹¹ The government's only interest was to accept the Council's effort for peaceful settlement.

These three cases showed an era of trial and error before the structure and procedure of UN PKO became organized and systematized. Canada's reluctant attitude in these cases differed from that of later PKOs. The three cases also illustrated that Canada's allegiances to the Commonwealth and NATO affected Canada's judgment.

The Korean War

The early 1950s witnessed changing Canada's attitude from a reluctant to a committed participant. During the Korean War Canada began to pursue its foreign policy independent of the UK and the US, with whom it did not always share common goals. The escalation of the Cold War between the US and the Soviet Union threatened to make the peace function of the UN irrelevant. The UN Charter gives the Security Council authority over peace and security and expects it to deal with threats to peace immediately. However, the veto of the Security Council members, including both the Soviet Union and the US threatened the ability of the UN to take any security action disagreeable to the great powers. In particular, the US began to take advantage of the support it had from the large majority of the UN membership. "The United Nations", wrote one of Truman's aides in 1948, "is a God-given vehicle through which the United

¹¹ Canada, House of Commons, Debates, April 29, 1948, 3442-3444.

States can build up a community of powers...to resist Soviet aggression and maintain our historic interests".¹²

The outbreak of the Korean War on June 25, 1950 became a test of the survival of UN collective capability. The Security Council was able to launch collective action and establish a unified command to attack North Korea because the Soviet Union was boycotting the Security Council in protest against the failure of the UN to recognize the People's Republic of China.

The United States took the initiative in the Korean War. The United States pressured the Secretary-General, Trygve Lie to strengthen the "forces of the free world to meet aggression elsewhere and to act as an effective deterrent against a general attack."¹³ The Korean War became in part a war between the democratic world and the communist world.

On July 7, the Security Council passed a resolution recommending UN military action by organizing "a Unified Command under the United States."¹⁴ The expenses were shared by the sixteen participating nations. The Unified Command was not recognized as a PKO because only Western allies composed the force, whereas terms of Article 43 of the Charter require a military obligation be

¹² Quoted in MacQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 14.

¹³ NAC, L.B. Pearson Papers, MG 26 N1, Vol.35, Pearson to Hume Wrong, July 20, 1950; "Memorandum for the Prime Minister, Discussion on Korea" August 1, 1950.

¹⁴ NAC, L.B. Pearson Papers, MG 26 N1, Vol.36, "Canada and the Korean Problem,"10.

placed on all UN members. The operation was not based on the consent of the parties; rather it was an American initiative legitimized by a Security Council resolution.¹⁵

Prime Minister Louis St. Laurent did not want to contribute to an operation that was not under the UN command. In addition, French Canadian suspicion of American motives and lack of available troops made Canada reluctant to send troops to Korea.¹⁶ Six weeks after the outbreak of the war, Canada agreed with the necessity of collective security against the North Korea invasion. The St. Laurent government announced an Order in Council to establish the Canadian Army Special Force on August 7, 1950. This force would not only be for Korean service, but also for Canada's responsibility for collective security under the UN Charter and the NATO.¹⁷

Canada participated in the US-led force, but stressed that its participation would be under the control of the UN and would be for peace, not war.¹⁸ Lester B. Pearson emphasized Canada's interest in peace; "if interest in peace is risked in Korea, or any other place, it becomes a matter of immediate

¹⁵ United Nations, The Blue Helmets (New York: Department of Public Information, 1985), 8; MacQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 16.

¹⁶ Greg Donaghy, "Pacific Diplomacy: Canadian Statecraft and the Korean War, 1950-53," (Department of Foreign Affairs and International Trade, Unpublished), 3-6.

¹⁷ Canada, House of Commons, Debates, August 31, 1950, 94.

¹⁸ NAC, L.B. Pearson Papers MG26 N1 Vol.36 "Canada and the Korean Problem", 10; Canada, House of Commons, Debates, June 30, 1950, 4439.

concern to the Canadian people.”¹⁹ His statement indicates the changing attitude of Canada in regards to its foreign policy on PKOs.

In the autumn of 1950, the US introduced a “Uniting for Peace” resolution that was co-sponsored by six nations including Canada, Britain and France. This resolution allowed the transfer of responsibility to the General Assembly when collective security was blocked by a veto in the Security Council.²⁰ Pearson stated that the Uniting for Peace resolution was designed to maintain the UN’s effectiveness when the Security Council failed to perform its primary function.²¹ The resolution satisfied Canada because it protected the voice of small/middle powers.

The tension between the US and China/the Soviet Union was intensified after the Unified Command crossed the 38th parallel, the border between North and South Korea in September. Canada’s top priority was to keep South Korea unified, independent and democratic.²² The Canadian government was also concerned that continuing military intervention would aggravate relations

¹⁹ NAC, L.B. Pearson Papers, MG26 N9 Vol.3, “Canada and the Korean Situation: An address by Mr. L.B. Pearson, Secretary of State for External Affairs, before a joint meeting of the Engineering Institute of Canada and the American Society of Civil Engineers in Toronto, on July 14, 1950”, 3.

²⁰ Granatstein, “Canada: Peacekeeper, A Survey of Canada’s Participation in Peacekeeping Operations,” 106.

²¹ NAC, L.B. Pearson Papers, MG 26 N9, Vol.12 Lester B. Pearson, “Force for UN”, 7.

²² NAC, L.B. Pearson Papers, MG26 N9 Vol.3, “Address by the Hon. L.B. Pearson, Chairman of the Delegation of Canada, before the General Assembly of the UN, September 27, 1950”, 3; NAC, L.B. Pearson Papers, MG 26 N1 Vol.35, “The Korean War and the Situation in the Far East”, February 19, 1952, 4.

between the US and China/the Soviet Union, and expand the war. Canada, in order to prevent a third world war, sought to moderate American policy and to achieve an armistice.²³ It was not easy to convince the US which feared Communist expansion in Asia. After many negotiations between the parties involved and mediators, such as Canada and India, an armistice was signed on July 27, 1953.

From the Korean experience the Canadian government learned to distinguish its moral obligations from its strategic interests in collective security.²⁴ When the Collective Measures Committee, set up to study maintenance and improvement of international security, asked member states about the forces they could provide to the UN in April 1951, Canada was the first nation to reply. "Canada will continue, to the extent that its military resources and its existing defence obligations permit, to co-operate with other member states of the United Nations in collective action against breaches of the peace and acts of aggression."²⁵ The lesson from the Korean War was practiced in the Suez Crisis.

²³ Donaghy, "Pacific Diplomacy: Canadian Statecraft and the Korean War, 1950-53," 2, 13.

²⁴ NAC, L.B. Pearson Papers, MG26 N1 Vol.63, Memorandum "Examination of Possibility of Using United Nations Collective Measures in the Event of Aggression in the Arab-Israeli Dispute" March 8, 1956, 1.

²⁵ External Affairs (June 1951), 217, in Granatstein, "Canada: Peacekeeper, A Survey of Canada's Participation in Peacekeeping Operations," 106.

The Suez Crisis

Until 1956, the UN had no force available on stand-by call. The “Uniting for Peace” resolution, introduced during the Korean War, made it possible, however, for Lester B. Pearson and Secretary-General Dag Hammarskjöld to establish a force for collective security under the authority and control of UN. The Suez Crisis of 1956 and Lester B. Pearson’s contribution to UN involvement created a lasting link between Canada and PKOs and UN policy regarding armed conflict. Pearson’s idea of an international force designed to restore and maintain peace in the Middle East became a model for the following PKOs.

As Pearson feared, the end of the Palestine conflict of 1948 did not resolve fundamental hostilities. Tensions remained high between Egypt and Israel. Egypt denied Israeli shipping access to the Suez Canal and encouraged Arab guerrilla (*fedayeen*) attacks across Israel’s frontiers. Gammal Abdel Nasser, who took power in 1954 following an earlier military coup against the monarchy, carried out nationalistic policies. Internationally, he placed himself as the leader of the Arab nations, in particular the coalition of states confronting Israel. Domestically, Nasser modernized and industrialized Egypt. Part of this modernization was the construction of the Aswan Dam, a project funded by an international consortium of the US and the World Bank.²⁶

The tension in the Middle East peaked when US President Eisenhower withdrew the US from the international consortium of the Aswan Dam in order to

²⁶ MacQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 22.

deter Nasser's diplomatic flirtation with the Soviet Union. Against American withdrawal, Nasser announced the nationalization of the Suez Canal on July 26, 1956. Britain which had had control over the Suez Canal since 1875, was furious about Nasser's nationalization. France, which also had investments in the Canal, and Britain announced their plan for a military occupation of the Canal in July 1956.

Until the outbreak of war, Canada played a balancing act between Egypt and the Israel/Britain/France alliance. On September 21, Canada agreed to sell twenty-four F-86 jets to Israel at a rate of four per month for Israel's defence.²⁷ Canada cancelled the contract after Israel invaded Egypt on October 29. While Canada was selling jets to Israel, it also agreed to sell wheat to Egypt.²⁸ For Canada, Britain's irritation with Canada's support of Egypt showed traces of their colonial relationship.

The UN sought to control the conflict. On October 29, while Secretary-General Hammarskjöld negotiated with the British, French and Egyptian foreign ministers at the UN, Israel invaded Egypt. Britain and France called a cease-fire and observed a withdrawal of forces by Israel and Egypt, threatening military intervention after a twelve-hour time limit. Egypt refused this ultimatum. On October 31, Britain and France began air and sea operations

²⁷ NAC, L.B. Pearson Papers, MG26 N1 Vol.37, Golda Meir to Pearson, October 5, 1956.

²⁸ John English, The Worldly Years – The Life of Lester Pearson 1949-1972 Vol.2, (Toronto: Alfred A. Knopf Canada, 1992), 132.

against Egypt.

Neither Britain nor France consulted the US or the Commonwealth countries about this ultimatum. Both the US and Canada opposed British and French action. This time, Canada did not answer to Britain's war, "Ready, Aye, Ready." Moreover, it criticized Israel's use of force against Egypt and the intervention of Britain and France. British Prime Minister Anthony Eden thought Canada's reaction a betrayal, but Canada felt likewise of Britain.²⁹ Prime Minister St. Laurent stated three reasons for Canada's criticism of Britain and France: the Security Council was working on a negotiation, the British action might split ties in the Commonwealth, and disagreement between Britain/France and the US pleased the Soviets.³⁰ The Canadian position was to keep Commonwealth ties and reduce strains on the US-British/French alliance, as well as to avoid British and French criticism of Canada, and to minimize hostilities over the Suez Canal.

The US introduced the proposal on Israel's withdrawal of forces, but Britain and France vetoed it on October 30. However because of the "Uniting for Peace" resolution of 1950, a veto in the Security Council did not necessarily eliminate the possibility of action for peace; the Security Council overrode the

²⁹ NAC, L.B. Pearson Papers, MG26 N1 Vol.39, "Summary of the Public Statement made by the Prime Minister and Secretary for External Affairs on the Middle East Crisis, 'Prime Minister's Address, November 4"; English, The Worldly Years – The Life of Lester Pearson 1949-1972 Vol.2, 130, 135.

³⁰ NAC, L.B. Pearson Papers, MG 26 N1 Vol.37, "Message from the Rt. Hon. L.S. St. Laurent to the Rt. Hon. Sir Anthony Eden", October 31, 1956; Munro and Inglis eds., Mike Vol.2, 238-239.

British and French vetoes and called upon the provisions of the "Uniting for Peace" resolution. The Suez Crisis was placed before the General Assembly on the following day.

The Assembly on November 2 passed an American resolution calling for an immediate cease-fire. France, Britain, New Zealand and Australia opposed the resolution, whereas Canada, represented by Pearson, abstained on this vote. Thereby, Canada separated itself from both Britain and the US. Pearson believed the resolution could not achieve a long-term peace, and recommended instead that military force would be necessary and that the Government of Canada "would be glad to recommend Canadian participation in such a United Nations force, a truly international peace and police force."³¹

Pearson's idea was suited Canada's international position. He proposed the Emergency Force (UNEF) to encourage the British, French and Israeli forces to withdraw from Egypt and restore stability in the Middle East. His idea of replacing UNTSO with a police force had appeared as early as 1953. The Suez Crisis was a chance to put his idea into practice.

Pearson's personality and Canada's reputation helped him implement his role to settle the Suez Crisis. The Egyptian foreign minister Mahmoud Fawzi and Pearson respected one another. Canada was in a better position than either Britain or America to mediate in the conflict because it had gained a reputation

³¹ Hon. L.B. Pearson, The Crisis in the Middle East, October-December, 1956 (Ottawa: Queen's Printer, 1957), 9-10, in Granatstein, "Canada: Peacekeeper, A Survey of Canada's Participation in Peacekeeping Operations," 122.

as a neutral middle-power that could empathize with other middle/small powers. For example, Canada was not large or powerful enough to play a commanding role in world affairs, but its size and stature required some recognition and influence in both middle/small powers and Western countries. In addition, Fawzi thought Canadian influence “always commanded respect because of their sincerity and objectivity”, in spite of Pearson’s emotional links with Israel.³² Pearson became a pragmatic mediator for Egyptian-Israel/Britain/France dialogue.

Pearson did not offend anyone, and wanted to satisfy every actor. Britain and France thought a police force could end the conflict without embarrassing either of them. Prime Minister Eden stated in the British House of Commons that

police action... must be to separate the belligerents and to prevent the resumption of hostilities between them. If the UN were willing to take over the physical task of maintaining peace, no one would be better pleased than we.

Pearson understood that Britain and France would be prepared to hand over the “police task” to the UN.³³

The Canadian cabinet agreed to a resolution calling for the establishment of a UN force. At the General Assembly on November 4, Canada introduced a resolution requesting “as a matter of priority, the Secretary-General

³² English, The Worldly Years –The Life of Lester Pearson 1949-1972 Vol.2, 123.

³³ Munro and Inglis eds., Mike, Vol.2, 245; English, The Worldly Years – The Life of Lester Pearson 1949-1972 Vol.2, 138.

to submit to it within forty-eight hours a plan for the setting up, with the consent of the nations concerned, of an emergency international United Nations Force to secure and supervise the cessation of hostilities in accordance with all the terms of the aforementioned resolution.”³⁴ As a result of extensive lobbying by the Canadian delegation and other like-minded delegations at the UN, this resolution was passed by a vote of 57 to 0, with 19 abstentions (Britain, France, Egypt, Israel, Australia, New Zealand, South Africa, 9 Soviet allies, Laos, Portugal and Austria).³⁵

UNEF was organized differently from the UN forces in Korea that had been directed by a single nation, the US. Hammerskjöld defined the principles and procedures of the force in the report tabled on November 6; the force excluded permanent members of the Security Council from participation (including Britain and France), a commander had independent authority from political control by any nation, the force was an observers’ corps to secure and supervise a cease-fire, Egypt’s consent to the intervention of UNEF was necessary, the force had no role in altering the political or military conditions, and the force was provisional. Participating nations would be responsible for all costs of equipment and salaries, while all other costs should be financed by the UN outside its normal budget.³⁶

³⁴ United Nations, The Blue Helmets, 44.

³⁵ Granatstein, “Canada: Peacekeeper, A Survey of Canada’s Participation in Peacekeeping Operations,” 123.

³⁶ Washington Post, November 7, 1956 in NAC, L.B. Pearson Papers, MG26 N1 Vol.39, “Canada in the U.S. Press”, November 12, 1956, 2; United Nations, The Blue Helmets, 45-47; McQueen, The United Nations Since 1945: Peacekeeping

Twenty-four nations offered contingents, of which ten were initially accepted by Hammarskjöld. These all came from middle-powers: Brazil, Colombia, Denmark, Finland, India, Indonesia, Norway, Sweden, Yugoslavia and Canada.³⁷ Canada's Minister of National Defence, Ralph Campney offered the 1st Battalion of the Queen's Own Rifles of Canada as major component of the Canadian contribution to UNEF on November 7, 1956. In addition, the Canadian government announced the dispatch of the aircraft carrier HMCS *Magnificent* which would also provide a small hospital, accommodation for a force headquarters and communications between the force and Canada.³⁸ Despite a question of logistical support for UNEF among military advisors, the basic principles for the supply and administration of UNEF had been settled.

In spite of Canada's energetic proposal, Egypt objected to Canada's participation in UNEF because the Queen's Own Rifles had a similar name and uniform to that of a British unit, which could confuse the Egyptian public. As well, Canada had a close relationship with Britain and France, was a member of NATO and was another "English-speaking country."³⁹ Egypt wanted a neutral force, and suspected that the Canadian force would act like the Anglo-French forces if it

and the Cold War, 25.

³⁷ McQueen, The United Nation Since 1945: Peacekeeping and the Cold War, 26.

³⁸ Press Release, November 7, 1956. Quoted in Granatstein, "Canada: Peacekeeper, A Survey of Canada's Participation in Peacekeeping Operations," 126.

³⁹ NAC, L.B. Pearson Papers, MG26 N1 Vol.39, DS32/364, "Middle East Crisis", November 10, 1956.

remained along the Suez Canal.⁴⁰

Pearson was disappointed because his idea had led to UNEF's establishment and because Canada's commitment to UNEF had already provoked British antipathy. Besides, Canada had been careful in composing its share of the force, even excluding Canadians with English accents. The Canadian troops were to be stationed near the Israeli frontier, neither in Cairo nor the larger cities where they would have come in contact with the Egyptians.⁴¹

Canada's Ambassador to Egypt, E. H. Norman assisted Canada behind the scenes during the crisis and its resolution. Norman, appointed to Egypt a month before the Suez Crisis, understood Egypt's century-old yearning to secure independence and the reasons for Egypt's objection to Canadian participation in UNEF I. His understanding of Egyptian and Canadian history helped Norman convince Nasser that Canada shared and sympathized with Egypt's drive for independence. Historian Roger Bowen states that Norman was "a kind of communication broker."⁴² His diplomatic skill and understanding between the Egyptian and Canadian governments helped ease tensions between Egypt and Canada.

The problem was resolved on November 17. Hammarskjöld told the

⁴⁰ NAC, L.B. Pearson Papers, MG26 N1 Vol.39, DS33/355, "UNEF" November 16, 1956.

⁴¹ NAC, L.B. Pearson Papers, MG26 N1 Vol.39, Memorandum, "Situation in the Middle East: Conversation with the Egyptian Representative", November 12, 1956, 2.

⁴² Roger Bowen, Innocence is not Enough: The Life and Death of Herbert Norman, (Vancouver: Douglas & McIntyre Ltd., 1986), 281-5.

Egyptian government that Nasser could not dictate the composition of the force. After his negotiation with Fawzi (the Egyptian Foreign Minister), General Burns informed the Canadian government that “the most valuable and urgently required contribution that Canada could make to the Force...would be to supply an augmented transport squadron...to lift the troops assembling at Naples to Egypt.”⁴³ Canada provided air support in the transport of troops from Italy to Egypt. In November, approximately 300 troops left by air for the Middle East. HMCS *Magnificent*, finally sailed for the Middle East with an increase of Canadian strength to UNEF on December 29. Canada contributed over 1,000 personnel to UNEF from 1956-57, one sixth of all the personnel who participated in this operation. It was a big contribution for a nation which had only 48,000 military personnel.

Overall, both English and French Canadians supported the dispatch of the UNEF and Canada’s role in the Suez Crisis. The Ottawa Citizen stated that Canada contributed to “moral leadership.”⁴⁴ However, politically, Pearson’s active diplomacy on the Suez Crisis damaged the Liberal government among some Canadians who felt Canada had betrayed their “mother country.”

When the House of Commons met in an emergency session in late November, the Conservatives criticized the Liberal government for their

⁴³ NAC, L.B. Pearson Papers, MG26 N1 Vol.39, “Text of a Letter Addressed to Mr. Pearson by General Burns” November 19, 1956.

⁴⁴ Ottawa Citizen, December 3, 1956; NAC, L.B. Pearson, MG26 N1 Vol.38, General Correspondence file.

“gratuitous condemnation of the action of the United Kingdom and France which was designed to prevent a major war in the Suez area”. St. Laurent angrily answered that “the supermen of Europe’ could no longer have their way in the world”. Pearson declared that Canada would not be a “colonial chore-boy” who followed bluntly superpowers “Ready, Aye, Ready!” Pearson also defended the government saying that if Canada had followed Britain and France, there could have been no UN force.⁴⁵

Canada had tried to follow the middle course to be a mediator and to satisfy every actor. But during the general election of June 1957, the Conservatives sharply attacked the St. Laurent government for its anti-British policy, and the Suez Crisis became one of the causes of the Liberal party’s defeat in the election. However, the majority of Canadians recognized the importance of UNEF as the successful result of Canadian independent foreign policy. UNEF contributed to stability in the Middle East for ten years until Egypt suddenly ordered a UN withdrawal. The reaction of Canada was astonishment and disappointment. The fundamental cause of the Egyptian-Israeli conflict remained unresolved.

In spite of the sudden demise of UNEF, Canada had achieved a diplomatic triumph. As Pearson stated Canada had become “a more unified

⁴⁵ NAC, L.B. Pearson Papers, MG26 N1 Vol.39, “The Middle East Crisis” Telecast by Hon. L.B. Pearson, CBC “The Nation’s Business” December 3, 1956; English, The Worldly Years – The Life of Lester Pearson 1949-1972 Vol.2, 142.

nation...on questions of foreign policy.”⁴⁶ Canada had established independence in foreign policy from its allies. Further, Canada had strengthened its status and involvement in the UN. Canada’s initiative represented a remarkable accomplishment on the international stage, and it had achieved a reputation as a dependable, trustworthy mediator. Furthermore, the Nobel Prize that Pearson received for his initiative in the Suez Crisis became a symbol of national pride and national duty. The Montreal Gazette called, “the award of the Nobel Prize is primarily a tribute to Mr. Pearson himself; it also emphasizes the large and growing role which Canada and Canadians must play in world affairs.”⁴⁷ In time, PKOs became a key element of Canadian foreign policy. The UNEF was the start of an expanded and active role in conflicts for both the UN and Canada.⁴⁸

2.2 Traditional PKOs

Early peacekeeping operations have come to be known as “traditional” PKOs because of their particular nature and roles. The characteristics of a traditional PKO, in juxtaposition with contemporary PKOs, include an existing ceasefire between disputing parties and the consent of all parties to UN involvement. Both the first and second generation PKOs are classified as

⁴⁶ NAC, L.B. Pearson Papers, MG26 N1 Vol.40, Pearson to Richard H. Babbage, September 21, 1955.

⁴⁷ Montreal Gazette, October 15, 1957.

⁴⁸ NAC, L.B. Pearson Papers, MG26 N1 Vol.39, “Extract from a Statement Delivered by Mr. L.B. Pearson, Secretary of State for External Affairs, in the Plenary Session of the United Nations General Assembly Friday, November 23, 1956”.

“traditional”, however the second generation PKOs focus more on humanitarian assistance than the first generation PKOs. The two cases in this section represent the first generation PKOs.

The successful contribution to the Suez Crisis and Pearson’s Nobel Prize encouraged Canadians to support Canada’s participation in PKOs in the 1960s. In addition, Canada’s reputation, administrative ability and technology were needed in places where UN intervention was necessitated as the Cold War worsened and many African and Asian nations were decolonized.

The Congo

On June 30, 1960 Belgium withdrew from its African colony, the Congo (renamed Zaire in 1966, then Democratic Republic of Congo in 1997). The independence of this huge, ethnically diverse territory came without any proper preparation for decolonization and the country quickly sank into a civil war and chaos. The newly formed national army Armée Nationale Congolese (ANC) rebelled against its European officers. Belgium sent a force to protect the remaining European population. In this chaos, the leader of the mineral-rich southern province of Katanga, Moïse Tshombe, declared his own independence from the Congo.⁴⁹

Since the situation in the Congo might become much more complex and dangerous than the Suez, the UN sought to deal with number of problems

⁴⁹ McQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 34

including the withdrawal of Belgian forces and the restoration of public order. In addition, it had to insure that the ANC was properly trained and inculcated with military discipline to prevent a repetition of the crisis. It also had to pursue reunification of the state and discourage separatism. Without the existence of the state, the application of PKO criteria, "host state consent," was unworkable. The UN force had to be able to defend itself without appearing as a combatant in the conflict. Finally, the UN had to cope with the broader implications and the effect the failure of the newly independent Congo might have on the global west-east relationship.⁵⁰

Secretary-General Hammarskjöld brought the Congo issue to the Security Council. The purpose of the UN intervention was similar to that of UNEF. The UN sought to replace the Belgian force with a UN force known as Operation des Nations Unies au Congo (UN in Congo, ONUC) to end the chaos and to assist the Congolese government to restore order.

The Congo crisis came at a bad time for the Conservative Diefenbaker government. Canada faced unemployment and budgetary problems. As well, the army lacked adequate reserves of signalers. Public opinion, however, pushed the hesitating government to action.⁵¹ A Tory newspaper, the Ottawa Journal, questioned 'Why is Canada not represented?' and demanded a "most imaginative

⁵⁰ *Ibid.*, 34.

⁵¹ Norman Hillmer and J.L. Granatstein, Empire to Umpire: Canada and the World to the 1990s, (Toronto: Copp Clark Longman Ltd., 1994), 255; John Saywell ed., Canadian Annual Review (Toronto: University of Toronto, 1961), 114-116.

and wide-versioned and generous consideration” of UN requests.⁵² The Canadian public response was enthusiastic to a PKO in the Congo. Canada did not have historic ties with the Congo. There was no international aggression involved. There was no threat of any Communist invasion. Canadians simply expected the government to assist the UN in conducting PKOs. National pride as a PKO pioneer demanded a proper Canadian role. Diefenbaker announced Canada’s contribution to ONUC on November 30 and Parliament approved the decision two days later.

ONUC was the first PKO for the preservation of peace within a single entire nation. The scale was the largest in the short history of PKOs, a maximum of 19,828 personnel participated from 31 UN member nations. From 1960 to 1964, 421 peacekeepers from Canada participated in the Congo. French-speaking Canadian signalers and army officers were an especially important contribution in French-speaking Congo. They were in charge of almost all communications between UN headquarters and units in various places in the Congo.⁵³ Canada’s role in ONUC signified that the UN expected Canada to contribute in specialized aspects of the operation rather than as combatants.⁵⁴ ONUC was the first PKO to

⁵² J.L. Granatstein, “Canada and Peacekeeping: Image and Reality,” in Canadian Foreign Policy – Historical Readings- Revised Edition (Toronto: Copp Clark Pitman Ltd., 1993), 279.

⁵³ Charlotte S. M. Girard, Canada in World Affairs, Vol. VIII: 1963-65 (Toronto: Canadian Institute of International Affairs, 1979), quoted in Kensei Yoshida, Kokuren Heiwa Iji Katsudo (UN Peacekeeping Operations: The Canadian Experience), (Tokyo: Sairyusha, 1994), 113.

⁵⁴ NAC, L.B. Pearson Papers, MG26 N3 Vol.270, Memorandum for the Prime

use civilian personnel, including about 40 Canadian civilians working with the Congolese government.

ONUC brought stability and governance to the Congo. However, the campaign was long and had escalated through its duration. Moreover, ONUC almost bankrupted the UN. Because of the UN's financial difficulties, Canada waived any claim for the \$60,000 it spent in the initial airlift.⁵⁵ ONUC resulted in a long series of fiscal shortfalls. This financial issue was repeated in the following PKOs.

Cyprus

Canada's next PKOs were in West New Guinea (West Irian) (UN Security Force in West New Guinea: UNSF) and in Yemen (UN Yemen Observation Mission: UNYOM) in 1962 and 1963. However these PKOs did not draw public attention in Canada, as they were small and domestic issues such as elections preoccupied Canadian interest. The Cyprus issue of 1964 was different.

Cyprus, which gained independence from Britain in 1960, is an island in the Mediterranean. Its political structure has been delicately balanced between the Greek and Turkish communities by the Treaty of Guarantee of 1959, which recognized and guaranteed its independence and security. Tensions between Greek and Turkish residents were intense and conflict threatened to erupt

Minister, "Canadian Participation in UN PKO", June 6, 1963.

⁵⁵ Peyton V. Lyon, Canada in World Affairs 1961-63, (Toronto: Oxford University Press, 1968), 323.

anytime.⁵⁶ On March 11, Turkey announced that it was intervening to protect the Turkish Cypriot minority unless the UN force was on Cyprus within a few days.

Canadian Secretary of State for External Affairs Paul Martin consulted with Secretary-General U Thant on March 12. The next day, U Thant announced that a UN force would be constituted. The same evening, the Canadian Parliament called an emergency session and authorized the dispatch of a Canadian contingent. Three months earlier the Canadian government had anticipated the need for a UN force and some troops were already en route to Cyprus when Parliament approved the dispatch.

In addition to an obligation as a UN member, Paul Martin pointed out five reasons for Canadian involvement in the Cyprus PKO; 1) The urgent need for international co-operation to preserve peace; 2) The future of the UN was at stake; 3) Canada's participation in NATO (Both Turkey and Greece were members of NATO, but not Cyprus); 4) Cyprus and Britain are members of the Commonwealth; and 5) The suffering of the people of Cyprus.⁵⁷

Canada supplied 1,100 personnel for the first operational contingent following an interim measure for a temporary peacekeeping force approved by the

⁵⁶ MacQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 47.

⁵⁷ NAC, External Affairs, RG25 Vol.10134 File 21-14-2-1, Statement and Speeches, "Text of a speech made by the Secretary of State for External Affairs, the Honorable Paul Martin, to the Ottawa Branch of the United Nations Association, at the International House, Ottawa, May 4, 1964"; NAC, L.B. Pearson, MG26 N3 Vol.270, "Notes for a Statement by the Secretary of State for External Affairs in the House of Commons, Concerning Canadian Participation in a Peace-keeping Force for Cyprus", March 13, 1964.

Security Council on March 4. They arrived on Cyprus on March 16; an additional 95 personnel arrived two weeks later.⁵⁸ The immediate participation of Canada helped convince the Turkish government to call off any attack. It was not until the end of June that the entire UN Peacekeeping Force in Cyprus (UNFICYP) was assembled. UNFICYP also included civilians for public service and humanitarian aid.

The Cyprus PKO was financed voluntarily. It was difficult to stimulate contributions to the operation because many newer members of the UN were preoccupied with their own development.⁵⁹ The governments dispatching contingents covered the cost and others could contribute voluntarily.⁶⁰ The Canadian government, critical of voluntary financing for PKOs, claimed that the financial arrangement abrogated the “principle of collective responsibility” and that the Cyprus case would be “the exception and not the rule.”⁶¹ Paul Martin preferred an obligatory financing structure for PKOs because voluntary financing would result in the same countries bearing the cost.⁶²

⁵⁸ Fred Gaffen, In the Eye of the Storm: A History of Canadian Peacekeeping (Toronto: Deneau & Wayne Publishers Ltd., 1987), 87.

⁵⁹ Paul Martin, A Very Public Life Vol.II So Many Worlds, (Toronto: Denuau, 1985), 531.

⁶⁰ The United Nations. The Security Council. “186 (1964) Resolution of 4 March 1964 [S/5575]” <<http://www.un.org/documents/sc/res/1964/s64r186e.dpf>>

⁶¹ NAC, External Affairs, RG25 Vol.10132 File21-14-1-4 “Cyprus”; Martin, A Very Public Life Vol.II So Many Worlds, 331.

⁶² NAC, External Affairs, RG25 Vol.10132 File 21-14-1-4, “Franco-Canadian Ministerial Consultations: UN Financing”, May 8, 1956, 3.

The Canadian government announced its withdrawal from UNFICYP in 1992 due to the escalating costs and the frustrating lack of progress to peace. However, given the UN's strong demand, Canada still deploys 10 personnel to Cyprus. Both Cypriot communities depend on UNFICYP to maintain the artificial peace and as a consequence are unmotivated to solve the dispute. Alex Morrison, the former president of the Pearson Peacekeeping Centre, states, "we may have to accept that in certain areas of the world United Nations forces will be deployed forever because the result of withdrawing UN-deployed forces may mean a renewal of hostilities and the killing of more people."⁶³

Although permanent peace has not been achieved in Cyprus, both the Cyprus and Congo PKOs were successful in terms of averting war. Canada's presence on Cyprus and in the Congo affirmed Canada's place in PKOs. These operations helped strengthen Canadian national unity in part by providing an opportunity for English and French-speaking Canadians to participate.

2.3 PKOs in the 1990s

The cases of Yugoslavia and Somalia showed the darker side of UN PKOs. These missions marked a departure from the traditional form of UN PKOs regarding humanitarian intervention, national sovereignty and the use of force. They were better defined as peace enforcement which allowed "threat or use of armed force by a state, a belligerent community, or an international organization

⁶³ Canada, The Senate of Canada. Meeting New Challenges: Canada's Response to a New Generation of Peacekeeping, (February 1993), 33.

with the object of protecting human rights.”⁶⁴ Moreover, operations in Somalia and the former Yugoslavia challenged Canada’s ability to contribute in peacekeeping.

Somalia

The Somalia affair severely damaged the reputation of Canada as an honest mediator and revealed the presence of lethal racism among Canadian soldiers. Four Somalis were killed by four Canadian elite airborne regiment members during the operation in Somalia. They became the first Canadian peacekeepers to be convicted of murder charges. This incident left a stain on the history of Canadian PKOs and military and made Canadians question Canada’s participation and military training regarding peacekeeping.

Internal conflict in Somalia was residual from the Cold War. The US had supported the Siyad Barre government in Somalia in the 1970s and 1980s in opposition to Soviet backing for the revolutionary government in Somalia’s neighbour, Ethiopia. The end of the Cold War reduced the interest of the US and USSR in the region and the Siyad Barre government collapsed early in 1991.⁶⁵ The resulting power vacuum increased tribal conflicts and caused civil war and severe starvation in Somalia.

It took the UN a year to respond to the suffering in Somalia, because of

⁶⁴ Tom Keating and Nicholas Gammer, “The ‘new look’ in Canada’s foreign policy,” International Journal Vol.48 (Autumn, 1993), 721.

⁶⁵ MacQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 71.

American unwillingness to support another expensive PKO. However, in response to the growing human disaster and the pressure from Secretary-General Boutros Boutros-Ghali, the Security Council decided in April 1992 to organize a UN operation in Somalia (UNOSOM) for the provision of humanitarian relief supplies and observation of an armistice. In August UNOSOM expanded the number of peacekeepers and extended its operation to the entire country. However, it proved to be ineffectual because armed Somalis continued attacking peacekeepers to steal supplies and emergency aid, and the operation lacked a mandate to enforce its operational directive of guaranteeing the delivery of food supplies.⁶⁶

On August 28, the Canadian government agreed to a UN request to send troops to UNOSOM. At that time, Canada was committed to many other PKOs and the availability of units was limited. Despite disciplinary problems in the regiment, the 750-member Canadian contingent consisted primarily of the Canadian Airborne Regiment (CAR), which had been designated as Canada's UN standby battalion. It was in an advanced state of preparedness for the mission, ready to deploy its headquarters in 7 days and follow-on elements in 30 days. Other units were not yet ready and were expected to go to Bosnia.⁶⁷

On December 3, the UN Security Council passed Resolution 794 supporting an armed intervention in Somalia. For the first time in its history, the

⁶⁶ Keating and Gammer, "The 'new look' in Canada's Foreign Policy," 734.

⁶⁷ Allen G. Sens, Somalia and the Changing Nature of Peacekeeping: The Implications for Canada, (Ottawa: Public Works and Government Services Canada, 1997), 104.

Security Council had allowed armed humanitarian intervention under Chapter VII. Lacking its own armed forces, the Security Council established a multilateral task force called Unified Task force (UNITAF) to carry out its objectives.⁶⁸ UNITAF was led by the US which offered 30,000 of the total 37,000 personnel. The US was responsible for security enforcement operations while the UN Secretary-General remained responsible for peacekeeping. The UN had a Special Representative responsible for political and other non-military affairs, and a UN Force Commander responsible for the UNOSOM military operations.⁶⁹

The Canadian government immediately responded to the establishment of UNITAF. Secretary of State for External Affairs, Barbara McDougall expressed the government's strong approval: "We support a strong action: it's in keeping with the kind of thing we have been saying at the United Nations and elsewhere."⁷⁰ Canada reassigned 1,410 of the CAR personnel to UNITAF.

Despite the government's enthusiasm, there was controversy over the decision-making process and the lack of rules of military engagement before agreeing to take part. Prime Minister Brian Mulroney did not ask Parliament about Canadian participation in UNITAF. As a matter of Canadian constitutional law, parliamentary approval or consultation is not necessary to deploy Canadian

⁶⁸ Keating and Gammer, "The 'new look' in Canada's Foreign Policy," 734; MacQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 72.

⁶⁹ Dan G. Loomis, "The Somalia Affair," National Network News Vol.IV No.1 (January 1997), 18.

⁷⁰ Globe and Mail December 4, 1992. Quoted in Keating and Gammer, "The 'new look' in Canada's Foreign Policy", 735.

forces.⁷¹ However, traditionally, the government sought Parliamentary approval to send Canadian troops overseas. The opposition parties accused the Conservative government of being undemocratic and claimed that “a decision to send troops to a war zone is a major one that should be debated by Parliament before the fact.”⁷²

Three significant factors explain why the government supported UNITAF without asking Parliament. The first was the scale of misery in Somalia needed a timely decision. The second was the Prime Minister’s own preference to move beyond the traditional parameters of peacekeeping to peacemaking. And the third was that the Security Council unanimously supported military intervention under a strong US-led multilateral consensus. Due to the demand of opposition parties, the Mulroney government quickly held special debates on December 7. Canada’s decision to participate in UNITAF received the unanimous support of the House of Commons on the following day.⁷³

The UN considered the Somalia operation a “humanitarian war” because its purpose was to establish a more permanent order through the use of armed force. In March 1993, Secretary-General Boutros-Ghali proposed the establishment of UNOSOM II in response to the withdrawal of a large part of the

⁷¹ Corinne McDonald, “International Deployment of Canadian Forces: Parliament’s Role” (Canada, Parliament, Library Research, Political and Social Affairs Division: Unpublished, 2000), 2.

⁷² Canada. House of Commons, Debates, December 7, 1992, 14727.

⁷³ Keating and Gammer, “The ‘new look’ in Canada’s Foreign Policy,” 736.

American contingent of UNITAF.⁷⁴

Through the operations in Somalia Canadians helped to secure and support humanitarian relief operations, to organize local police and governing committees, to rebuild schools and medical facilities and to negotiate cease-fires among fighting groups.⁷⁵ Though Canada contributed to successful aspects of the operations, overall Somalia was a failure from Canadian perspective, because the government failed to consult Parliament adequately to define the role and parameters of Canada's participation and the use of force, and to ensure that operations objectives were achievable within those guidelines. Canada learned some hard lessons about how to prepare Canadians for future missions to prevent a repeat of the mistakes of Somalia. As Alex Morrison suggests, "culturalization training" for peacekeepers will be necessary to teach them more about the people in the countries where they work and not to repeat murder by them.

Yugoslavia

The collapse and ensuing chaos of the former Yugoslavia symbolizes the failure of collective security in the post-Cold War world. A researcher, Vincent Rigby, stated that

It represents a microcosm of all the problems the UN and other security organizations face today as they attempt to deal with

⁷⁴ *Ibid.*, 738; MacQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 71. MacQueen explains that part of the reason for withdrawal was anti-Americanism remained in the third world.

⁷⁵ Keating and Gammer, "The 'new look' in Canada's Foreign Policy," 737.

regional sovereignty; the need for cooperation between international bodies; and the changing nature of outside intervention in war, as it evolves from traditional peacekeeping and humanitarian assistance to the protection of human rights and possible peace enforcement.⁷⁶

Yugoslavia was like other conflicts over territorial division and religion and ethnic identities that resurfaced when the structure and order imposed by the Cold War ended. When the republics of Slovenia and Croatia declared their independence in 1991, the former Yugoslavia began to disintegrate. Serbia opposed their independence with armed intervention. Over a year's conflict was ended when the European Community (EC) recognized the independence of Slovenia and Croatia in January 1992. Bosnia also chose to be independent, and not join Serbia in a new Yugoslavia. In Bosnia, local Muslims, Croats and Serbs engaged in a three-way fight for control of Bosnia.⁷⁷ The Serbs in Bosnia massacred Muslims and Croats. This humanitarian disaster drew international attention and the UN began to get involved due to the request from the Bosnian Muslims and the Croats.

In February 1992 the United Nations Protection Force (UNPROFOR) was established under the approval of the Security Council. Canada indicated its willingness to send a battalion to support UNPROFOR when the UN asked the

⁷⁶ Vincent Rigby, "Bosnia-Herzegovina: The International Response," (Canada, Parliamentary Research Branch, Political and Social Affairs Division: Unpublished, January, 1994)
<http://lopparl/lopimages2/PRBpubs/bp1000/bp374_e.htm>, 5.

⁷⁷ MacQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 73.

Canadian government to participate.⁷⁸ Canada dispatched troops from 1st battalion Royal Canadian Regiment and Royal Canadian Dragoons to UNPROFOR in March 1992.

The original mandate of UNPROFOR was very similar to traditional PKOs. Any use of force would follow regular peacekeeping rules of engagement. The operation was to assist and protect refugees and to deliver humanitarian aid. UNPROFOR differed from previous PKOs in that it focused on policing and humanitarian aid as well as military service. Canada dispatched 45 police, mainly from the RCMP, along with 2,400 peacekeepers over four years.

However, UNPROFOR failed to keep or create peace. After February 1992 there were periodic breakdowns of the ceasefire in Croatia and starting in April 1992 conflict in Bosnia between Serbs, Croats and Muslims was continuous. Sometimes the fighting occurred between the UN force and the local force. In order to increase UNPROFOR's credibility as "guarantor of humanitarian aid supplies", the Security Council adopted Resolution 776 and invoked the enforcement powers of Chapter VII on September 14. It increased the number of UN troops in Bosnia by up to 6,000 in addition to the 1,700 peacekeepers already deployed. In October 1992, the UN set a no-fly zone over Bosnia-Herzegovina exempting airplanes on humanitarian missions.

In March 1993, the Security Council allowed NATO to maintain a UN-declared no-fly zone. It was dual UN-NATO military involvement. The UN and NATO had different views of punitive air-strikes. NATO, as a military

⁷⁸ Keating and Gammer, "The 'new look' in Canada's foreign policy," 730.

alliance, took a more forceful view of multilateral intervention than UNPROFOR. The conflict between the UN and NATO continued until NATO pushed the UN aside to take sole control over Bosnia in 1995.⁷⁹

UNPROFOR became the largest and the most complex PKO in history in terms of the number of peacekeepers and size of the budget, and the complexity of the factors leading to conflict. The situation in the former Yugoslavia was dangerous for peacekeepers. They were in the midst of war but they were forbidden by the UN to fight. Only when attacked, were they allowed to use arms to defend themselves. Peacekeepers risked their lives to provide observation patrols, clear mines, construct, maintain shelters, and help ensure the delivery of humanitarian aid. They also transported wounded civilians to hospitals and encouraged faction leaders to meet at UN headquarters to discuss the terms of EC cease-fires.⁸⁰ As a result of the harsh conditions, some soldiers were injured physically, and many suffered from post-traumatic stress. One analyst concluded that the form of the operation in the former Yugoslavia was a terrible mistake. The peacekeepers were sent to the former Yugoslavia "as an alternative to taking military action, but once there, they became hostages whose presence made military action impossible."⁸¹

⁷⁹ MacQueen, The United Nations Since 1945: Peacekeeping and the Cold War, 74.

⁸⁰ "An army's hidden wounds: when peacekeepers come home, they confront the strain of remembering." Macleans Vol.107 no. 13 March 28, 1994, 31; Rigby, "Bosnia-Herzegovina: The International Response," 10.

⁸¹ Time, 26 July 1993, 22 in Keating and Gammer, "The 'new look' in Canada's Foreign Policy", 733-34.

The disaster in the former Yugoslavia was more than the UN could manage. In the Canadian Parliament Reform Party MP Bob Mills described the operation as “a lot of money badly spent given that it has produced few results and the war is continuing.”⁸² The UN’s military enforcement was unsatisfactory. In November 1995 shortly after the UN was pushed aside, NATO took the initiative to bring an armistice in Bosnia. Ironically, the NATO action established an appropriate situation for a traditional peacekeeping operation.

2.4 Conclusion

PKOs in the former Yugoslavia and Somalia turned out to be “peace-enforcement”. This differed from previous PKOs that were simply peace-keeping and peace-building. The two PKOs in the 1990s required the use of force for purposes of humanitarian intervention. It made Canada rethink the definition of PKO.

Prior to the 1990s, the Canadian government resisted doctrines of humanitarian intervention that would violate the principle of state sovereignty. However, in the early 1990s Canadian troops became involved in humanitarian intervention operations in Yugoslavia and Somalia because Canada accepted responsibility to protect human rights in conflict zones and increased threat to peacekeepers’ security.

Canada’s attitude in the 1990s changed from non-interventionist to interventionist. Prime Minister Mulroney emphasized the greater effectiveness of

⁸² Canadian Press Newswire, August 18, 1995.

the UN by re-thinking the limits of national sovereignty in a world where problems respect no borders.⁸³ In addition, Secretary of State for External Affairs, Barbara McDougall offered a radical view of sovereignty:

We have to reconsider the UN's traditional definition of state sovereignty. I believe that states can no longer argue sovereignty as a licence for internal repression, when the absolutes of that sovereignty shield conflicts that eventually could become international in scope.⁸⁴

The Canadian government clearly found its reason to interfere within a country without the consent of that country's government. The reason was to protect people. The Minister of Foreign Affairs, Lloyd Axworthy, in the following government, supported Canada's involvement in reconstructing state sovereignty, not to threaten states, but to accommodate the borderless "multiplicity of political, economic and social dynamics."⁸⁵ However, the use of force and humanitarian intervention did not bring satisfactory results. These operations differed from other PKOs in this chapter, as there was no "host state" in Bosnia and Somalia,

⁸³ Canada, Office of the Prime Minister, "Notes for an address...on the occasion of the centennial anniversary convocation, Stanford University, 29 September 1991." Quoted in Keating and Gammer, "The 'new look' in Canada's foreign policy," 725.

⁸⁴ Canada. External Affairs and International Trade. Statement, "An address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the America's Society, 'Co-operative Security in the 1990s from Moscow to Sarajevo,' NY, May 17, 1993" (No.93/36), 5.

⁸⁵ Lloyd Axworthy, "An Encounter with Emma: Rethinking Security and State Sovereignty," (Liu Centre for the Study of Global Issues, University of British Columbia, 2001)

<<http://www.liucentre.ubc.ca/liu/media/articles/171001emma.htm>>

and there was no peace to keep. Canada faces new challenges in PKOs: the conflict between national sovereignty and human rights, expanding needs for personnel and resources in a climate of national fiscal restraint and the need for specialized training of peacekeepers.

There is a question among the Canadian military, "whether the government even has an overall strategy for peacekeeping, or if it instead commits to mission simply to win positive media coverage or to justify the Canadian Forces' \$10-billion annual budget."⁸⁶ To answer this question, the Canadian government will have to consider why it will take part in a PKO. And as Reform Party MP Jim Silye has said, the Canadian government has been eager to participate in PKOs, but the time has come to be more selective.⁸⁷

Chapter 4 will give some suggestions to deal with Canada's new challenges.

⁸⁶ David Pugliese, "Nobel fever: with Somalia still in the headlines, why were the Chrétians determined to make the same mistakes in Zaïre?" Saturday Night Vol.112 No.4 May 1997, 52-53.

⁸⁷ *Ibid.*, 53.

Chapter 3: A Late Comer – Japanese PKOs

The Gulf War prompted a major shift in Japanese foreign policy. For the first time, Japan's Self Defence Force (SDF) participated in an international military operation. Following the Gulf War, the increasing demands in the governing political party and like-minded parties led to the passing of the International Peace Cooperation Law (the so-called PKO Law). The PKO Law established basic rules or preconditions for SDF participation in peacekeeping operation including limited use of weapons for self-defence the necessity of a declared cease-fire and party consensus, in order to maintain the principle of Article 9. However, the interpretation of Article 9 regarding renunciation of war and the non-use of weapons remained unclear and controversial.¹

3.1 The International Peace Cooperation Law (PKO Law)

Traditionally, Japan has supported international military operations and UN-operated activities through financial contributions, in accordance with the Yoshida Doctrine. Prime Minister of Japan Yoshida Shigeru advocated the subordination of Japan's international posture to the requirements of national economic growth, the maintenance of a low profile in international affairs, and reliance on a moderate self-defence capability combined with the US security guarantee.² The Treaty of Mutual Cooperation and Security between Japan and

¹ Appendix IV. The Constitution of Japan.

² Aurelia George, "Japan's Participation in U.N. Peacekeeping Operations: Radical Departure or Predictable Response?" *Asian Survey* Vol.33 No.6 (June

the United States of America (usually referred to as the US-Japan Security Treaty) of 1951, revised in 1960, has helped form Japan's foreign policy since the Second World War.

The treaty guarantees the US use of military bases to protect Japan from foreign invasion. For the US, the treaty was a part of a global strategy required to contain the Soviet Union and to have a military partner in Asia. Since its inception in 1951, many Japanese disliked the treaty, which created a military alliance relationship between Japan and the US.³ Japanese rightist nationalists felt humiliated by US protectorate status. Socialists were concerned that the US-Japan alliance would prevent normal relations with the Soviet bloc. There were several public protests of the treaty, the largest protest was held in 1960 during a revision of the treaty. Over time the treaty was revised to allow Japan a larger role. The Alliance became the focus for the pro-defence policy makers, the so-called *kokubo zoku* (defence tribe). The *kokubo zoku* pursued cooperation with the US because increased defence production and development of defence technology strengthened the Japanese economy, especially during the Korean War, and because cooperation secured Japan's position within the alliance

1993), 560.

³ John Welfield, The Postwar International Order and the Origins of the Japanese-American Security Treaty, (Australia-Japan Research Centre, Research School of Pacific Studies, The Australian National University, 1982), 13; Atsushi Kusano, Nichibei Anpo toha nani ka (An Explanation of the U.S.- Japan Security Treaty), (Tokyo: PHP Kenkyusho, 1999), 40-42.

structure.⁴ The Yoshida government and the following governments justified the treaty in terms of Japan's constitutional right of self-defence.

Because of its diplomatic and military dependency on the US, Japan's diplomatic relations have been centered on its bilateral relationship with the US, and consequently Japan has never been perceived as an active leader in international affairs. Certainly, Japan never initiated participation in international security operations or peacekeeping operations. Moreover, the post-war constitutional ban on Japanese physical participation in collective security severely limited Japan's participation in PKOs. Both the Japanese public and Japan's former enemies abroad strongly supported Article 9 and firmly opposed any attempt by the Japanese government to re-arm or change the terms of the so-called "No War" clause. This made it difficult for successive Japanese governments to justify military participation to the general public, even though Japan's foreign policy was minimalist, passive and reactive.

However, by the late 1980s three elements – the demise of the Cold War, Japan's dramatic emergence as an economic superpower, and the perceived relative decline of the United States – produced a mounting sense that Japan would have to rethink its limited international role.⁵ The 1990-91 Gulf War

⁴ Lauren McKinsey and Kim Richard Nossal, "Introduction: The American Alliances and Canadian-American Relations," in Lauren McKinsey and Kim Richard Nossal eds., America's Alliances and Canadian-American Relations (Toronto: Summerhill Press, 1988), 16-17; Michael J. Green Arming Japan: Defense Production, Alliance Politics, and the Postwar Search for Autonomy, (New York: Columbia University Press, 1995), 3-5, 155.

⁵ Eugene Brown, "Contending Paradigms of Japan's International Role: Elite

brought such thinking to the forefront and transformed it into a major political issue. Moreover, as political scientist Akaha Tsuneo pointed out, the Gulf War exposed Japan's tendency to avoid active and visible participation in security activities and its preference to only contribute to international military operations.⁶

The Gulf War was the most important test of Japan's post-Cold War foreign policy. It tested Japan's willingness and ability to assume an expanded international security role, and it challenged Tokyo's policymaking ability and its ability to manage the burden of international problems.⁷

The Gulf War strained Japan's relations with the US as the US policy-makers criticized Japan's slowness and lack of initiative in aiding the effort. Since the late 1970s through the 1980s, Japan had become more and more dependent on America's diplomatic policies. Without American support Japan would find itself isolated in Asia. Moreover, some Japanese feel Japan must show its gratitude to America for helping to rebuild Japan's economy by cooperating internationally with American strategic interests. For these reasons Japan

Views of the Persian Gulf Crisis," Journal of Northeast Asian Studies. Vol. X No.1 (Spring 1991), 4.

⁶ Tsuneo Akaha, "Japan's security agenda in the post-cold war era," The Pacific Review. Vol.8 No.1 (1995), 65.

⁷ Tsuneo Akaha, "Japan's Security Policy in the Posthegemonic World: Opportunities and Challenges," in Japan in the Posthegemonic World. Tsuneo Akaha and Frank Langdon, eds. (Boulder and London: Lynne Rienner Publishers, 1993), 102.

cannot ignore U.S. pressure on its foreign policy⁸

During the Gulf War US policy-makers pressured Japan to cooperate. Within weeks of Iraq's invasion of Kuwait in August 1990 Japan pledged \$4 billion to Operation Desert Shield conducted under the US leadership. In October of that year, the Japanese Diet began considering the PKO Cooperation Bill to permit Japanese participation in the military operation. Prime Minister Kaifu Toshiki claimed the bill would allow the dispatch of the SDF but not permit the use of force, and therefore would be in accord with the Constitution.⁹

Strong resistance came from opposition parties. The Communist Party and the Socialist Party claimed that the bill was unconstitutional. In addition, Asian nations that had suffered the trauma of Japan's invasion feared Japan's dispatch of the SDF in Asia.¹⁰ Due to domestic and Asian opposition, the bill was discarded in November. By the late fall US media began to criticize Japan and its "national irresponsibility,"¹¹ for foot-dragging and not providing financial and personnel support.

In January 1991, Japan's Cabinet decided to provide the SDF's transport planes to transfer refugees between Amman in Jordan and Cairo since this was a humanitarian measure and would not conflict with the constitution. However, the

⁸ Ronald Dore, Japan, Internationalism and the UN, (London: Routledge, 1997), 104.

⁹ Asahi Shimbun, October 18, 1990.

¹⁰ *Ibid.*, October 18, 21, 1990. For example, the issue of the "comfort women" who were forced to act as sex slaves for Japanese soldiers has not been resolved.

¹¹ New York Times, September 27, 1991.

Iraqi government opposed the use of military planes, because they might be mistaken for military targets, thus jeopardizing the lives of refugees. Japan's plan failed because of Iraq's opposition. Eventually, Japanese non-governmental organizations chartered civilian planes to transport refugees.

Soon after the land war began in January 1991, Prime Minister Kaifu requested an additional \$9 billion from the Diet for the Gulf War effort. To raise the \$9 billion the government increased an oil tax and a corporation tax. This budget was treated as a war expenditure, under which the government did not need to provide full accountability or disclosure. Some questions lingered in Japan over the legality of the financial contributions. Despite its contribution, criticism of Japan as "a reluctant contributor despite its wealth," continued in the United States.¹²

In the Gulf War the Japanese government was less restrained than during the Cold War period; the risk of superpower conflict was minimal and there was no danger of Japan being dragged into East-West hostilities. Moreover, the Japanese economy was stronger than it had been in 1973. When the crisis erupted, Japan's oil stockpiles stood at 142 days' oil consumption compared to only 60 days at the time of the 1973 oil crisis.¹³ As US Ambassador to Japan Michael Armacost pointed out, Japan depends on the Middle East for more than

¹² Susan J. Pharr, "Japan's Defensive Foreign Policy and Politics of Burden Sharing," in Gerald L. Curtis, ed. Japan's Foreign Policy After the Cold War: Coping with Change (New York: M.E. Sharp, 1993), 253.

¹³ S. Javed Maswood, "Japan and the Gulf Crisis: Still Searching for a Role," The Pacific Review. Vol.5 No.2 (1992), 150.

70% of its oil, and stood to lose much if supplies were endangered.¹⁴

However, Japan's ability to make an active contribution to the Gulf War was hampered by the exceptionally weak leadership of Prime Minister Kaifu and strong opposition from public and nongovernmental parties. He failed to secure Diet approval for the Gulf Cooperation Bill in November 1990, which would have permitted SDF personnel to participate in the coalition in noncombat roles.¹⁵ The Kaifu government contributions reached a total of \$13 billion in financial support for the war effort, and although the amount was huge, because Japan offered only money, American and Japanese critics regarded the government's efforts as insufficient.

The former Deputy Prime Minister, Kanemaru Shin, a close confidante of the Prime Minister, stated in September 1990, "Japan should do more than simply making financial contributions."¹⁶ Similarly, Foreign Minister, Nakayama Taro also stressed the need to make a "visible contribution."¹⁷ However, public opinion was against participation. A poll taken by the Mainichi Shimbun in late October 1990 found that "53 per cent of respondents were opposed to overseas

¹⁴ Robert E. Bedeski, "Japan's Strategic Outlook for the 1990s," in Canadian Perspective on Modern Japan. Kate Eliot et., eds. (Vancouver: University of British Columbia Press, 1990), 128.

¹⁵ Brown, "Contending Paradigms of Japan's International Role: Elite Views of the Persian Gulf Crisis," 4.

¹⁶ The Japan Times, Weekly international Edition, 3-9 September 1990, 3 in Maswood, "Japan and the Gulf Crisis: Still Searching for a Role," 151.

¹⁷ Maswood, "Japan and the Gulf Crisis: Still Searching for a Role," 151.

dispatch of the SDF whereas only 13 per cent were in favour.” The poll also revealed that “a large percentage of the population, about 33 per cent, was still undecided on the issue.”¹⁸ The national newspaper Asahi Shimbun found 78% of the public opposed the overseas dispatch of the SDF in November 1990, but support for the war increased after it started, though, 50% still opposed it in January 1991.¹⁹

Japan's response to the war was also affected by a persistent misperception of the UN, and American, resolve to force Iraq out of Kuwait. The Ministry of Foreign Affairs (MOFA) in Japan was surprised when hostilities began shortly after the deadline for Iraq to withdraw from Kuwait on 15 January 1991. The MOFA expected to negotiate a settlement and was unprepared for hostilities soon after the deadline. Those who supported Japan's cooperation with the US criticized the Japanese government's misreading. Had the Japanese government read the situation correctly, it might have been able to send personnel to the multinational task force through some mechanism other than the failed Gulf Cooperation Bill. Also, if the government had acted more decisively, public opinion would have come around to accept it as it had already done with the abolition of the ceiling on defence expenditure and the transfer of weapons-related technology to the US.²⁰

¹⁸ *Ibid.*, 151.

¹⁹ Asahi Shimbun, January 24, 1991.

²⁰ M. Shinna and Y. Komori, “Nihon ga ‘futsu no kuni’ ni naru tame ni (What Japan must do to become a ‘normal country’ in Maswood, “Japan and the Gulf

Not until late April 1991, more than two months after the conclusion of the allied drive to expel Iraq from Kuwait, did Japan dispatch four minesweepers to the Persian Gulf. In response to a request by American President Bush in August 1990, Prime Minister Kaifu answered that it was difficult because of the Constitution.²¹ The issue of dispatch of minesweepers rose again near the end of the Gulf War. The domestic pressure came first from the economic world. For example, in April, the Federation of Economic Organizations announced its support for the dispatch of minesweepers if the war was over to assure the safety of sea-lanes navigated by Japanese ships.²² This task was also interpreted as indirect protection of Japan because safety of the sea-lanes protected the Japanese economy, which depended on oil from Middle East. The government explained that the dispatch of minesweepers was a peaceful activity. Asian nations agreed, and the Constitution allowed the dispatch of minesweepers. Without enacting any new rules, the government was able to effect a change in the direction of foreign policy by re-interpreting the law permitting the mobilization of the SDF abroad.²³

Crisis: Still Searching for a Role,” 150-1.

²¹ Yasusaburo Hoshino, “Kaigai hahei to kenpo,” in Ryokufu Shuppan ed. PKO mondai no souten, (Tokyo: Ryokufu Shuppan, 1991), 77.

²² Kazumi Kenmochi, “Kokusai kouken’ to PKO mondai,” in Ryokufu Shuppan ed. PKO mondai no souten, (Tokyo: Ryokufu Shuppan, 1991), 58-59.

²³ Jiro Yamaguchi, “The Gulf War and the Transformation of Japanese Constitutional Politics,” Journal of Japanese Studies. Vol.18 No.1 (Winter, 1992), 167.

This dispatch gave the SDF a chance to share in the task of maintaining international security with other national armed forces. The dispatch held great symbolic importance, and Japan's government regarded it as necessary to demonstrate that Japan was an active participant in the Gulf War coalition. The dispatch of minesweepers also allowed Japan to avoid potential international isolation and rejection.²⁴ However, some points remained constitutionally questionable. Asahi Shimbun claimed that cooperation with the US in minesweeping was an exercise of collective security, which the Constitution prohibited.²⁵ On the other hand, constitutional scholars argued that the dispatch of the SDF was done regardless of the Constitution.²⁶ The problem was that the government rushed to show its proactive commitment and did not discuss the application of the Constitution thoroughly enough, and did not develop a long-term policy for Japan's international contribution.

American critics and the *kokubo zoku* thought that the dispatch of minesweepers after the conflict had already ceased was "too little, too late."²⁷ Japan's response to the Gulf War was not "what we can do", but "what we cannot do,"²⁸ and was a classic example of "pressure-response." Japan's financial

²⁴ Brown, "Contending Paradigms of Japan's International Role: Elite Views of the Persian Gulf Crisis," 4.

²⁵ Kenmochi, "Kokusai kouken' to PKO mondai," 61-62.

²⁶ Asahi Shimbun, April 12, 1991.

²⁷ Akaha, "Japan's security agenda in the post-cold war era," 65.

²⁸ Kenichi Ito, "The Japanese State of Mind: Deliberations on the Gulf Crisis,"

contributions and its dispatch of minesweepers were offered as an appeasement to the Americans, in response to American demand and pressure. However, the Japanese government did learn it had to contribute personnel as well as financial support. The Japanese Ministry of Foreign Affairs stated:

The Gulf Crisis...awakened the Japanese people out of a psychological cocoon that had protected them the world at large throughout the postwar years. They had to face harsh criticism from around the world that Japan had been too slow in offering too little assistance to the multinational struggle against Iraq's aggression against its neighbor. Despite Japan's substantial financial contribution amounting to \$13 billion, raised through new taxes, the international community's lack of appreciation bewildered the Japanese people. This stinging criticism brought home to their minds the importance of sharing the burden with blood, sweat and tears, and not just with money, as a responsible member of the international community striving for the common cause of maintaining peace with justice.²⁹

Japan's transition from reactive peacekeeper to active peacekeeper, however, is on a direct collision course with the long-standing interpretation of Article 9 of the Japanese Constitution.

When the Constitution was promulgated in 1947, then Prime Minister Yoshida Shigeru stated that Japan would not allow the use of military force, even in self-defence. The outbreak of the Korean War and the deepening of the Cold

Journal of Japanese Studies. Vol.17 No.2 (Summer 1992), 276.

²⁹ Japan, Ministry of Foreign Affairs, "Current Issues Surrounding UN Peace-keeping Operations and Japanese perspective," (January 1997) <<http://mofa.go.jp/policy/un/pko/issues.html>>

War led to a relaxed interpretation of Article 9. When the National Police Reserve Force, the predecessor of the SDF, was established in 1950, the government asserted that the new force was intended for domestic security and not for the exercise of force as prohibited by Article 9. Ever since the SDF was founded in 1954, the government has maintained that it was constitutional because it was designed only for self-defence. Although Article 9 forbade the dispatch of Japanese forces overseas to settle international disputes, the government argued that sending military forces abroad for purposes such as peacekeeping was constitutional.³⁰

To allow SDF participation in UN PKOs, Japan had some creative solutions under Article 9. One of the ideas was a conversion of the Preamble to the Constitution from “passive” to “active” pacifism. Ozawa Ichiro, a leading member of Liberal Democratic Party (LDP) at that time, was given responsibility for the original bill on UN PKOs. He established LDP’s special study group to provide the party a policy foundation for SDF participation in UN military operations and military task force operations. According to the Ozawa Committee Draft Report, “the spirit indicated here is one of striving to cooperate with the international community, uphold global peace and order, and promote the world’s prosperity... Such language shows that the Constitution’s spirit is hardly that of a passive, unilateral pacifism; it is instead an active and dynamic philosophy.”³¹

³⁰ George, “Japan’s Participation in UN Peacekeeping Operations,” 562.

³¹ *Ibid.*, 565-6. 571-2.

In addition, he suggested that “as far as SDF activities under the UN umbrella were concerned, Article 9 is irrelevant and that a new article should be inserted in the Constitution pertaining to SDF involvement in peacekeeping.”³² This represents a flexible interpretation of Constitution, in particular the view that the use of military power is often necessary to preserve peace. However, Ozawa’s idea did not gain enough support to change the Constitution.

After the Gulf War, Prime Minister Kaifu became acutely aware of the importance of enacting legislation necessary to ensure that Japan was better prepared to respond quickly to future crises. These changes were motivated in part by western criticism of Japan as a “free rider” and were made easier by the fact that domestic public opinion seemed to be turning around to favour a more active international role.³³

The Japanese public supported Japan’s active contribution to the international community, but opposed the dispatch of up to 2,000 members of the SDF through the PKO Law.³⁴ Other Asian nations also disliked the dispatch of Japan’s SDF, and were concerned that the PKO Law would lead to re-militarization of Japan.³⁵

There was opposition in the Diet as well. The opposition parties resisted

³² *Ibid.*, 572.

³³ Maswood, “Japan and the Gulf Crisis: Still Searching for a Role,” 153.

³⁴ Akaha, “Japan’s Security Policy in the Posthegemonic World: Opportunities and Challenges,” 103; Asahi Shimbun, June 16, 1992.

³⁵ Asahi Shimbun, June 16, 1992.

the Law, claiming that it would allow the use of force in the name of international contribution. Their opposition was so strong that two parties, the Socialist Party and the United Social Democratic Party, demanded dissolution of the House of Representatives, offered to resign and boycotted the House. However, the opposition to the PKO Law was insufficient to prevent the passing of the Law by the coalition of the three parties: the LDP, Minsha Party and Koumei Party. After twenty long months of “on-again-off-again” parliamentary debate considering Article 9 and the dispatch of SDF personnel overseas, the Miyazawa administration forced the passage of the PKO Law on June 15, 1992, when the two opposition parties were absent.

The Japanese government downplayed the importance of US pressure in justifying the PKO decision. A civil servant of MOFA, Nishimura Mutsuyoshi, the Japanese Cabinet Counselor on foreign affairs in charge of the peacekeeping bill, stated, “it is a nonsensical cliché to attribute this move to the overly discussed factor of American pressure,” and emphasized Japan’s initiative to enact the PKO Law.³⁶ However, the American influence remained strong. The period of the first draft coincided with intense lobbying of LDP leaders by US Ambassador Armacost. A first draft of the bill underwent “drastic revision in order to incorporate the ‘forward-looking’ policy orientation (meaning pro-deployment of SDF in response to the US government’s call) of party leaders.”³⁷ The UN PKO

³⁶ New York Times, May 14, 1992.

³⁷ Takashi Inoguchi, “Japan’s Response to the Gulf Crisis: An Analytic Overview,” Journal of Japanese Studies. Vol.17 No.2 (Summer 1992), 258.

initiative was designed to take American pressure off Japan, enabling the US to reduce its share of the security burden by allowing Japanese physical contributions to international security.³⁸

Even though it allows the SDF to participate in UN PKOs, the PKO Law prohibits Japanese soldiers and personnel from participating in military operations, or using force, except for immediate self-defence. Thus, the SDF must withdraw from any operation which might require the use of weapons. In debating the PKO Law, Diet did not reach consensus and as a result, agreed to prohibit the following assignments: "monitoring the observance of cessation of armed conflict and relation, withdrawal or demobilization of armed forces; stationing and patrol in buffer zones; inspecting or identification of the carrying in or out of weapons; collection, storage or disposal of abandoned weapons; assistance for the designation of cease-fire lines and other boundaries by the parties to armed conflicts; and assistance for the exchange of prisoners-of-war among the parties to armed conflicts."³⁹

Under the PKO Law the SDF's role in PKF is limited to providing logistical support such as medical care (including sanitary measures), transportation, communication and construction. The logistical support in PKF and other non-military peacekeeping missions do not require Diet approval. However, its approval is required for participation in the prohibited PKF

³⁸ Yamaguchi, "The Gulf War and the Transformation of Japanese Constitutional Politics," 169-70.

³⁹ Japan. Defense Agency. Bouei Hakusho (Defense of Japan), (July 1992), 158.

assignments.

Japanese peacekeepers must operate under the command of the UN Secretary-General, as well as under the command and supervision of the Japanese prime minister. This double command point of the PKO Law complicates Japan's participation. In the case of United Nations Transitional Authority of Cambodia (UNTAC), Japan and the UN discussed the role of Japanese SDF prior to the dispatch, to avoid any conflict between the Japanese government and the UN.⁴⁰

Japan's progression towards participation in UN PKOs contrasts with Canada's history: one was proactive and the other was reactive. Japan's focus during and after the Gulf War was pleasing to the US. Canada, on the other hand, formed a balanced foreign policy without hurting its alliance with the US or negating its obligation to the UN. Canada was at first reluctant to participate in a US-led military attack preferring a UN-led peaceful resolution.⁴¹ Canada criticized America's aggressive attitude and advised economic sanctions and peaceful resolution. Finally, when it was apparent that diplomacy and sanctions were ineffective, Prime Minister Mulroney conceded that force would be necessary to maintain international order, and that Canada would participate in accordance with its traditional role as an active peacekeeper.⁴² Parliament

⁴⁰ Kiichi Miyazawa, interviewed by Tetsuo Maeda, Kensho: PKO to Jieitai, (Tokyo: Iwanami Shoten, 1996), 160-161.

⁴¹ Globe and Mail, August 18, 1990.

⁴² Canada, House of Commons, Debates, September 24, 1990, 13232.

approved Canada's participation on January 22, 1991. At the same time, Canada continued to emphasize its participation as being part of a UN operation, and not an American operation. Canada was conscious that its participation in the war might hurt its image as a peaceful nation. However, Iraq was in obvious violation of international law and Canada acted in support of the UN resolutions. Japan can learn from Canada's balanced middle power foreign policy.

3.2 Japan's Participation in the UN Transitional Authority of Cambodia (UNTAC)

The plan for Japan's participation in UN Transitional Authority of Cambodia (UNTAC) came up as early as June 1991 while the PKO Law was still being discussed. The Miyazawa government decided to participate in a UN PKO on September 8, 1992 as soon as the PKO Law was passed. Japan's participation received considerable public attention in Japan. It required the involvement of both civilian and SDF personnel.

The Cambodian problem stemmed from the Cold War tensions created during the Vietnam War. The bombing by the US during the Vietnam War and the massacre of Cambodians by the Khmer Rouge was followed by Vietnam's invasion in 1978. Vietnam's installation of the Heng Samrin-Hun Sen regime led to conflict between three major resistance groups: Prince Norodom Sihanouk's FUNCINPEC (National United Front for an Independent), the KPNLF (Khmer People's National Liberation Front), and the Khmer Rouge (Party of Democratic Kampuchea). The end of the Cold War created the international capacity and willingness to resolve the complicated diplomatic tangle.

The Association of Southeast Asian Nations (ASEAN) and France organized the Paris Conference in August of 1989, which accepted the idea of UN government. Consequently UNTAC was established in 1991. UNTAC had a role in verifying the withdrawal of all foreign forces from Cambodia, the regrouping (containment) of all Cambodian forces, with weapons stored under UN supervision, and a reduction of arms.⁴³ The Paris Conference also established the Supreme National Council (SNC) composed of conflicting parties, as a transitional body leading up to free elections supervised by UNTAC. SNC was the only legal body which represented Cambodia's sovereignty and unity. However, UNTAC was given all civil and military authority to maintain neutrality, to exercise controls over human rights, troop withdrawal, demobilization, disarmament and elections. Japanese scholar, Kimoto Shigeo, criticizes the broad role of UNTAC, claiming that it interfered in the internal affairs of Cambodia, and in effect was an occupation of the country.⁴⁴ However, the SNC was a transitional authority. In addition, UNTAC did not deprive Cambodia of national sovereignty, but only supervised and controlled the neutrality of SNC.

The UN gave UNTAC a budget of \$1.5 billion combined with funding for rehabilitation and repatriation assistance resulting in an overall cost of \$2.5-2.8 billion. The Military Component of UNTAC was to have four functions:

⁴³ Stephen J. Randall, "Peacekeeping in the Post-Cold War Era: The United Nations and the 1993 Cambodian Elections," Behind the Headlines Vol.51 No.3 (Spring 1994), 9.

⁴⁴ Shigeo Kimoto, "Cambodia wahei to PKO," in Ryokufu Shuppan ed. PKO mondai no souten (Tokyo: Ryokufu Shuppan, 1991) 187-188.

supervising the cease-fire; containing and demobilizing the military forces of the four factions involved in the armed conflict; confiscating weapons caches and monitoring the cessation of all outside military assistance; and finally, training Cambodians in mine clearance. A total of about 16,000 military personnel belonged to this unit.⁴⁵

The Civilian Police Component was mandated to monitor and control local officers to ensure that law and order were implemented fairly, and that basic human rights were protected. This component contained 3,600 observers.⁴⁶ Other components of UNTAC included the Repatriation Component led by the UNHCR (UN High Commissioner for Refugees), the Human Rights Component, the Information/Education Division, Civil Administration Component and the Electoral Component. The financial cost and number of personnel involved (16,000 military personnel and 7,000 civilian personnel) over the 18 months period made UNTAC larger than any previous PKO.

Japan's involvement in Cambodia began at the Cambodia Peace Conference in Tokyo, 1990. Following that, Japan participated at the Paris Conference and in organizing subsequent conferences regarding peace and reconstruction in Cambodia. The Japanese government was enthusiastic about involvement for several reasons. First, Japan wanted to have Cambodia as a new economic market. When the discussion for the restoration of Cambodia started,

⁴⁵ Michael W. Doyle, UN Peacekeeping in Cambodia: UNTAC's Civil Mandate (Boulder, Colorado: Lynne Rienner Publishers, 1995), 29-30.

⁴⁶ *Ibid.*, 30.

Japan was enjoying a booming “bubble economy” and was seeking further economic expansion. The Cambodia PKO was a chance to link Japanese and Cambodian markets. Second, Cambodia is within the Asia region, far from the normal sphere of activity for traditional peacekeeping countries such as Canada or Norway. Japan was expected to participate as an Asian country. Third, UNTAC provided the first opportunity for Japan to test and demonstrate an international contribution under the PKO Law. Fourth, UNTAC was a traditional type of PKO, which required both military and non-military functions. Japan was able to fully demonstrate its economic and technological ability. Fifth, the appointment of a Japanese UN officer, Akashi Yasushi, as the special representative to UNTAC brought the attention of the Japanese public to UN PKO and enabled the Japanese government to negotiate the participation of the SDF under the five principles explained in Chapter 1.

The enactment of the PKO law permitted Japan to send SDF personnel to UNTAC along with 50 civilian electoral observers. Two units consisted of SDF cadres, which operated from September 1992 to March 1993. Dispatched SDF troops underwent special training for peacekeeping duties, and then cooperated with other UNTAC peacekeepers.

The Defence Agency also dispatched a total of 12,000 Ground SDF to construct bridges and roads, for a year beginning in September 1992. Medical and electoral assistance were added to their tasks. Maritime SDF and Air SDF provided transportation for building materials, food and personnel. The number

of participants was within the limit of 2,000 at one time under the PKO law.⁴⁷

Besides SDF members, the National Police Agency dispatched 75 police officers from every prefecture in Japan. They participated in the Civilian Police Component.⁴⁸ However, the security situation in Cambodia worsened at the beginning of 1993. Armed groups attacked several civilian police accommodations and trucks. Two Japanese personnel were killed by armed attack and four were injured.

Japan was shocked by these incidents and questioned the condition of UNTAC. The fourth of the five principles declares that when a cease-fire breaks down, Japan has to withdraw its contingent. The government explained that terrorists carried out the armed attacks, which were not violations of the cease-fire. In addition it would be difficult for Japan to withdraw when no other nations were leaving from Cambodia. The ambiguity of the cease-fire agreement, the terms of its violation, and SDF's assignment were questionable. The original logistic assignment of SDF gradually evolved into PKF core assignments such as armed patrolling and escorting election supervisors and ballot boxes.⁴⁹ Considering the circumstances, it was inevitable that Japanese personnel would become involved in a combat situation. The five principles should have precluded involvement in assignments requiring the use of weaponry. The law allowed

⁴⁷ Takahiro Shinyo, Kokusai Kyoryoku Nyumon, (Tokyo: Yuhikaku), 230-231.

⁴⁸ *Ibid.*, 224-225.

⁴⁹ Maeda, Kensho: PKO to Jieitai, 52-54.

Japanese peacekeepers to protect themselves, but was unclear about attacks on the party they were escorting.

Japan's first PKO provided some important lessons. SDF members found it difficult to operate under the regulations of the PKO Law, which limited their ability to cooperate with other peacekeepers. For example, Japanese peacekeepers became a burden for other peacekeepers who had to guard them. The complexities of UNTAC, the political situation in Cambodia and resulting circumstances which required the use of force illustrated the ambiguity and perhaps naivety of Japan's involvement and the five principles of the PKO law.

Nevertheless, Japan's participation in UNTAC gained international and domestic support. A survey conducted by the Prime Minister's Office in 1995 showed that 74.8% of the population thought Japan's first PKO in Cambodia and second PKO in Mozambique were successful. The ratio of those who agree with PKOs climbed from 48% in 1993 to 75.1% in 1995.⁵⁰ The success and lessons learned from UNTAC led to revision of the PKO Law.

3.3 Changing the PKO Law

Circumstances have changed since the enactment of the first PKO law. Complex humanitarian assistance operations in Somalia and the former Yugoslavia replaced traditional PKOs. In this context the five principles of the Japanese PKO seemed counterproductive. However, just as Japan sought to

⁵⁰ *Ibid.*, 17.

loosen domestic restrictions on its participation, the failure of these operations shed uncertainty on the wisdom of pursuing a new generation of PKO.

When the PKO Law was passed in 1992, Diet was meant to reconsider constitutional questions and lift prohibition on certain assignments in three years, but this did not take place until 1998. First, the PKO issue was not the first priority of the government. Second, the aggressive contemporary PKOs raised concerns among Japanese people.⁵¹

However, the failure of PKOs in Somalia and the former Yugoslavia and the success of PKOs in Cambodia brought recognition and support for Japan's involvement in PKOs. On June 5, 1998, the PKO Law was revised to ease restrictions on the use of weapons by SDF troops on PKOs and to expand their role to include monitoring truces and disarmament processes, being stationed in and patrolling buffer zones, inspecting the loading and unloading of weapons, and collecting and disposing of abandoned arms. The revised PKO Law states that SDF members follow the conduct of commander in chief regarding the use of weapons. Civilians may participate in election supervision conducted, not by the UN, but by other international organizations. And, the revision allows medical assistance activities to be carried out under the authority of certain international organizations without the safety of a cease-fire.

Japan's security alliance with the US faced a second strain when the US sought international support for military action in Afghanistan. Prime Minister

⁵¹ Hisayoshi Ina. "Post Guideline, Korekara Nihon ga chokumen suru 9tsu no kadai," Gaiko Forum (Special Issue, 1999), 83.

Koizumi Junichiro quickly showed support for America's retaliation for the terrorist attack of September 11, 2001. Yet, he did not have consensus of the ministries, cabinet and the government party. On the other hand, the Ministry of Foreign Affairs thought Japan would betray the US and hurt the alliance if it could not dispatch SDF.⁵²

The same issue that arose during the Gulf War over the use of weapons and the dispatch of the SDF reemerged. The Defence Agency demanded the easing of restrictions on use of weapons for the purpose of anti-terrorism. The Cabinet Legislation Bureau considered the demand beyond the application of the Constitution. Some influential cabinet members opposed the prime minister's plan.⁵³

As other nations started showing support for the US, the Japanese government hastened its efforts not to miss an opportunity to visibly demonstrate its support. After 62 hours of deliberation in the House of Councilors and the House of Representatives (the PKO Law took 179 hours),⁵⁴ the Special Anti-terrorism Law was passed on October 29, 2001.

The Special Anti-terrorism Law loosened restrictions on the use of weapons in consideration of the demand of SDF members; "Japan's restriction damages our reliable relationship with other nations", "dispatch of SDF to areas

⁵² Asahi Shimbun, September 27, 2001.

⁵³ *Ibid.*, November 10, 2001.

⁵⁴ *Ibid.*, October 30, 2001.

of danger requires easing of the restriction.”⁵⁵ The law allows SDF troops to use weapons to protect people “under their control,” including other SDF members, refugees and sick and wounded. Other nations’ contingent are not included, because this would violate the prohibition against collective security arrangements. Also, the law allows for the provision of medical and daily necessities to American and other armies and the transport of refugees, tents and medical supplies. The SDF is permitted to work overseas, with the agreement of parties concerned in the dispute. The law has two-year time limit but can be extended. The dispatch of the SDF requires Diet approval within 20 days.

The new guidelines of US-Japan Security Treaty of 1997 created a base for the establishment of the Special Anti-terrorism Law. They are neither a law nor a treaty, but are a subsidiary document of the 1960 Security Treaty. The US expects Japan to cooperate unconditionally when a wide range of “rear area support” is necessary, both on Japanese territory and in Asia generally where combat operations are carried out.⁵⁶ The LDP states that “individual self-defence is constitutional but collective security is not”, however this interpretation is not applied to the expanded role of Japanese SDF in the new guidelines and the Special Anti-terrorism Law. Under these criteria, Japanese cooperation with the US could violate Japan’s renunciation of war. Japan’s military cooperation with

⁵⁵ *Ibid.*, October 29, 2001.

⁵⁶ Jens Wilkinson, “Surreptitious Revisions: The New U.S.- Japan Security Treaty” AMPO: Japan-Asia Quarterly Review Vol.28 No. 2, 50-53; Mizuho Fukushima, “Report from the Upper House,” AMPO: Japan-Asia Quarterly Review Vol.29 No.2, 42.

the US does not relate to UN peacekeeping directly, but could lead the Japanese government to expand the regulations governing the use of force in peacekeeping.

On November 9, as soon as the Special Anti-terrorism Law was passed, three ships were sent to the Indian Ocean to join the American army for gathering information. Prime Minister Koizumi stated that the SDF itself deviates from the principle of Article 9, but the SDF would never use weapons.⁵⁷ Furthermore, this action is beyond the US-Japan Security Treaty. It is controversial and ambiguous whether the SDF can cooperate with the US overseas for America's self-defence. Is this action an application of collective security? If the US attacks based on the information Japan provides, does Japan violate the non-use of weapons? The issues raised in the Gulf War raised still face Japan. The dilemma over the dispatch of the SDF, use of weapons and collective security is a result of makeshift policies of the Japanese government.

About a month after the approval of the Special Anti-terrorism Law, the PKO Law was revised on December 7, 2001. The revised PKO Law expands the scope of SDF participation in UN PKOs. The law lifts a self-imposed ban on SDF participation in the core assignments of PKF. It allows SDF troops to use weapons to protect people "under their control", a provision also included in the Special Anti-terrorism Law. However, it does not allow the SDF to guard foreign peacekeeping contingents with weapons.

The debate begins again: whether protecting foreign troops are exercises of "collective security"; whether expansion of SDF's activities overseas is a

⁵⁷ Asahi Shimbun, October 20, 2001.

violation of Article 9, which bans Japan from using force as a means of settling international disputes; or, whether easing the use of weapons leads to the exercise of force. However, as a member of the UN, Japan is required to cooperate with other UN members. Japan is not acting on its own behalf or volition to settle an international dispute but is rather acting under UN auspices. As well, peacekeeping operations do not use force to settle disputes but rather to reduce harm, and to protect the operation. If Japanese peacekeepers have the flexibility to use weapons while operating under UN command, they will be better able to cope with emergencies and to play a full role.

Until now, the SDF has taken part in UN operations and activities, such as building infrastructure and providing transportation and medical support, that are less likely to result in combat and armed confrontation. However, revisions to the PKO Law now permit the SDF to participate in PKF activities. A high ranking Defense Agency official said the agency believes the revision is sufficient to enable Japanese troops to play the same role as other peacekeepers and yet fulfill the law's five principles.⁵⁸

During the past ten years Japan's foreign policy and the role of SDF have changed rapidly through the dispatch of minesweepers to the revision of PKO Law of 2001. American foreign policy and international circumstances influenced these changes. Operations were sometimes undertaken without enough consideration of the Constitution and the five principles of the PKO law. Japan should stop makeshift revisions, resolve contrasting legal obligations and political

⁵⁸ The Japan Times, December 8, 2001.

disputes over the nature and interpretation of Article 9, and consider carefully the role it can and should play in supporting international security.

Japan renounced war under “the peace constitution.” However, Japan’s pacifism turned out to be too optimistic and impractical in the post-Cold War era. Despite constraints on its military activities, Japan’s SDF has a high level of technological capability. In order to maintain renunciation of war and the five principles, Japan may seek a specialized role which will not compromise its legal obligations and restrictions. In using its force for peace, Japan should not continue to play a reactive role. Japan would not gain respect from the world, especially Asia, if it continued only to seek economic national interests and ignore its role in international peace efforts. Japan can maintain the principles of the Constitution, and contribute in its own way to security and peace.

Chapter 4: Conclusion and Proposals for Canada-Japan Cooperation

4.1 Canada's Challenges

Since the end of the Cold War, the "Canadian" or "traditional" PKO is no longer the main model of the UN PKO. For example, the UN dispatched PKOs without the consensus of the parties involved in the conflict and used the force for humanitarian purposes in Somalia and the former Yugoslavia.

The Canadian government is supportive of this new policy and has acknowledged that the traditional definition of national sovereignty must be flexible to let the international community address expanding global and regional problems. Prime Minister Brian Mulroney stressed in 1990 that national sovereignty was no longer absolute. He believed that an international society had to protect basic human rights across and within borders.¹ This perspective, so-called "new internationalism," put priority on human security over state sovereignty.

However, *new internationalism* proved challenging to Canada's foreign policy, because the humanitarian interventions in Somalia and the former Yugoslavia did not bring satisfactory results. Moreover, large-scale PKOs requiring the use of force increased the financial burden on participating countries and threatened the security of their peacekeepers.

Canada's limited fiscal resources limit its involvement in PKOs. In

¹ Canada. Department of External Affairs. Statement and Speeches, "Notes for an address by Prime Minister Brian Mulroney at the Conference on Security and Co-operation in Europe Summit, Paris, November.19, 1990," (No.90/16), 2-3.

September 1992 Foreign Minister Barbara McDougall told the UN General Assembly that unless the UN established permanent funds for PKOs, Canada could not afford to participate.² Prime Minister Kim Campbell also expressed dissatisfaction at the UN General Assembly, arguing that Canada was contributing more than its fair share to UN PKOs; Canada with 0.5% of the world population and 1% of global military spending, provided 4% of UN peacekeepers. She emphasized that Canada did not mean to decrease its role, but questioned other members' responsibility to collective financing.³

Canada provided human resources and equipment on short notice to the UN in missions including the Suez, Cyprus and Somalia. This diverted personnel from regular duties and tasks,⁴ and reduced its own national defence capability. Considering the increasing number of PKOs, threats to the security of peacekeepers and the consequent demand for personnel and money, Canada needs to reevaluate how it participates in *new internationalist* PKOs. It should prioritize its involvement based on public support and types of operations to which it is most willing and able to contribute.

Canada should continue playing a leadership role in directing the further

² Canada. External Affairs and International Trade. Statement, "An Address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the Forty-Seventh Session of the United Nations General Assembly, New York, September 24, 1992," (No.92/46), 7.

³ "Notes for an address by Prime Minister Kim Campbell at the 48th UN General Assembly, September 29, 1993," in Yoshida, UN Peacekeeping Operations: The Canadian Experience, 253.

⁴ Calvin Bricker, Canada's Reserves and Peacekeeping: A Workshop Report, (Toronto: York Centre for International and Strategic Studies, 1988), 27.

development of UN PKOs and solving current challenges. For instance, Canada can reduce its financial and personnel burden by sharing equipment, information, training facilities and transportation through partnerships and joint exercises with other UN members such as Japan.

4.2 Japan's Challenges

The Constitution of Japan calls on Japan "to occupy an honored place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth."⁵ However, Japan's contributions to PKOs were limited in part by other elements of that Constitution.

Japan only started participating in PKOs in 1992. That participation and Japan's role is still controversial in Japan. Is protecting foreign peacekeeping troops an exercise of collective security? Is the dispatch of the SDF a violation of non-use of force under Article 9; or does easing restrictions on the use of weapons lead to expanded exercise of force by the SDF?

Japan needs to clarify how and in what ways it is willing to contribute the limits of its participation. It may also have to consider whether it wants to change the Constitution to enable participation in PKF missions. However, within Japan's constitutional limits, there is some room to improve Japanese PKO involvement.

First, as UNTAC noted, Japan must expand its understanding of

⁵ The Constitution of Japan, Preface.

operations, its training peacekeepers and its system of logistical communications with other peacekeeping troops and local people.⁶ Japan should learn from the experiences of other UN members in previous PKOs. Second, Japan should establish a PKO training centre similar to that in Scandinavian countries and Canada. It could be a training centre for other Asian nations as well. A shared training centre with Canada would benefit Canada by allowing it to continue its influence and leadership role while reducing the financial and personnel strain of PKOs by involving other countries. Third, since rapid response is becoming important, Japan should store necessary equipment and building materials for the quick dispatch of peacekeepers and aid. Secretary-General Boutros-Ghali claims the necessity of such reserves at various locations around the world. For example, member states could help the UN establish a reserve stock of basic equipments (vehicles, radios, generators, prefabricated buildings) that are always required for a PKO. The equipment could be made available immediately to the UN when needed.⁷ Japan's ability and geography make it logistically ideal as a stockpile for the Asia-Pacific region.

4.3 Possibility of Canadian and Japanese Cooperation

Japan and Canada have widely different histories of PKO involvement. Their different strengths, abilities and advantages lead to situation where both

⁶ Japan. Defence Agency. Bouei Hakusho (Defense of Japan) (July 1994), 161.

⁷ Boutros Boutros-Ghali, "Empowering the United Nations," Foreign Affairs, Vol.71 No.5 (Winter 1992/93), 93.

can benefit from cooperation. By cooperating with Japan, Canada can be viewed as a relevant contributor in the Asia Pacific security area. The failures of contemporary PKOs have caused Canada to reevaluate its participation in PKOs. Perhaps Canada's reevaluation of its participation in PKOs could see it return to a style in keeping with Japan's PKO Law, which requires party consensus and a cease-fire. Japan can benefit from Canada's long experience in PKOs. Because of Canada's trustworthy reputation in the world, Canada's cooperation can reassure countries, especially in Asia where Japan has a difficult history, who may fear Japanese military involvement.⁸

Their similar outlooks, challenges and interests also serve as motivation for their cooperation. First, both have a strong military and economic relationship with the United States and depend on the US for national security. Japan is required to cooperate with the US by the Security Treaty. Canada is tied economically and militarily through the North American Free Trade Agreement (NAFTA) and NORAD. Canada, however, works to maintain its independent judgment by raising its voice in multilateral forums such as the UN. Though both benefit from the United States and need to maintain stable relations with the US, both Canada and Japan may disagree with US foreign policy and may seek to co-operate in order to preserve their interests as middle powers, and a prominent role for UN centred decision-making.

⁸ Brian L. Job and Masashi Nishihara, "Canada-Japan Security Cooperation Study: Broadening the Agenda," (March 1997)
<<http://www.dfait-maeci.gc.ca/ni-ka/peace/job-nishihara-e.asp>>

Second, Canada and Japan share similar democratic systems of government and successful market economies. They understand the benefits of sustaining the stability of open economic policies as tools of development, especially in the Asia-Pacific region. For both, the maintenance of a peaceful and stable regional order is essential to sustaining the conditions for economic growth. Moreover, both can be a positive influence in the Asia-Pacific region to improve modernization, political reform, environmental problems and sustainable development.

Third, both Canada and Japan are committed members of the UN. They share similar concerns over the use and clearance of landmines, the control of weapons of mass destruction, the use or threat of force, the peaceful settlement of disputes and sustaining of international peace. By cooperating internationally they can achieve a “multiple effort”, accomplishing more than either could individually.⁹

In regards to PKOs, their cooperation has begun gradually at various levels. High-ranking military officers of Canada and Japan have met irregularly since 1988. The Agenda for Cooperation, issued by the Prime Minister of Japan (Hashimoto Ryuichiro) and Canada (Jean Chrétien) in 1996, included exchanging experiences regarding UN PKOs, sharing of intelligence information, reserve force systems and bilateral defence cooperation.¹⁰ In relation to PKOs, Canada

⁹ *Ibid.*

¹⁰ Canada. Department of Foreign Affairs and International Trade, “Canada and Japan: Agenda for Cooperation,”

and Japan have already started cooperation on some points.

First, dialogue between Canadian and Japanese PKO officials began with UNTAC, which was SDF's first participation in PKOs. When Japan dispatched a transport contingent to the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights, it began a higher level of cooperation. UNDOF, established in 1974 following the agreed disengagement of the Israeli and Syrian forces on the Golan Heights, continues to supervise the implementation of the agreement and cease-fire. There, a Japanese SDF transport group replaced a similar Canadian group and is operating within a larger Canadian logistic unit. UNDOF had PKF missions. Cooperation between Japan and Canada enabled Japan to participate in a PKF mission without violating the five principles. This case shows that Canada could assist in situations requiring the use of force, where Japanese personnel are restricted, while Japan can provide logistical expertise and infrastructure.

Second, the Canadian Maritime Command and Japanese Maritime SDF regularly schedule joint naval exercises through exchanging visits of naval vessels. Canada and Japan also participate in the biennial Rim of the Pacific (RIMPAC) exercises with the US and Australian navies.

Third, a station of military officials helps exchange information and opinions between Canada and Japan. A Canadian Forces Attaché is stationed in the embassy in Tokyo. From Japan, a representative of the Japanese Defense Agency serves as a 1st or 2nd Secretary in the Embassy in Ottawa.

Fourth, Japan's forces are beginning to benefit from military education from Canada's advanced PKO training facilities and experience. Instructors of the Japanese National Defence Academy and Canada's Royal Military College exchange visits, but there are no programs involving officers or cadets. An exchange program could be encouraged.

Fifth, in addition to the enhanced level of official bilateral dialogues, academic interaction between Japan and Canada is succeeding. In 1996 members of Lester B. Pearson Canadian International Peacekeeping Training Centre and Japanese bureaucrats and SDF officials held a seminar on PKOs in Tokyo. In 1998, celebrating 70 years of Canada-Japan diplomatic relations, the Canada-Japan Symposium on Bilateral Peace and Security Cooperation was held in Vancouver. This type of co-operation is being expanded to include other Asian countries. In 1995, Japan started participating in Pacific Area Senior Officer Logistics Seminar, in which more than 30 member states in Asia Pacific region, including Canada, exchange information on logistical support. Canada, Japan and Malaysia co-hosted an ASEAN Regional Forum (ARF) peacekeeping seminar in Tokyo in 1999. These initiatives encourage deeper understanding and networking among experts and academics.

There are other potential avenues for Canada-Japan cooperation. Japan could share its affluent military budget with Canada for shared logistical support and training programs.¹¹ Further, taking advantage of geography, Japan could

¹¹ Japan ranks 2nd in the world military expenditure in 1999. Japan's military expenditure of 1999 was 4,934 billion yen (US\$ 37,690 million), 1% of GDP.

warehouse Canadian equipment in case of PKOs in Asia. As well there is a potential for joint operations or integration of Japanese and Canadian military personnel in PKOs, however because of the restriction on the use of force, Japanese personnel could become a burden to the Canadian corps in combat situations.

The rationale exists to further increase the level of cooperation between Japan and Canada from sharing the personnel and financial burden, to forwarding their foreign policy and securing interests as trading nations and Pacific partners. Whatever direction national interests and international affairs go in the foreseeable future, both countries stand to benefit from further cooperative efforts in peacekeeping cooperations.

Canada's, though its share of GDP is .3% higher than that of Japan, was 12,360 million Canadian dollars (US\$ 8,191 million). Stockholm International Peace Research Institute, "Military Expenditure Database," <<http://www.sipri.se>>

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Appendix I

Canadian Peacekeeping Operations

Mission	Dates	Authority & Mandate	Location	Maximum Personnel	Canadian contribution: Maximum Personnel & Type
UNTSO UN Truce Supervision Organization	1948- (1954-)	UN Security Council. Supervision of General Armistice Agreements of 1949, ceasefires in the Suez and Golan Heights.	Egypt, Israel, Jordan, Lebanon, Syria	572 (1948)	22: Observers
UNMOGIP UN Military Observer Group India-Pakistan	1949- 1979	UN Security Council. Supervision of ceasefire between India and Pakistan in Jammu and Kashmir.	Kashmir	102 (1965)	27: Observers. Air Unit (twice yearly airlift of HQ)
UNEF I UN Emergency Force	1956- 1967	UN Security Council. Secure and supervise cessation of hostilities and withdrawal of British, French and Israeli forces.	Egypt (Sinai)	6,073 (1967)	1,007: Reconnaissance Squadron, Signals, Engineers, Logistics, Air Unit

ONUC UN in Congo	1960- 1964	UN Security Council. Maintain law and order in transition to post-colonial era.	Congo (Zaire)	19,828 (1961)	421:Signals, Air Unit
UNFICYP UN Forces in Cyprus	1964-	UN Security Council. Assist in maintenance of law and order, return to normal conditions.	Cyprus	6,411 (1964)	1,126: Reconnaissance Squadron, Infantry Battalion, Signals, Military Police
UNDOF UN Disengagement Observer Force	1974-	UN Security Council. Supervise ceasefire and redeployment of Egyptian and Israeli forces control of buffer zone.	Syria (Golan Heights)	1,450	230:Signals, Logistics
UNSOM I & II UN Operations in Somalia	1992- 1995	UN Security Council. Distribution of relief supplies.	Somalia	29,000	21: Headquarters personnel.
UNITAF UN Task Force	1992- 1993	UN Security Council.	Somalia	37,000	1,410:Infantry Battalion, Forces COS, Air Support Elements

UNPROFOR I & II UN Protection Force	1992- 1995	UN Security Council. Observation patrols and mine clearance in Croatia and humanitarian assistance in Bosnia- Hercegovina.	Former Yugoslavia	20,000	2,400:Infantry, Engineers, Transport Company, Naval Observers 45:civilian police from RCMP
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Source:

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Appendix II

Japanese Peacekeeping Operations

Mission	Dates	Authority & Mandate	Location	Maximum Personnel	Japanese contribution: Maximum Personnel & Type
UNTAC UN Transitional Authority in Cambodia	1992- 1993	UN Security Council. Ensure implementation of the Agreements of the Cambodia Conflict of 1991. Supervise human rights, elections, civil administration.	Cambodia	22,000	16:Ceasefire supervision personnel 1,200:Civil Engineering units
UNDOF UN Disengage- ment Observer Force	1974- (1996-)	UN Security Council. Supervise ceasefire and redeployment of Egyptian and Israeli forces control of buffer zone.	Syria (Golan Heights)	1050	6:Headquarter staff 215:Transport units

Source:

Japan, Ministry of Foreign Affairs. "Japanese Participation in International Peacekeeping under the International Peace Cooperation Law"
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Appendix III

Charter of the United Nations (Excerpts)

(Unofficial Copy)

CHAPTER VI: PACIFIC SETTLEMENT OF DISPUTES

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.
2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.
2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purpose of the dispute, the obligations of pacific settlement provided in the present Charter.
3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Article 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.
2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.
3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.
2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Article 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

CHAPTER VII: ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Article 41, 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggression of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.
2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional process.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of the Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.
2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the

Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.
4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committee.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.
2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they remembers.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United

Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Appendix IV

The Constitution of Japan (Excerpts)

(Unofficial Copy)

November 3, 1946

PREFACE

We, the Japanese people, acting through our duly elected representatives in the National Diet, determined that we shall secure for ourselves and our posterity the fruits of peaceful cooperation with all nations and the blessings of liberty throughout this land, and resolved that never again shall we be visited with horrors of war through the action of government, do proclaim that sovereign power resides with the people and do firmly establish this Constitution. Government is a sacred trust of the people, the authority for which is derived from the people, the powers of which are exercised by the representatives of the people, and the benefits of which are enjoyed by people. This is a universal principle of mankind upon which this Constitution is founded. We reject and revoke all constitutions, laws, ordinances, and precepts in conflict herewith. We, the Japanese people, desire peace for all time and are deeply conscious of the high ideals controlling human relationship and we have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world. We desire to occupy an honored place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth. We recognize that all peoples of the world have the right to live in peace, free from fear and want. We believe that no nation is responsible to itself alone, but that laws of political morality are universal; and that obedience to such laws is incumbent upon all nations who would sustain their own sovereignty and justify their sovereign relationship with other nations. We, the Japanese people, pledge our national honor to accomplish these high ideals and purposes with all our resources.

CHAPTER II: RENUNCIATION OF WAR

Article 9:

Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and

the threat or use of force as means of settling international disputes.

In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

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