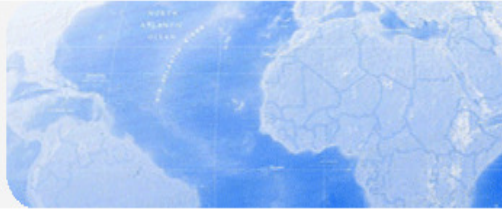




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UN-Regional Organisational Cooperation in Peace and Security: Development and Future Prospects

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Abstract

The purpose of this paper is to explore the direction of the debate within the UN on the nature of UN-regional organisational cooperation in the post-Cold War security environment and its future implications. Based on lessons learned from the experience of post-Cold War peace operations, this paper tries to address the following three issues: firstly, it re-examines the post-Cold War UN peace operations principles based on several important UN peace operations documents which have informed the overall debate on UN peace operations, including *An Agenda for Peace*, the Brahimi Report, the report of the 'High-level Panel on Threats, Challenges and Change' *A more secure world*, and the Secretary-General's 2005 report *In larger freedom*. Secondly, it examines the lessons learned in these reports based on the experience of the post-Cold War peace operations, their recommendations for future peacekeeping operations, and subsequently their implication for global-regional security architecture. Lastly, the paper examines how such security architecture would be able to contribute to improving the even more difficult security situations in the post-9/11 era and to promoting effective conflict prevention and peace-building, while at the same time endeavouring to protect the basic human rights and security needs of individuals.

Introduction

The question of the nature of UN-regional organisational cooperation in the post-Cold War security environment has been discussed within the UN during a wider debate on how to strengthen and improve its capability to carry out peace operations. This debate has been informed by various reports and discussions. It is the purpose of this paper to explore the direction in which this debate has moved, and what its future implications might be.

The end of the Cold War has created a new security environment which requires a continual re-thinking of the whole issue of security and the international community's approach to it. International organisations including the UN and regional organisations, which previously focused on promoting inter-state security and cooperation, now face a host of new intra-state problems. This has increased the risk of civilians being on the front line of organised armed violence. Moreover, intra-state conflicts require different methods of early warning and prevention from traditional inter-state confrontations.¹ Throughout the 1990s, practitioners and scholars paid extensive attention to the conflict cycle, from conflict prevention to peace-building.² These terms are not mutually exclusive: in the Secretary-General Boutros-Ghali's words, '[p]reventive diplomacy is to avoid crisis; post-conflict peace-building is to prevent a recurrence'.³ Consequently the academic community and independent expert commissions launched important research projects and policy recommendations in a late 1990s on causalities of intra-state conflicts and the viability and utility of preventive diplomacy.⁴ Importantly, the Carnegie Commission proposed the idea of 'structural prevention' as comprising strategies 'to address the root causes of deadly conflict, so as to ensure that crises do not arise in the first place, or that, if they do, they do not recur'.⁵ Also, the UN, regional organisations, state entities

¹ Janie Leatherman, William DeMars et al., *Breaking Cycles of Violence* (Kumerian Press, West Hartford, 1999), p. 3.

² For the terminologies, see Roland Paris, *At War's End* (Cambridge: Cambridge University Press, 2004), pp.38-39.

³ UN Doc. A/47/277-S/24111 (17 June 1992), para.57.

⁴ See, for example, Michael Brown (ed.), *The International Dimension of Internal Conflict* (MIT Press, Cambridge, 1997); Ted Robert Gurr, *Minorities at Risk* (United States Institute for Peace Press, Washington, DC, 1993); Stephen Van Evera, 'Hypotheses on nationalism and war', in Robert J. Art and Robert Jervis, *International Politics* (Harper Collins, New York, 1996), pp. 5-39.

⁵ See Carnegie Commission on Preventing Deadly Conflict, *Preventing Deadly Conflict* (Washington DC: Carnegie Corporation of New York, 1998), p.67. Alongside 'structural prevention' the Carnegie Commission uses the term 'operational prevention' which refers to 'measures applicable to in the face of immediate crisis'. Yet 'a clear distinction between regular developmental and humanitarian assistance programmes, on the one hand, and those

and non-governmental organisations (NGOs) have all engaged in systematic ‘lessons learned’ exercises in recent years with regard to the UN reform and its ability to respond to conflict and complex emergencies.⁶

On the other hand, as the notion of security has changed, so have the notions of national and international responsibility for the maintenance of peace and security. Indeed, as *The Report of the Panel on UN Peace Operations* (the Brahimi Report) notes, even so-called intra-state wars are typically trans-national in character, involving the dark side of globalisation or elements of uncivil society, such as arms flows or refugees.⁷ Moreover, trans-national terrorism and the proliferation of weapons of mass destruction have now become additional threats to military security for the whole international community. The notion of conflict prevention against such non-state actors as terrorists has raised new issues for consideration: in particular, whether the root causes of terrorism should attract equally responsive measures, and whether such response measures could be appropriately taken by the UN or other multi-lateral actors. Nonetheless, one field in which international organisations including the UN and regional organisations would certainly have a role to play is long-term structural prevention policies that address root causes of threats.⁸ Furthermore, the better the coordination between these multilateral organisations, the more effective such a role would be. The importance of the strengthened multilateral system in accordance with the purposes and principles of the UN was also illustrated in the resolution adopted at the General Assembly in May 2011, which has given the European Union the right to speak at the Assembly.⁹ The resolution was also of significance in that it could open the door for other regional organisations to request the same status at the General Assembly.¹⁰

implemented as a preventive peace-building response to problems that could lead to the outbreak of recurrence of violent conflict, on the other’. For further discussions about the idea of structural prevention of conflicts, see, for example, David Carment and Albrecht Schnabel (eds.), *Conflict Prevention* (New York: United Nations University Press, 2003)

⁶ The examples of results of such efforts include: Commission on Global Governance, *Our Global Neighbourhood* (Oxford: Oxford University Press, 1995); International Task Force on the Enforcement of UN Security Council Resolutions, *Words to Deeds* (New York: United Nations Association of the United States of America, 1997).

⁷ UN Doc. A/55/305-S/2000/809 (21 August 2000), para.7.

⁸ UN Docs. A/50/60-S/1995/1, *Supplement to An Agenda for Peace* (3 January 1995), para.49; S/1998/318, (13 April 1998), para.63.

⁹ UN Doc. A/RES/65/276 (10 May 2011).

¹⁰ Van Langenhove further argued that this development ‘illustrate[s] that multilateralism is no longer only a play between states: regions of all sorts as well as other actors are present and are profoundly changing the multilateral game’. See Luk Van Langenhove, ‘The Upgrade of the EU in the UN and the Changing Nature of Multilateralism’,

Based on lessons which have been learned from the experience of post-Cold War peace operations, this paper tries to address the following three issues: firstly, it re-examines the post-Cold War UN peace operations principles based on several important UN peace operations documents which have informed the overall debate on UN peace operations, including *An Agenda for Peace, Supplement*, the Brahimi Report, the report of the ‘High-level Panel on Threats, Challenges and Change’ *A more secure world*, and the Secretary-General’s 2005 report *In larger freedom*; secondly, it examines the lessons learned in these reports based on the experience of the post-Cold War peace operations, their recommendations for future peacekeeping operations, and subsequently their implication for global-regional security architecture; lastly, this paper examines how such security architecture would be able to contribute to resolving the difficulties of security situations in the contemporary international environment and to promoting effective conflict prevention and peace-building in failing or failed states, while at the same time endeavouring to protect basic human rights and the security needs of the individuals.

An Agenda for Peace, Supplement, and redefinition of peace operations

After the end of the Cold War and in the wake of the UN-sponsored operations in Iraq and Kuwait in 1991, the UN Security Council invited the Secretary-General to prepare an ‘analysis and recommendations on ways of strengthening and making efficient within the framework and provisions of the Charter the capacity of the UN for preventive diplomacy, for peacemaking, and for peace-keeping’ by means of which the UN would deal with international peace and security issues in the new environment.¹¹ Importantly, the statement also suggested that the Secretary-General’s analysis and recommendations could also cover the ‘contribution to be made by regional organizations in accordance with Chapter VIII of the United Nations Charter in helping the work of the Security Council’.¹²

Europe’s world (13 May 2011), available at [\[http://www.europesworld.org/NewEnglish/Home_old/CommunityPosts/tabid/809/PostID/2514/TheUpgradeoftheEUintheUNandtheChangingNatureofMultilateralism.aspx\]](http://www.europesworld.org/NewEnglish/Home_old/CommunityPosts/tabid/809/PostID/2514/TheUpgradeoftheEUintheUNandtheChangingNatureofMultilateralism.aspx).

¹¹ On 31 January 1992, the Security Council met for the first time at the level of heads of state or government in order to discuss the role of the UN in connection with the item entitled ‘The responsibility of the Security Council in the maintenance of international peace and security’. See UN Doc. S/23500 (31 January 1992)

¹² *Ibid.*, p.3.

The Secretary-General's response to this request was his 1992 report, *An Agenda for Peace*.¹³ The report was based on the growing realisation among the member states and development practitioners that intra-state conflict has become more dominant in the post-Cold War era and that seeking ways to coordinate efforts in conjunction with moves toward a culture of prevention have become more necessary than ever. Therefore the report took a somewhat bold step in defiance of the realistic conception of national security, rooted solely in national interest and international anarchy. It took into account the persisting problems of social injustice and violent culture as causes of conflict and violence.¹⁴ Furthermore, *An Agenda for Peace* presented a genuine challenge to the concept of state sovereignty-based collective security. The state was no longer seen as the absolute reference point for security in the face of an outbreak of intra-state conflict,¹⁵ although the Secretary-General took a cautious approach reaffirming that 'in ... situations of internal crisis, the United Nations will need to respect the sovereignty of states'¹⁶.

The Secretary-General called for a new role for the UN in managing global security, by expanding the traditional peacekeeping role to include various new forms of peacekeeping (from preventive diplomacy to post-conflict peace-building) as a way of preventing 'the recurrence of violence among nations and peoples'.¹⁷ At this stage, the Secretary-General largely restricted conflict prevention to 'preventive diplomacy'. The 'root cause' approach to prevention that was to become increasingly significant in the late 1990s was barely mentioned in *An Agenda for Peace*. Additionally he included peace enforcement actions, which turned out to be quite problematic.¹⁸ It envisaged peacekeeping as an institutionalised instrument for global security structures which would enhance the political and military position of the UN system,¹⁹ and also promote the political and legal status of individuals and sub-national groups, in failed or failing states that were unable to fulfil their responsibility to provide for their citizens' basic human

¹³ UN Doc. A/47/277-S/24111, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping* (17 June 1992)

¹⁴ *Ibid.*, para.15.

¹⁵ See, for example, James H. Allan, *Peacekeeping* (Praeger Publishers, 1996); John Mackinlay, 'Beyond Logjam: A Doctrine for Complex Emergencies', *Small Wars and Insurgencies*, vol.9, no.1 (1998), pp.114-131.

¹⁶ UN Doc. A/47/277-S/24111, para.30.

¹⁷ *Ibid.*, para.21.

¹⁸ For an early discussion on the issue, see John Mackinlay and Jarat Chopra, 'Second Generation Multinational Operations', *Washington Quarterly*, vol.15, no.3 (Summer 1992), pp.113-134.

¹⁹ See also Boutros Boutros-Ghali, 'Empowering the United Nations', *Foreign Affairs*, vol.71 (Winter 1992/1993), pp.89-102; 'UN peacekeeping in a new era: A new chance for peace', *The World Today*, vol.49 (April 1993), pp. 66-69; Boutros Boutros-Ghali, 'An Agenda for Peace: One year later', *Orbis*, vol.37 (Summer 1993), pp. 323-332.

needs²⁰. *An Agenda for Peace* thus favoured the concept of ‘human security’,²¹ closely related to the concept of positive peace and associated with social justice and democracy, rather than the traditional concept of national security.²² For instance, the logic of human security was dramatically extended into the consideration of aspects of conventional disarmament in the post-Cold War era. A ‘human security’ approach inevitably raises questions about the place of national security. However, these two concepts are complementary rather than confrontational. For instance, the 1994 United Nations Human Development Report included not only ‘personal’ but also ‘community’ in seven broad categories of human security.²³ One of the most significant efforts in terms of the human security aspect was the effort to ban anti-personnel land mines.²⁴ The Secretary-General was broadly supportive of the idea, and drew attention to the problem as an aspect of peace-building in *An Agenda for Peace* and later endorsed the idea of a total ban.²⁵

However, peacekeeping reached deadlock when it developed into peace enforcement. The idea of peace enforcement was a major departure, since military force is used in order to accomplish a cease-fire and so enable the peacekeepers to fulfil their extensive mandates. As a result of this type of operation, UN-sponsored peacekeeping has assumed the role of being an active participant in internal conflicts. In 1995, the Secretary-General clearly recognised that ‘the United Nations does not have the capacity to carry out a huge peace enforcement operation, so when the Security Council decides on a peace enforcement operation, our advice is that the Security Council mandate a group of Member States, which have the capacity’²⁶ to fulfil the task. Moreover, lessons learned from Rwanda in 1994 strongly pointed to the need for an early

²⁰ See Steven E. Goldman, ‘A right of intervention based upon impaired sovereignty’, *World Affairs*, vol.156, no.2 (Winter 1994), pp.124-129.

²¹ UN Doc. A/47/277-S/24111, para.16

²² For a detailed discussion about the concepts of ‘positive’ and ‘negative’ peace, see Johan Galtung, ‘Violence, Peace, and Peace Research’, *Journal of Peace Research*, vol. 6, no.3 (1969).

²³ See United Nations Development Programme Human Development Report 1994, *New Dimensions of Human Security* (New York: Oxford University Press for UNDP, 1994). See also Jarat Chopra and Thomas G. Weiss, ‘Sovereignty is No Longer Sacrosanct: Codifying Humanitarian Intervention’, *Ethics and International Affairs*, vol. 6 (March 1992), pp.95-118; Caroline Thomas, *Global Governance, Development and Human Security* (London: Pluto Press, 2001); Lloyd Axworthy, ‘Canada and Human Security: The need for Leadership’, *International Journal* 52 (Spring 1997), pp.183-196.

²⁴ For a discussion, see, for example, Mark Gwozdecky and Jill Sinclair, ‘Landmines and Human Security’ in Rob McRae and Don Hubert (eds.), *Human Security and the New Diplomacy* (Montreal: McGill-Queen’s University Press, 2001), pp.28-40.

²⁵ UN Doc. A/47/277-S/24111, para.58; and Boutros Boutros-Ghali, “Forward” in Kevin Cahill, *Cleaning Fields: Solutions to the Global Landmines Crisis* (New York: Basic Books, 1995), xiv.

²⁶ UN Press Release, SG/SM/5518 (New York: UN Department of Public Information, 5 January 1995), p.5.

warning system rather than peace enforcement.²⁷

Thus, later in the same year the subsequent document, *Supplement to An Agenda for Peace*, gave more serious thought to peace enforcement than was seen in the 1992 version, stating '[n]either the Security Council nor the Secretary-General at present has the capacity to deploy, direct, command and control operations for this purpose', although, at the same time, he added that 'it is desirable in the long term that the United Nations develop such a capacity'.²⁸ The 1995 *Supplement* focused on preventive diplomacy on the one hand and post-conflict peace-building on the other. It used the term peace-building to refer to both pre- and post-conflict measures.²⁹ The longer-term prevention mission was described in passing as the 'creation of structures for the institutionalization of peace',³⁰ since there were political reasons for the Secretariat's hesitancy in embracing preventive approaches focusing on root causes.

The Brahimi Report and its implication for regional organisations

In August 2000, *The Report of the Panel on UN Peace Operations* (hereafter the Brahimi Report) recommended sweeping reforms of the way that UN peacekeeping and associated post-conflict peace-building were implemented.³¹ At the time of the release of the Brahimi Report, the UN was dealing with major missions in East Timor, Sierra Leone, the Congo, Bosnia, and Kosovo. The Sierra Leone crisis in particular, which broke out soon after the Panel was assembled in May, helped to concentrate the panelists' minds on the recurring nature of the problems encountered in UN peacekeeping.³² In March 2000, the UN Secretary-General Kofi Annan convened a 'high-level panel to undertake a thorough review of the United Nations peace and security activities, and to present a clear set of specific, concrete and practical recommendations to assist the United Nations in conducting such activities better in the future'.³³ The Panel on United Nations Peace Operations was chaired by Lakshmi Brahimi, the former

²⁷ See Howard Adelman and Astri Suhrke, *Study 2, Early Warning and Conflict Management in The International Response to Conflict and Genocide* (London: Overseas Development Institute, 1996), p.80.

²⁸ UN Doc. A/50/60-S/1995/1, para.77. See also, paras.19-22, 35, 70-72, 75.

²⁹ *Ibid.*, paras.47-55.

³⁰ *Ibid.*, para.49.

³¹ UN Doc. A/55/305-S/2000/809, *Report of the Panel on the Peace Operations* (21 August 2000).

³² See David M. Malone and Ramesh Thakur, 'UN Peacekeeping: Lessons Learned?', *Global Governance*, vo.7, no.1 (2001), pp.11-12.

³³ UN Doc. A/55/305-S/2000/809, p.i.

foreign minister of Algeria and since 1997 the Under-Secretary-General for Special Assignments in Support of the Secretary-General's Preventive and Peacemaking Efforts. The members of the Panel included nine distinguished military and non-military experts in peacekeeping from various countries around the world. The Brahimi Panel followed earlier calls for change reflected in the reports by the Lessons Learned Units,³⁴ the Special Committee on Peacekeeping³⁵ and various reports from the Secretary-General.³⁶ Significantly, the Brahimi Panel drafted cables to all UN peace operations, querying their opinion of their field operations. Formal replies were sent by various operations throughout the world including Sierra Leone and East Timor. The multi-pillar operation in Kosovo (two pillars run by the UN, one by the OSCE and one by the EU) sent separate replies from each pillar, reflecting the independent responsibility of each organisation. The Brahimi Panel produced a comprehensive 58 page report, and the Secretary-General encouraged all member states to support the implementation of the report's recommendations, which was 'essential to make the United Nations truly credible as a force for peace'.³⁷

The Brahimi Report was a central feature of the Millennium Summit of the UN Security Council in September 2000. At the Summit, the Security Council unanimously welcomed the Brahimi Report,³⁸ although there were indications of some divergence, even in the statements endorsing the Brahimi Report at the Millennium Summit and afterwards. For example, Russia, while broadly supporting the recommendations of the Report, expressed doubts about the use of force for humanitarian purposes. India pointed out the systematic problems of the Security Council, which lay at the heart of the crisis in peacekeeping. On the other hand, responding to the Brahimi Report's relatively light treatment of UN-regional organisations' cooperation, other states, such as Nigeria and Tanzania, stressed the usefulness of the UN-regional organisational cooperation.³⁹

³⁴ See, for example, Lessons Learned Unit, *Cooperation between the United Nations and Regional Organizations/Arrangements in a Peacekeeping Environment: Suggested Principles and Mechanisms* (United Nations Department of Peacekeeping Operations: March 1999).

³⁵ See UN Docs. A/54/87 (23 June 1999); A/54/839 (20 March 2000).

³⁶ See, for example, UN Docs. A/54/1 (31 August 1999); A/53/1 (27 August 1998); A/54/2000 (27 March 2000)

³⁷ UN Doc. A/55/305-S/2000/809, p.i

³⁸ See UN Doc. S/RES/1318 (7 September 2000).

³⁹ See UN Press Release, GA/SPD/200 (9 November 2000); S/PV.4194. See also International Peace Academy, Center on International Cooperation, New York University, *Refashioning the Dialogue: Regional Perspectives on the Brahimi Report on UN Peace Operations* (Reports of Regional Meetings, February-March 2001).

The Brahimi Report received several comprehensive reviews offering more modest and cautious recommendations for implementation.⁴⁰ Among them, four regional meetings held six months after the release of the Brahimi Report were significant in the enhancement of the cooperation between the UN and regional organisations in peace operations. Perspectives of the regional meetings offer an important supplement to the findings, and suggestions of the Brahimi Report itself.⁴¹

Given the extensive and detailed nature of the Brahimi Report, its very limited acknowledgement of the role of regional organisations was noteworthy. While the Brahimi Panel was clearly aware of the potential of regional organisations in peace operations, it was of fundamental importance for the Panel to ensure that regional action does not in any way dent the UN's legal and moral authority. Thus the reform initiated by the suggestions in the Brahimi Report was intended to enable the UN to retake the initiative on peace operations that was lost in the early and mid 1990s.⁴² In circumstances of complex peace operations in the post-Cold War era, it would be only through the UN that the broadest range of capabilities available to the international community could be brought to bear. By making the UN stronger and more capable focal point, the UN could be in a position to effectively encourage and build cooperation with regional organisations.⁴³ Thus the Brahimi Report urged the UN to take the initiative to cooperate with regional organisations, especially in the field of conflict prevention, peacemaking, elections and electoral assistance, humanitarian work and other peace-building activities, but at the same time pointed out the need to provide necessary support and resources in order to enable them to effectively participate in UN peacekeeping operations.⁴⁴ Yet this was the only paragraph in the Brahimi Report on cooperation between the UN and regional organisations and therefore was pointed out by regional groups that it 'does not adequately reflect the latter's importance for

⁴⁰ For overviews of the implementation of the Brahimi Report, see, for example, W.J. Durch, V.K. Holt, C.R. Earle and M.K. Shanhan, 'The Brahimi Report at Thirty (Months): Renewing the UN's Record of Implementation', *International Peacekeeping*, 8 (Leiden: Martinus Nijhoff Publishers, 2002); Geneva Centre for Security Policy, *The Brahimi Report: Four Years on* (20-21 June 2004).

⁴¹ *Refashioning the Dialogue*.

⁴² Annika Hilding Norberg 'Challenge of Peace Operations', *International Peacekeeping*, vol.10, no.4 (Winter 2003), p.98.

⁴³ UN Doc. A/56/863 (11 March 2002), para.129.

⁴⁴ UN Doc. A/55/305-S/2000/809, para.54.

peace operations'.⁴⁵ Many of the recommendations presented in the Report however have useful implications for the role of regional organisations in peace operations.

The Brahimi Report's findings primarily addressed improvements to the international structure of UN peace operations. The Panel defined peace operations to encompass conflict prevention and peace-building measures as well as peacekeeping. Because there were no consistently applied UN definitions of the first terms, the Panel defined 'conflict prevention' as activities that take place before conflict breaks out and 'peace-building' as activities to restore the foundations of peace after a conflict has ended.⁴⁶ As discussed, conflict can be cyclical and thus peace-building shades into prevention over the long term, but the definitional distinction allowed the Panel to consider separately the unique needs of pre- and post-conflict situations, especially to the extent that peace-building activities were defined as elements of the Security Council-mandated field operations.

The Brahimi Panel endorsed the conflict prevention elements of the Secretary-General's April 2000 Millennium Report and noted that a separate Secretariat report on conflict prevention, *Prevention of Armed Conflict*, was then under construction.⁴⁷ With this simultaneous effort underway, the Brahimi Report devoted relatively less space to the discussion of conflict prevention than was in both *An Agenda for Peace* and its *Supplement*. It focussed most of its attention on peace building and peacekeeping, institutional change within the UN, operational changes such as the improvement of the Secretary-General's good offices function and the restructuring of the Department of Peacekeeping Operations (DPKO).⁴⁸ The Panel recommended that the Executive Committee on Peace and Security (ECPS) discuss and recommend to the Secretary-General a plan for strengthening the permanent capacity of the UN to support peace-building.⁴⁹

In its vision to promote security, particularly through collective peacekeeping and peace-building, the Brahimi Report views peace operations as multi-dimensional and urges the UN to

⁴⁵ *Refashioning the Dialogue*, p.4.

⁴⁶ UN Doc. A/55/305-S/2000/809, paras.10-11.

⁴⁷ See UN Doc. A/54/2000 (27 March 2000), paras.198-208.

⁴⁸ UN Press Releases, SG/2066 (23 August 2000) and SGM/SM/7537 (7 September 2000)

⁴⁹ UN Doc. A/55/305-S/2000/809, para.47 (d).

give more attention to the need for developing inseparable partnerships between the peacekeepers and peace-builders.⁵⁰ In order to promote a lasting peace rather than merely a cease-fire, the Brahimi Report also noted that the protection of human rights was essential for effective peace-building and stressed the need to provide human rights training for peacekeepers.⁵¹ For the promotion of security, peace-building should include meeting basic human needs, such as education and a demonstrable improvement in the quality of life for people in peace mission areas. The Brahimi Report also stresses the need for an improved capacity for information. This would also help smooth the transition between conflict prevention and peacekeeping and post-conflict peace-building.⁵² While the UN will inevitably bear a heavy burden in peace-building especially outside of Europe, regional organisations have an important role to play and should not be marginalised. The essential elements for a sustainable peace, including rule of law institutions, need to be identified and adequately financed, and there should be a 'seamless transition' from peacekeeping to peace-building. More effective monitoring and information exchange by regional organisations and NGOs are essential to ensure success in peace-building.⁵³

The Brahimi Report was a response to the changing nature of security and peace operations: with increasingly more demanding and complex activities in unstable and violent intra-state conflict situations.⁵⁴ It tried to represent a more comprehensive and thorough examination of the requirements for peace operations in the twenty-first century, together with a defence of universal moral standards embedded in the concept of human security. These complexities and uncertainties in UN terminology have implications for regional security. This has coincided with, and been partially reinforced by, the phenomenon of regional organisations stepping into conflict situations to fill the void created by the limitations of the UN and national indifference from the major powers.

⁵⁰ *Ibid.*, para.37.

⁵¹ *Ibid.*, para.41.

⁵² The importance of information gathering and early warning was also recognised in *An Agenda for Peace* (para.23). It further emphasised the need for the close cooperation of various actors for such action to be effective. The importance of the linkages between preventive diplomacy, peacemaking, peacekeeping and post-conflict peace-building is also touched upon in the same paragraph.

⁵³ *Refashioning the Dialogue*, p.5.

⁵⁴ For an early assessment on the Brahimi Report, see Ramesh Thakur, 'Cambodia, East Timor and the Brahimi Report', *International Peacekeeping*, vol.8, no.3 (Autumn, 2001), pp.115-124.

New agendas for the UN and regional organisations

As was rightly put by Galtung as early as 1969, peace in its positive term is not merely the absence of conflict.⁵⁵ The fact that ‘we seem no longer to agree on what the main threats are, or on how to deal with them’ derives from different world views reflecting differences in cultures and perceptions.⁵⁶ Among other things, a new consensus seems to be emerging in support of a more intrusive approach to human rights protection. In the absence of universally recognised standards, the perception of humanitarian intervention as a concept that raises expectations for greater justice has suffered. This challenge of humanitarian intervention posed by the two competing conceptions of state sovereignty and a population has been resolved by the innovative formula of the ‘responsibility to protect’.⁵⁷ While many countries fear the negative impact of looser interpretations of state sovereignty and international intervention, a simple reference to state sovereignty no longer protects abusive regimes from outside interference when citizens’ rights are violated on a massive scale.⁵⁸ If an individual government is failing in human rights or democratic obligations, the international community has a duty to act.⁵⁹ A more uniform input by all the constituent parts of the international community into global policy-making has ensured greater concern than hitherto for socio-economic advancement as a component of ‘human security’ as captured in the report of the Commission on Human Security.⁶⁰ This increasingly sophisticated approach to conflict prevention has led to the need to factor the broader notion of security into the doctrinal and institutional changes at the UN and in regional organisations.

Since the publication of the 1995 *Supplement to An Agenda for Peace*, the UN has pursued a less ambitious, more practical course with regard to the strengthening of its military capacity to respond to armed conflict. Instead, the focus has been shifted to the notion of conflict prevention and peace-building. In the same year as the release of the *Supplement*, the Geneva-based Joint Inspection Unit (JIU) of the UN published a defiant report entitled *Strengthening of the United*

⁵⁵ Johan Galtung, ‘Violence, Peace and Peace Research’, *Journal of Peace Research*, no.6, vol.3 (1969), pp.167-191.

⁵⁶ UN Press release, SG/SM/8855 (8 September 2003)

⁵⁷ See International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Research Centre, December 2001). See also Ramesh Thakur, *The United Nations, Peace and Security* (Cambridge: Cambridge University Press, 2006), especially at pp.250-257.

⁵⁸ See International Commission on Intervention and State Sovereignty, p.xi.

⁵⁹ UN Doc. A/55/305-S/2000/809, Para.49.

⁶⁰ Commission on Human Security, *Human Security Now* (New York, 2003)

Nations System Capacity for Conflict Prevention.⁶¹ The JIU report picked up where *An Agenda for Peace* left off, emphasising the need for a ‘comprehensive conflict prevention strategy’.⁶² Importantly, terms such as ‘preventive peace-building’ or ‘structural prevention’ used in the JIU report implied policies that addressed the root causes of armed conflict. The report identified poverty and underdevelopment as prime root causes. It emphasised that the key to averting conflicts was ‘a long, quiet process of sustainable human development’ and an ‘integral approach to human security’.⁶³ In addition, the JIU report emphasised the need for the effective coordination of conflict prevention between the various UN agencies and regional organisations including the OSCE,⁶⁴ whose capacity for, and activities in, conflict prevention had received considerable attention.⁶⁵

This idea of a comprehensive approach to conflict prevention was further embraced without reservation in the Secretary-General’s annual report 1999.⁶⁶ The Secretary-General noted, ‘[t]oday no one disputes that prevention is better and cheaper, than reacting to crises after the fact. Yet our political and organisational cultures and practices remain oriented far more towards reaction than prevention’.⁶⁷ One of the recurring themes in the Millennium Report of March 2000 was the need for the transition from a culture of reaction to one of prevention.⁶⁸ Moreover, the Secretary-General’s 2001 report *Prevention of armed conflict* looked at root causes of conflict at length, and proposed several system-wide approaches to conflict reduction measures. It noted that ‘one of the principal aims of preventive action should be to address the deep-rooted socio-economic, cultural, environmental, institutional and other structural causes that often underlie the immediate political symptoms of conflicts’.⁶⁹ Importantly, both the 1999 Secretary-General annual report and the Millennium Report emphasised the link between security and post-conflict development at the heart of the structural prevention of conflict.⁷⁰

⁶¹ UN Doc. JIU/REP/95/13, *Strengthening of the United Nations System Capacity for Conflict Prevention*, Prepared by HL Hernández and S. Kuyama (Geneva, Joint Inspection Unit, United Nations, 1995)

⁶² *Ibid.*, p.vii.

⁶³ *Ibid.*, paras.148-149.

⁶⁴ *Ibid.*, paras.215-218.

⁶⁵ *Ibid.*, paras.219-225.

⁶⁶ UN Doc. A/54/1 (31 August 1999).

⁶⁷ *Ibid.*, para.60.

⁶⁸ See UN Doc. A/54/2000 (27 March 2000).

⁶⁹ UN Doc. A/55/985-S/2001/574 (7 June 2001).

⁷⁰ UN Docs. A/54/1 (31 August 1999), paras.10-18; A/54/2000 (27 March 2000), para.45.

Prevention of violent conflict is not something that occurs simply through ‘good will’ nor does it occur automatically. For instance, effective cooperation between the UN and regional organisations and NGOs in Macedonia was one of the crucial factors in its relative success.⁷¹ Conflict prevention is a process entailing the deliberate implementation of preventive measures in a pre-violent or early phase of a conflict.⁷² As such, it requires the hard work of many different actors (perhaps even with overlapping capabilities), to address the various levels of potential conflict. This recognition was actually one of the central features of the Secretary-General’s 2001 report *Prevention of Armed Conflict*.⁷³ In the report, the Secretary-General stated that ‘meaningful progress has taken place with regard to coordination and consultation, better flows of information, visits of staff at the working level between the different headquarters, joint training of staff and joint expert meetings on specific cases for conflict prevention’.⁷⁴ Equally important is the relative inexperience of the UN and its partners in this area, which underlines the importance of the sharing of ideas and initiatives. Conflict prevention, as was the case in Macedonia, is an act of choice and design, rather than one of accident. Effective conflict prevention works simultaneously at a variety of levels, from quiet diplomacy and phone calls between the Secretary-General and heads of state and regional organisations, through to formalised linkages such as the Barcelona process,⁷⁵ and working-level projects such as the UN Staff College.⁷⁶ Different situations call for different actors and approaches and flexibility is paramount. Moreover, successful conflict prevention is both top-down and bottom-up, as was seen in the Macedonian case.

⁷¹ Alice Ackermann, ‘The Former Yugoslav Republic of Macedonia’, *Security Dialogue*, vol. 27, no. 4 (December 1996), pp. 409-424.

⁷² For a detailed analysis of the conceptual and empirical dimensions of conflict prevention, see, for example, Alice Ackermann, *When Peace Prevails*; Lund, *Preventing Violent Conflicts*, also, Louis Kriesberg, ‘Preventing and Resolving Destructive Communal Conflicts’, in Carment and James (eds.), *Wars in the Midst of Peace* (Pittsburgh, PA: University of Pittsburgh Press), pp. 232-251.

⁷³ UN Doc. A/55/985-S/2001/574 (7 June 2001).

⁷⁴ *Ibid.*, p.74.

⁷⁵ Euro-Mediterranean Conference of Ministers of Foreign Affairs, held in Barcelona in November 1995, marked the starting point of the Euro-Mediterranean Partnership (Barcelona Process), a wide framework of political, economic and social relations between the Member States of the European Union and Partners of the Southern Mediterranean.

⁷⁶ The UN Staff College has conducted courses on early warning and preventive measures which have trained nearly 1000 participants from within the UN system since 1998. See also the UN Press Release GA/9892 (12 July 2001).

Both the UN and regional organisations have the structures and functional expertise which are vital in establishing policies for structural conflict prevention. Many regional organisations could serve as the main sources for long-term conflict prevention, but stronger operational links between them and relevant UN bodies are necessary. By enhancing shared norms between member states, international organisations might enable agreement and cooperation in previously un-negotiated areas.

The events of 11 September 2001 have inevitably affected the notion of conflict prevention. Faced with additional threats to international security, the ‘High-level Panel on Threats, Challenges and Change’⁷⁷ emphasised in its 2004 report *A more secure world* that prevention is at the core of the UN security system, and it stressed the urgency for developing policies for prevention, warning that the consequences of letting latent threats become manifest or allowing existing threats to spread are simply too severe.⁷⁸ The High-level Panel urged the UN to work closely with regional organisations that had taken the lead in building frameworks for conflict prevention. The UN would benefit from sharing information and analysis with regional organisations’ early-warning system, but more importantly ‘regional organisations have gone farther than the United Nations in setting normative standards that can guide preventive efforts’.⁷⁹ The OSCE’s success in establishing prevention as a matter of common concern and the agreement of its members to commit to identify the root causes of tension is perhaps one of the strongest examples of this norm-building function.⁸⁰ Further, contact between the OSCE Conflict Prevention Centre (CPC), the EU High Representative’s Policy Planning Unit, the UN Department of Peacekeeping Affairs (DPA) and sub-regional organisations has been intensified with a view to expediting decision making with regard to conflict prevention.⁸¹ On the other hand, while European regional organisations have proved that the main tasks of peace-building can be accomplished by regional organisations, this might not often be the case outside of

⁷⁷ The ‘High-level Panel on Threats, Challenges and Change’ was established in November 2003 to forge a new consensus on the norms and laws governing the use of force to deal with contemporary threats. The Secretary-General brought together distinguished experts including several former secretaries-general of regional organisations.

⁷⁸ UN Doc. A/59/565 (2 December 2004), p.23.

⁷⁹ *Ibid.*, para.94.

⁸⁰ For a further discussion on this point, see especially, Staffan Carlsson (ed.), *The Challenge of Preventive Diplomacy: The experience of the CSCE* (Stockholm: Ministry for Foreign Affairs, 1994); J. Cohen, *Conflict Prevention in the OSCE: An Assessment of Capacities* (Netherlands Institute of International Relations Clingendael: The Hague, 1999)

⁸¹ UN Doc. A/58/220 (6 August 2003), paras.28-29.

Europe. In the latter, the UN should be expected to bear the main responsibility and the financial and personnel burden of peace-building missions. The UN has taken innovative steps already in 1999 in its relations with the AU (then OAU) to facilitate coordination, including the establishment of a political liaison office and personal training assistance to increase the AU's conflict management capabilities.⁸² The importance of the UN-AU cooperation in conflict prevention has been further emphasised in recent years at the Security Council, as was highlighted in some of its resolutions and statements.⁸³

Promoting UN-regional organisational cooperation

The strategic choice of developing the global-regional cooperation mechanism for the maintenance of peace and security has been reflected in the process of reform that the UN has been going through. Moreover, the UN Secretariat initiated dialogue with regional organisations through various channels, including high-level meetings with regional organisations.⁸⁴ The reports published during this process have reiterated the standard themes of support for the idea of increased cooperation with regional organisations and the need for greater coordination and dedication of resources.

In *An Agenda for Peace*, the UN Secretary-General Boutros-Ghali suggested that the possible process of cooperative work between regional organisations and the UN 'must adapt to the realities of each case with flexibility and creativity'.⁸⁵ On the specific issue of task-sharing in peace operations by the UN and regional organisations, the Joint Inspection Unit (JIU) in 1995 issued a report entitled *Report on Sharing Responsibilities in Peace-keeping: The United Nations and Regional Organizations*.⁸⁶ The report is based on the basic understanding provided in

⁸² See UN Doc. S/1999/171 (12 February 1999).

⁸³ See UN Docs. S/RES/1809 (16 April 2008); A/63/666-S/2008/813 (18 March 2009); S/PRST/2010/1 (13 January 2010).

⁸⁴ So far, seven such meetings have been held since 1994. For a discussion on these high-level meetings, see Luk Van Langenhove, 'The UN Security Council and Regional Organisations: A difficult Partnership', in Jan Wouters, Edith Driekens, and Sven Bishop (eds.), *Belgium in the UN Security Council: Reflections on the 2007-2008 Membership* (Oxford: Intersentia, 2009), pp. 165-174.

⁸⁵ UN Doc. A/47/277-S/24111, para.62.

⁸⁶ UN Doc. JIU/REP/95/4, *Report on Sharing Responsibilities in Peace-keeping: The United Nations and Regional Organizations*, prepared by Fatih K. Bouayad-Agha and Boris P. Kraslin (Joint Inspection Unit, United Nations, Geneva 1995); UN Doc. A/50/571 (17 October 1995)

Chapter VIII of the UN Charter that regional organisations should be the first port of call for the prevention and pacific settlement of local disputes⁸⁷ and argued that regional organisations ‘should be given all possible assistance to do so’⁸⁸ through the enhanced coordination and cooperation among various entities of the UN. The JIU report put forward findings and recommendations on cooperation between the UN and regional organisations in the maintenance of peace and security not only for UN headquarters and at the inter-organisational level, but also for the field activities, training and financing for such cooperation to be effective.

The issue was further discussed in the Lessons Learned Unit’s report of 1999 which was entitled *Cooperation Between the United Nations and Regional Organizations/Arrangements in a Peacekeeping Environment: Suggested Principles and Mechanisms*.⁸⁹ The report was prepared after extensive consultations with a number of regional and sub-regional organisations, and was based on the same understanding as *An Agenda for Peace* and *Supplement* that a multi-dimensional, comprehensive approach through the conflict cycle is critical for preventing the recurrence of conflicts.⁹⁰ The report used six case studies to propose a framework of mechanisms and principles to be used in guiding future efforts. The report called for ongoing and dynamic consultation beginning before an operation is authorised, clear mandates, regular information flowing to and from the Security Council and the UN generally, shared expertise, a common understanding of doctrine and approach, and sufficient political and financial support. The report also put forward a number of specific methodologies for greater ongoing consultation and the development of a joint doctrine and joint exercises. While the report did not provide dramatic new proposals for ways forward, it has value in that it is the only time in which the various issues surrounding the question of greater cooperation between the UN and regional organisations were brought together and drawn on to elaborate a set of guidelines for action. The report of the Lessons Learned Unit, together with the Special Committee on Peacekeeping’s report⁹¹ and the

⁸⁷ UN Doc. JIU/REP/95/4, para.3.

⁸⁸ *Ibid.*, p.vi.

⁸⁹ A ‘Lessons Learned Unit’ was first established in April 1995 in response to recommendations included in the in-depth evaluations of the start-up phase of peacekeeping operations (See UN Doc. E/AC.51/1994/3 and Corr.1, paras. 8-10, and E/AC.51/1995/2 and Corr.1, paras. 16-18). Importantly, major ‘lessons learned’ studies included cooperation between the UN and regional organisations in a peacekeeping environment.

⁹⁰ Lessons Learned Unit, DPKO, United Nations, *Cooperation Between the United Nations and Regional Organizations/Arrangements* (March 1999).

⁹¹ UN Doc. A/54/87 (23 June 1999).

Secretary-General's response to it⁹², reiterated standard themes of support for the idea of increased cooperation with regional organisations and the need for greater coordination and dedication of resources.

Moreover, the Brahimi Report encouraged the UN to cooperate further with regional organisations especially in the field of conflict prevention, peacemaking, elections, electoral assistance, humanitarian work and other peace-building activities. At the same time, however, it pointed out the need to provide the necessary support and resources in order to enable them to participate effectively in the UN peacekeeping operation.⁹³ The Brahimi Report also stressed the need for an improved information capacity through the creation of the ECPS Information and Strategic Analysis Secretariat (EISAS), which was to be involved in intelligence-gathering or fact-finding aimed at accumulating knowledge about conflict situations.⁹⁴ This might be one of the areas where regional actors have a comparative advantage. The Department of Peacekeeping Operations (DPKO) has continued its exchange of views with several regional organisations in order to identify the areas of further cooperation in peace operations. Alongside the information exchange, the DPKO has cooperated with regional organisations in such areas as exchange of information, establishing standards for and assisting in the conduct of peacekeeping training, sharing experience in other peace-related activities.⁹⁵

Furthermore, the report of the High-level Panel, with its comprehensive vision of UN collective security, encouraged a more effective UN-regional organisational cooperation.⁹⁶ The idea was based on the High-level Panel's understanding that we all share vulnerability and responsibility for each other's security, and the rules of law should be a priority in the efficient and equitable application of the UN procedures.⁹⁷ The High-level Panel tried to reformulate the notions of responsibility and obligation of the international system in the post-9/11 world, both in terms of the nation-state and the international community as a whole, and most concretely the UN itself.

⁹² UN Doc. A/54/670 (6 January 2000).

⁹³ UN Doc. A/55/305-S/2000/809, para.54.

⁹⁴ *Ibid.*, para.31. See also UN Doc. A/55/502 (20 October 2000), paras.45-48.

⁹⁵ UN Doc. A/58/220 (6 August 2003), para.28.

⁹⁶ UN Doc. A/59/565 (2 December 2004), para.270, in the section titled 'XVI. Regional organizations' (paras.270-273).

⁹⁷ *Ibid.*, p.10.

The High-level Panel report concluded that the Security Council had not made the most of the potential advantages of working with regional organisations,⁹⁸ considering that there still exists a potential for a stronger partnership between them and the UN. The ability of the Security Council to become more proactive in preventing and responding to threats ‘will be strengthened by making fuller and more productive use of Chapter VIII provisions of the Charter’.⁹⁹ The key is to organise regional actions within the framework of the Charter and the purposes of the UN, and to ensure that the UN and regional organisations with which it works do so in a more integrated fashion.¹⁰⁰ In order to reach these objectives the High-level Panel put forward a group of recommendations, namely that cooperation and consultation between the UN and regional organisations be expanded and formalised in an agreement.¹⁰¹

Similarly, the Secretary-General’s 2005 report *In Larger Freedom* again emphasised the importance of the UN-regional organisations’ ‘predictable and reliable partnership’,¹⁰² stating that ‘the United Nations and regional organizations should play a complementary role in facing the challenges to peace and security.’¹⁰³ Unlike former reports that recognised the need for cooperation between the UN and regional organisations but did not include recommendations on practical methods of achieving it, the Secretary-General in this report went further and suggested introducing a ‘memoranda of understanding’ between the UN and regional organisations to enable the latter to participate in meetings of the UN system coordinating bodies when issues in which they have a particular interest are to be discussed.¹⁰⁴ Furthermore, the Secretary-General recommended the establishment of ‘an interlocking system of peacekeeping capacities that will enable the United Nations to work with relevant regional organizations’.¹⁰⁵ Significantly the Secretary-General proposed the creation of a Peacebuilding Commission that would bring

⁹⁸ As a part of the reform process, the UNHCR’s former High Commissioner Sadako Ogata went further and suggested the Security Council should allocate permanent membership to Chapter VIII regional organisations of Latin America and Africa. See *Yomiuri-Shinbun* (The Daily Yomiuri), 22 March 2004. This idea however did not ultimately appear in the Panel’s report.

⁹⁹ UN Doc. A/59/565, para.270.

¹⁰⁰ *Ibid.*, para.272.

¹⁰¹ *Ibid.*, para.272 (b). For several of the overviews on the implementation of the Report of the High-level Panel, see J. Peter Burgess and Robert Pier (eds.), ‘Special Section: Report of the High-level Panel on Threats, Challenges and Change’, *Security Dialogue*, vol.36, no.3 (September 2005), pp.361-396.

¹⁰² UN Doc. A/59/2005 (26 May 2005), para.112

¹⁰³ *Ibid.*, para.213, in the section entitled ‘E. Regional Organizations’ (paras.213-215).

¹⁰⁴ *Ibid.*, para.214.

¹⁰⁵ *Ibid.*, para.112

together all relevant international and regional actors, from within and outside the UN.¹⁰⁶ The Secretary-General further commented at the 2005 sixth high-level meeting between the UN and regional organisations that the Commission ‘would afford the possibility for regional organizations to have a seat and a voice at the table during the critical peacebuilding stage in countries emerging from conflict. It would allow for more cohesive results-oriented planning, taking into account valuable regional expertise and dividing up tasks on the basis of comparative advantage.’¹⁰⁷

The recommendations presented in both *A more secure world* and *In Larger Freedom* demonstrated that regional security is now considered to be a problem of the region as a whole and should be dealt with through inter-organisational cooperation between the UN and regional organisations. These issues were further debated not only at the sixth high level meeting between the UN and regional organisations but also at the 2005 World Summit held in September. The Outcome Document put forward a number of recommendations on peace and security issues which would rest on effective UN-regional organisational cooperation, including conflict prevention, counter-terrorism and peacekeeping.¹⁰⁸ Significantly, it declared that the international community had the responsibility to protect people ‘in accordance with Chapters VI and VIII of the Charter’, in the case of ‘national authorities manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity’.¹⁰⁹ The Document recognised the important contribution made by regional organisations in pursuance of Chapter VIII of the UN Charter and emphasised the need of: expanding consultation and cooperation between the UN and regional organisations through formalised agreements, and as appropriate, involvement of regional organisations in the work of the Security Council; ensuring that regional organisations that have the capacity for conflict prevention or peacekeeping consider the option of placing such capacities in the framework of the UN Standby Arrangements System (UNSAS); and strengthening cooperation in the economic, social, and cultural fields.¹¹⁰

¹⁰⁶ *Ibid.*, paras.114-115.

¹⁰⁷ UN Doc. A/60/341-S/2005/567 (8 September 2005), p.7.

¹⁰⁸ *Ibid.*, paras.69-118.

¹⁰⁹ *Ibid.*, para.139.

¹¹⁰ *Ibid.*, para.170.

All of these documents illustrate the trend to which the UN is committed, having acknowledged its inability to single-handedly ensure peace and security at a global level, to take forward the strategic choice of developing a system of UN-regional organisational cooperation for the maintenance of international security. The question, however, is whether the regional organisations in place are sufficiently developed to sustain such an ambitious global-regional cooperation mechanism. What, then, would be prerequisites for effective UN-regional organisational cooperation in peace operations? First of all, it would be necessary to clarify the basis of the developing partnership between regional organisations and the UN in the maintenance of peace and security, especially from the viewpoint of peacekeeping. While the UN Charter provides for the existence of regional organisations and gives broad direction to their functional relationship with the Security Council, it does not pronounce on their constitutional relationship. Regional organisations have sprouted up around the world independently of the UN and often answer to different political needs and aspirations. Although in recent years various types of regional entities including alliance organisations (which have not usually been considered as regional organisations within the meaning of Chapter VIII of the Charter) have contributed to the UN's peace efforts, there could still be confusion because of the current vagueness of the supposed role of regional organisations.¹¹¹ The Secretary-General's Millennium Report has tacitly acknowledged this, noting that formal institutional arrangements may not keep up with the scope and speed of the changing global agenda. Instead, the Secretary-General recommended the formation of 'loose and temporary global policy networks that cut across national, institutional and disciplinary lines'.¹¹² However, extreme flexibility would lead to chaos, as was demonstrated in the operations of the UN and NATO in the former Yugoslavia. The UN Charter continues to remain the foundation for further development of UN-regional organisational cooperation in the maintenance of peace and security. The key is to organise regional action within the framework of the UN Charter and the purpose of the UN, and to ensure that the UN and regional organisations to work together 'in a more integrated fashion'.¹¹³ Thus there would be a need for some clarity in the way in which the UN perceives regional

¹¹¹ The UN's High-level Panel report on Threats, Challenges and Change welcomed such contribution by non-Chapter VIII regional organisations 'so long as these operations are authorized by and accountable to the Security Council' and suggested NATO's possible constructive role in 'assisting in the training and equipping of less well resourced regional organizations and States'. See UN Doc. A/59/565, para.273.

¹¹² UN Doc. A/54/2000 (27 March 2000), p.70.

¹¹³ UN Doc. A/59/565 (2 December 2004), para.272

organisations, distinguishes them from other actors, formally recognises them and accords them delegated responsibilities. The UN High-level Panel supports expanded cooperation with regional organisations, possibly including a formalised agreement, covering such issues as ‘meetings of the heads of the organisations, more frequent exchange of information and early warning, co-training of civilian and military personnel, and exchange of personnel within peace operations’¹¹⁴ Moreover, world leaders at the 2005 World Summit also supported the idea of promoting UN-regional organisational cooperation through formalised agreements.¹¹⁵ For instance, the UN and OSCE agreed to ‘The Framework for Cooperation and Coordination between the UN and the CSCE’ as early as 1993.¹¹⁶ The agreement noted the willingness on both sides to hold regular staff-level meetings that served as an important venue for the exchange of information and coordination of activities. The agreement has served as a basis for UN-OSCE cooperation and indeed promoted the effective coordination between the two organisations in various activities, ranging from conflict management to counter-terrorism.

With regard to the inter-organisational efforts against terrorism, however, some specific difficulties might continue to remain in the foreseeable future. Although the High-level Panel has called for a universally accepted definition of terrorism,¹¹⁷ achieving consensus in international organisations on the definition and root causes of terrorism would not at all be a straightforward task.¹¹⁸ Terrorism has been conceptualised differently by the UN, the EU, and NATO, not to mention the African Union, the Arab League, and ASEAN. The UN has been trying to play a role in counterterrorism with the OSCE and the EU, but prospects of cooperation with other regional organisations would remain low. Furthermore, member states or participating states of these organisations have different approaches to counter terrorism. This was clearly shown at the Prague Summit, where some NATO member states were reluctant to go along with the US-

¹¹⁴ *Ibid.*, para.272 (b).

¹¹⁵ UN Doc. A/RES/60/1, *2005 World Summit Outcome* (24 October 2005), para.170 (a).

¹¹⁶ UN Doc. A/48/185 (1 June 1993), annexes I and II.

¹¹⁷ UN Doc. A/59/565, paras.157-164.

¹¹⁸ Thakur pointed out that the underlying causes of terrorism can be grouped into five categories: lack of democratic institutions and practices, political freedoms and civil liberties; group grievance based in collective injustice; intractable conflicts; poverty; and inter-civilisation suspicions. See Thakur, *The United Nations, Peace and Security*, pp.189-199.

proposed idea of building ‘new capabilities for new challenges’ within NATO.¹¹⁹ The divergences can also be found in the case of the EU and its member states, because of a different assessment of the threat and partly because of the fear of becoming a target.¹²⁰

It should be noted that the controversy over the root causes of terrorism highlights the tension between tackling today’s priorities and adopting a comprehensive approach. While the former approach would be better taken outside the UN, it is obvious the latter more structural, long-term approach would be best sought through the UN.¹²¹ In fact, efforts to apply long-term strategies to the prevention of terrorist acts were already indicated in the UN Secretary-General’s report on the *Prevention of Armed Conflict*.¹²² While the UN will continue its efforts to promote the normative and legal framework of a counter-terrorism regime,¹²³ it will also be able to serve as the coordinating forum for counter-terrorism efforts by states, regional organisations and technical agencies like the International Atomic Energy Agency (IAEA).

Another potential problem with regard to cooperation between the UN and regional organisations would be the absence of such organisations in regions where tensions are greatest and conflict is a constant threat, such as in eastern Asia, and the Middle East, where the Arab League has excluded Israel.¹²⁴ The creation of regional organisations (which would potentially cooperate with the UN within the framework of Chapter VIII of the UN Charter) in these areas would not be an easy task. However, other areas including Europe have developed regional organisations because of their strong need for regional crisis management mechanisms, and the UN should indeed ‘encourage the establishment of such groupings, particularly in highly vulnerable parts of

¹¹⁹ See ‘Prague Summit Declaration: Issued by the Heads of State and Participating in the Meeting of the North Atlantic Council’ (Prague: 21 November 2002)

¹²⁰ Thierry Tardy, ‘The Inherent Difficulties of Interinstitutional Cooperation in Fighting Terrorism’ in Jane Boulden and Thomas G. Weiss (eds.), *Terrorism and the UN* (Bloomington, Indiana: Indiana University Press, 2004), pp.137-141.

¹²¹ For the UN’s long-term conflict prevention strategies and their relationship to counter-terrorism efforts, see Ralf Bredel, ‘The UN’s Long-term Conflict Prevention Strategies and the Impact of Counter-terrorism’, *International Peacekeeping*, vol.10, no.2 (Summer 2003), pp.51-70.

¹²² See UN Doc. A/55/985-S/2001/574 (7 June 2001), para.136.

¹²³ For instance, the High-level Panel called for ‘the same degree of normative strength concerning non-State use of force as it has concerning State use of force’. See UN Doc. A/59/565, para.159.

¹²⁴ See Hilaire McCoubrey and Justin Morris, *Regional Peacekeeping in the Post-Cold War Era* (The Hague, London: Kluwer Law International, 2000), pp.187-211.

the world where no effective security organizations currently exist'.¹²⁵

Conclusion

The ongoing debate within the UN about cooperation with regional organisations in peace operations has shown that the relationship although still embryonic has potential. As has been discussed here, the present capabilities and future potential of both the UN and regional organisations in peace operations vary greatly depending on the characteristics and resource availability of each organisation in each specific conflict situation which must be respected. In this regard, it may well be 'neither possible nor appropriate to establish a universal model defining the ideal relationship' between the UN and regional organisations.¹²⁶ At the same time, however, the need to define and formalise the relationship between the UN and regional organisations from a functional point of view has now been widely recognised within the UN Secretariat, as was clearly reflected in the High-level Panel's 2004 report and Secretary-General's 2005 report. Both the Security Council and the UN Secretariat had held meetings with regional organisations several times up until 2008.¹²⁷ Moreover, workshops have also been conducted to identify the capacity development priorities of regional organisations and to explore how they can collaborate with the UN and the NGOs as well as each other, in order to fulfil their mandate in the maintenance of peace and security.¹²⁸ It has been recognised through these meetings and workshops that capacity building needs to encompass not only military elements, but also measures to improve human security and prevent violent conflicts. Although the UN has been striving to promote its cooperation with regional organisations and NGOs based on the

¹²⁵ UN Doc. A/59/565, para.271.

¹²⁶ Lessons Learned Unit, DPKO, United Nations, *Cooperation Between the United Nations and Regional Organizations/Arrangements in a Peacekeeping*, para.36.

¹²⁷ Drieskens points out that while the UN-regional organisational cooperation was enhanced especially under the UN Secretary Kofi Annan, his successor Ban Ki-moon seems to be less inclined to follow that track, focusing on the cooperation between the UN and the AU. See Edith Drieskens, 'Beyond Chapter VIII: Limits and Opportunities for Regional Representation at the UN Security Council', *International Organizations Law Review* 7 (2010) pp.149-169.

¹²⁸ These workshops include, for instance: *Sharing Best Practices on Conflict Prevention: The UN, Regional and Subregional Organizations, National and Local Actors*, Report of the workshop held by the International Peace Academy and Swedish Institute in Alexandria (Alexandria, Egypt: 8-18 April 2002); *Liking Peace, Security and Integration in Africa*, Workshop organised by United Nations University-Comparative Regional Integration Studies (Lusaka, Zambia, 20-23 September 2004); High-level expert meeting organised by UNESCO and Institute for Security Studies (South Africa, 23-24 July 2004).

principle of complementarity and effective division of labour with them, formalising such relationship can be a challenge due to the variety of organisations involved. Moreover, there is still a large gap between the recognition of the need for such a division of labour among organisations in the peace and security field and the practical application of it. It goes without saying that the rationale behind the idea has also been changing. When the Secretary-General first made his proposal for a new look at the role of regional organisations in *An Agenda for Peace*, the idea was that regional organisations could help 'lighten the burden' of the Security Council during a time of unprecedented activity for the UN.¹²⁹ The Secretary-General again argued in a meeting with regional organisations in February 1996 that 'the UN is not eager to get involved in all the disputes; we just do not have capacity for this.'¹³⁰ Indeed, regional organisations could lighten the burden of UN activities in their region by becoming increasingly involved. However, in the aftermath of Somalia and Rwanda, regional organisations in other areas are occasionally seen as taking up the burden not because of their stretched resources and major commitments but rather because of the Security Council's unwillingness to take the risk or commit the resources necessary to deal effectively with conflicts all over the world. This was clearly illustrated in the sharp difference in the international community's response to the Yugoslav conflicts and African conflicts.¹³¹ In the latter instance, the greater reliance on regional organisations was as a result of an unwillingness to commit, rather than because the idea had intrinsic merit. The impact of the NATO military operation in Kosovo on all of these factors cannot be underestimated in this sense. The scale of the operation and the absence of a Security Council mandate confirmed the perception among many UN member states that the unwillingness of the major powers to become involved in certain conflict situations is primarily due to an absence of political will and an unwillingness to take risks in regions where they have no interest.

¹²⁹ UN Doc. A/47/277-S/24111, para.64.

¹³⁰ Speaking notes regarding the meeting between the United Nations and the Regional Organisations in New York (Vienna: 1 March 1996), REF.SEC/102/96.

¹³¹ For example, in the Rwandan crisis that arose after the US-dominated intervention in Somalia (UNOSOM) ended with a disastrous outcome, the Security Council was, on the whole, rather reluctant to be involved in the situation of Rwanda, and instead repeatedly encouraged and welcomed the OAU's diplomatic efforts in its various resolutions. See *The United Nations and Rwanda, 1993-1996* (New York: Department of Public Information, United Nations, 1996).

It is therefore important to bear in mind that ‘regional action as a matter of decentralization, delegation and cooperation with United Nations efforts’¹³² should never lead to UN disengagement. No one can predict what the future holds regarding the extent to which the UN and regional organisations are able to cooperate and see each other as indispensable partners in search of sustainable peace. However, it is certain that regional organisations will never supplant the function of the UN. The UN will remain a key instrument to respond future crises world-wide. This is based on its political legitimacy (derived from its universal membership, the values anchored in the UN Charter and the relatively strong Secretariat); its exceptional capacity to undertake multi-dimensional action, based on the breadth of its expertise and mandate; and the reduced financial and political costs implied by the burden-sharing with regional organisations. Given that the UN Charter will continue to be used as a point of departure for discussions on how complementary effort between the UN and regional organisations can be managed, it is useful to contemplate ways of doing so through a re-interpretation of Chapter VIII of the UN Charter.¹³³ The UN represents the will of the international community; the legitimacy of regional organisations stems from their subscription to the principles of the UN Charter.

Needless to say, however, it is certainly too early for great optimism: there are still dilemmas that peace operations will face in the future. In this regard, one must always keep in mind that the international arena is still in the hands of sovereign states, and that international organisations are still too weak in terms of being able to play a pivotal role on their own. One could argue that international organisations including the UN and regional organisations are hardly relevant as actors in international relations. However, they do fulfil a number of functions that provide them with important roles as arenas for cooperation and as ‘legitimisers’ for humanitarian intervention.¹³⁴ In this context, the upgrading of the EU’s status at the General Assembly was a significant step forward, as it could ultimately pave the way for the UN to achieve a feasible

¹³² UN Doc. A/47/277-S/24111, para.64

¹³³ See, for instance, Edith Driessens, ‘Beyond Chapter VIII: Limits and Opportunities for Regional Representation at the UN Security Council’ *International Organizations Law Review*, 7 (2010), pp.149-169.

¹³⁴ Hans Mouritzen, ‘Twining Plants of International Cooperation: Reflections on the Peculiarities of “Security” IGOs’, in Jaap de Wilde and Hakan Wiberg (eds.) *Organized Anarchy in Europe: The Role of States and International Organizations* (London: I.B. Tauris Publishers 1996), pp.65-85.

form of multilateral system.¹³⁵ Such cooperative system would be of greater need than deterrence and containment. The challenge for the future of peace operations, therefore, is to relate the potential of both the UN and regional organisations in peace operations to the needs of each situation, in order to effectively prevent the recurrence of conflict and ultimately break the cycle of conflict and violence.

¹³⁵ Van Langenhove argues that multilateralism system is currently moving towards a open system, where various new actors are involved in the multilateral system in diverse areas. See Luk Van Langenhove, 'The Transformation of Multilateralism Mode 1.0 to Mode 2.0', *Global Policy*, vol.1 no.3 (2010), pp.263-270.

