

NATURE OF THE FUTURE CONFLICTS AND THEIR PREVENTION

Ioana NICOLAE

Transilvania University of Braşov

Abstract

War can be characterized as a critical stage of contradiction between the actors of political stage which takes the form of a violent armed struggle. The assumption that war is rooted the characteristics of the human or social nature is more widespread than peaceful alternative views. The demographic problem and the increased polarization of people into rich areas, unlimited militarization and the attitudes resulting from this situation may cause new conflicts. There should be taken measures to prevent them.

I. POLITICO-ECONOMIC CAUSES OF THE WARS

2000 years ago, Thucydides wrote about the Peloponnesian war (431-404 b.C) „What made this was inevitable had been the rise in power of Athens and the fear it had brought about in Sparta”.

Studying the wars, many historians, analysts and sociologists reached similar conclusions with respect to the political and economic causes for the war outburst.

A major characteristic is the conflict of interests. Most of the time, these interests are of a political nature, however being motivated by or rooted in

economics, with respect to the distribution of the human resources, to the industrial potential or to the territorial division.

There are no purely economic or purely political wars. The wars originate in a conflict of interests. Why do people and nations fight, to what purpose? Reformulating G. Laswell's question: who, financing a war, has something to win, where and when? The different causes of the war, with roots in various material worlds, may be grouped according to several typologies.

The causes of the conflicts in the material world originate in the occupation of the territories that dispose of natural, economic resources and also of the territories with industrial, technological power, or of those strongly militarized.

Social conflicts reside in the fight for grasping the internal power, within the inter-ethnic relations.

Social-cultural conflicts are based on the cultural-religious identity or on the fear of losing it, on tolerant and intolerant ideologies

The current conflicts take no longer place between the inimical armies of two States, but most of the time between government troops that represent different interests in the framework of the same State. The motivations are religious, ethnic or, more rarely, of an economic nature. At the same time, this is one of the causes because of whom the balance of the military-civilian forces has changed for the last years, the number of losses within the civilian population representing 90% of the total.

The attempts at redefining the security environment enhanced the major factors that may influence the future coordinates of the peace and security and at the same time they may constitute causes for the future conflicts Human nature constitutes a main cause of the war.

In the first place there is about the demographical issue and the accentuated polarization of society in small regions of wellness and wide regions of poverty. As the economic and demographical evolutions mutually

influence themselves, the domination of the key sources for the future, those „islands" of wellness will undergo an increasing pressure. The increasing pressure exercised by those eager to live a better life, also called the „militant migration", also produces an anti-emigration reaction resulting in the accession of the parties of the right extreme.

A second factor is connected to the fact that the global system slowly reaches the limits of human activity, configured by the norms and by the constraints for protecting the environment.

Within the range of action of the same factor, there also inscribes the intensification of the competition for strategic resources, a condition for ensuring the permanent industrial performance and henceforth a legitimate issue of security. The hunger for energy, the diminution of the production in the Sea of North seem to generate and to be at the same time the result of a war for the delimitation of the spheres of influence as regards the oil and the natural gases. The explosion of the area, due to the present and future games in the context of the degree of risk that is currently displayed by the mosaïque of nations, faiths and political beliefs may require an international intervention, maybe in guise of the new type of operations for the crisis management and because of humanitarian reasons.

The militarization without boundaries, the unlimited access to the enormous quantities of weapons, inherited as a consequence of the Cold War, as well as the mentalities and the attitudes produced by the military confrontations which belong to the past stand **a third factor** in which there originate the new dangers. In this case, the most complex threat comes from the trade with nuclear weapons on the black market. On the buyers' list, there might be included the States aspiring to the title of nuclear force; however impeded in their actions by the international community, also the anti-terrorist groups and the deviationist cults and social movements.

The inventory of the possible causes of the future conflicts demonstrate for the beginning the change in their nature and perhaps in their form of development. Because of the variegated, complex, unpredictable and multidirectional character of the new threats, there becomes impossible to adopt and to apply the measures for the prevention of the conflicts.

NORMS OF INTERNATIONAL LAW WITH RESPECT TO THE MEASURES FOR PREVENTING THE CONFLICTS IN THE INTERNATIONAL MISSIONS IN WHICH THERE ARE INVOLVED ROMANIAN TROOPS

A. Measures with reference to the conflict; they represent those measures taken either when there is still possible to avoid the aggravation of the issues under dispute and the conflict of interests, or after their outburst. Within this category, there belong those connected to the peace realization and to the peace construction.

1. To realize peace implies to search for a negotiated solution of the situations perceived as conflict of interests between the parts and comprises as modalities of accomplishment:

a) *Imposition of a solution through constraint* (through violence or through force);

a.1. *Sanctions with the use of the army force*

a.2. *Sanctions without the use of the army force*

b) *Judicial solving of the conflict;*

b.1. *International arbitration*

b.2. *International justice*

c) *Politico-diplomatic solving*

c.1. *Traditional methods*

c.2. *Alternative methods*

a.1. *Sanctions with the use of the army force*

The article 42 in Chapter VII of the Charta of UN, legitimates a system of collective sanctions against the threats to peace, against the violation of peace, against the acts of aggression. The Council of Security has the right to undertake any action that is considered necessary through the use of the air, terrestrial and naval forces: demonstrations, blocking measures, other operations. Further on, art.51 stipulates that the exercise of the right to individual or collective self defence, emerged as reaction to an aggression, has the character of sanction.

a.2. *Sanctions without the use of the army force* as an answer to inimical or illicit acts of another State or of other States. These are: retorsion, reprisals, embargo, boycott, peaceful maritime blockage.

Retorsion consists in measures of repression taken by a State against the non-friendly acts, contrary to the international customs, accomplished by another State: breaking the diplomatic relations; stopping the commerce; lack of acknowledgment of the State whence there comes the non-friendly act; reducing the imports from such a State.

Reprisals imply measures of constraint taken by a State against another State to the purpose of determining the latter to make up for the damage resulted from illicit acts or omissions contrary to the international law, accomplished by the respective State, or to the purpose of preventing the repetition of such acts. Here, there may be included the sequester upon goods pertaining to the nationals of another State, the interruption of the commercial, posting, telegraphic relations; the expulsion of the nationals of another State; the refusal to apply, to observe treaties. An example would be the blockage by the U.S.A. of the Iranian goods following the taking as hostages the diplomatic staff within the American embassy from Teheran (1979-1980).

Embargo stands for a form of reprisals through whom a State retains the commercial ships of another State, in the harbours or within its territorial sea, together with their load. It is also used for retaining the goods of any kind destined to the State against whom it is applied. There may be mentioned: the technical embargo and the retreat of the clause of the most favored nation, following the measures of repression in Poland (1981), the embargo on cereals against the Union of the Soviet Socialist Republics, following their intervention in Afghanistan; the measures approved by the Council of Security against Iraq in 1991 and against Serbia; the embargo upon the weapons destined to Argentina decided by the countries of the European Community in the conflict upon the Malvine Islands in 1982.

Boycott consists in the interruption of the commercial relations among the states, of the railway, maritime, radio communications. The example consists in the measures decided by the General Reunion and by the Council of Security against the South-African Republic in order to determine this one to put an end to the apartheid policy, or the ones against Iraq.

Peaceful maritime blockage aims at a State's impeding, with its military naval forces, of any communications with the harbors and with the seaside of another State, without being in a state of war with the latter one.

b.1. *International arbitration* consists in solving a conflict between the states by a person or by a commission, appointed by the parts, and whose decision, according to the previous agreement between the parts, is compulsory (though the Permanent Court of Arbitration from Hague).

b.2. *International justice*, through the International Court of Justice, as main organ of UN. The causes deduced in front of the Court referred to: the issue of liability of the States (litigation between England and Albany with respect to the mishap in the narrows of Corfu 1947-1949);

- of status of the population and diplomatic protection (rights of the American citizens in Morocco 1950-1952);
- territorial conflicts (Denmark and Holland against the Federal Republic of Germany with respect to the delimitation of the continental plateau in the Sea of North 1968-1969; Libya and Malta with respect to the continental plateau of the Mediterranean Sea 1985. Libya versus Chad in 1990; Eastern Timor and Portugal versus Australia, 1991);
- passage through passengers (conflict with respect to the passage through the Great Belt, Finland versus Denmark in 1991);
- ex-treachery, human rights.

c.1. *Traditional methods* as the negotiations (talks), the good offices and the mediation, the international inquiry and the international counseling, are a category of the measures of politico-diplomatic nature.

Negotiations stand for one of the most used means of solving, as they are close at hand for every State, as they are the cheapest and as in their development the parts come in direct contact, which places them on equal discussion bases, giving them the possibility to directly express their opinions and to defend their interests.

The good offices and the mediation are actions undertaken by a third party (State or organization) at request or out of one's own initiative, to the purpose of helping the parts through negotiation. The action of the third party, destined to create the favorable conditions so that the States in litigation should contribute to solving the conflict through negotiation, constitutes good offices. The mediation is the participation of the same third party to the organization of the negotiations, whom it usually leads, examining the substance of the conflict and submitting proposals for its solving. An example in this direction is the success of C.E. in mediating the politic conflict in uprising between Hungary and

Slovakia upon the extremely sensitive issue of the barrage on Danube (that threatens to aggravate the issues with respect to the Hungarian minority in Slovakia);

International inquiry aims at the exact settlement of the facts and to the clarification of the circumstances that led to the apparition of the conflict. *International counselling* makes the passage from the politico-diplomatic means to the jurisdictional ones, from whom they differ through the fact that the submitted solution is not compulsory. The conciliation commissions combine the elements of enquiry and the elements of conciliation.

c.2. *Alternative methods*, unlike the former ones, concentrate upon the process of the interaction rather than on the content of the negotiated positions. There is deemed that there should be used the resources of a diplomacy of the second rank, of the non-government type, destined to settle a stage previous to the negotiations in which to be encouraged the „analytic" progresses of the parts in conflict.

2. Peace accomplishment stands for the process of creation of the connections among people, it attempts at alluding or at reducing the conflicts through „contacts plus the readiness to forget, contacts plus aiming at superior goals, contacts plus measures for reinforcing the trust and contacts plus education for mutual understanding". This is a process which supports the „diplomacy of the development" and in which there are used methods and means of an attitudinal, socio-economic, political nature (monitoring of the elections) or those destined to reinforcing the democratization process and to protecting the human rights.

B. Another category of *measures* which may be used are those *with respect to the possibilities of action*. In order to prevent the uprising of a conflict

there may be taken into consideration the force that the parts in conflict may possess, as well as the factors which constrain or allow its use.

1. Measures of a non-military nature suppose interventions of the politico-diplomatic nature, legal, economic, informative-educational, normative-ideological. In this respect there may be resorted to: the threat with the retreat of the diplomatic missions of a country or of a group of States; the disapproval by the Council of Security of certain attitudes; decisions pronounced by the International Court of Justice. against a certain country; application of the economic boycott", exposition of the acts of infringement of the international laws to the opprobrium of the international public opinion.

2. In the range of the measures of a non-military nature, there are included: nuclear discouragement; system of collective security; system of collective defense; measures for reinforcing the trust and the security (C.S.B.M.); peace imposing and maintaining. The forces for imposing the peace are used in the situation in which the violence is still manifest, the mission being comparable to that of a military campaign. In order to maintain the peace, the forces are used in the situation in which there has been reached an agreement for ceasing the fire and when the main parts in conflict claim the help in maintaining a yet unstable peace.

C. Measures with respect to the process of decision suppose and aim at: reducing the risk of erroneous perception; creating a less strenuous process for taking the decisions; the search for more efficient strategies for preventing the conflicts.(after a scheme by Luc Reychler).

ECONOMIC AND POLITIC FACTORS: SOURCE OF PEACE

What could be done in order to promote the dialogue and the tolerance, the equality and the justice, living only in compliance with the normal standards of a just social administration? Peace is not only the absence of the war, a short period between two conflicts; it is a desideratum for whose accomplishment humankind fights on all peaceful paths possible.

The most efficient path for fighting against war is to act in favor of peace, justice, dialogue, mutual understanding. This is a continuous process that requires for every generation to join the best minds and forces for the cause of the peace, in order to promote and enjoy peace.

Through the realities and the criteria that have to be taken into consideration from the politico-military standpoint for the success of an action of stabilization and normalization of the situation in a possible conflict there could/should be found:

- restoring the control of violence through armistices and agreements for ceasing the fire, temporary, to the purpose of reacquiring the legitimacy on the basis of the policy of civilian society;
- protecting the victims and determining the unitary observance of the humanitarian international standards and of the human rights;
- choosing an adequate policy for the use of the military force, under the conditions of a military intervention;
- promoting the alternative policies, in its essence the emendation of any solution based on the political purposes of belligerent party and the substantiation of other sources of power that should be represented to the talks;
- identifying the local supporters of the ideas of peace and creating the safe areas (safety regions, humanitarian corridors, areas of air interdiction) as key elements in closing the war;

- substituting the international community with the non-government organizations as regards the tasks the former cannot comply with;
- increasing the capability of the security institutions in managing the new forms of violence;
- observing the principles for maintaining the peace „consensus" – legitimacy of the international military forces; „impartiality" – to make no discrimination; „use of the force" – controlled use of the violent means or coercion in direct proportion to the purpose.

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