



SECURITY COUNCIL REPORT UPDATE REPORT



23 March 2007 No. 2

THE UN AND REGIONAL ORGANISATIONS

Expected Council Action

On 28 March the Council will hold an open debate on the relationship between the United Nations and regional organisations, in particular the African Union, in the maintenance of international peace and security. The debate, which is to be chaired by the Foreign Minister of South Africa, Nkosazana Dlamini Zuma, is the country's initiative in its capacity as Council president for March.

A presidential statement by Council members is a likely outcome. It is expected to focus on cooperation between the Security Council and the AU Peace and Security Council, and it will seek to promote effective joint strategies for conflict prevention, peacekeeping and peacebuilding. It is also possible that the Council will request the Secretary-General to make proposals on how the UN can better support Chapter VIII operations by means of burden sharing.

Background

On 14 March the South African mission circulated a concept paper on the relationship between the United Nations and regional organisations, in particular the African Union, in the maintenance of international peace and security. The paper focused on the potential of developing a framework for the relationship between the UN and the AU and suggested a number of issues that the debate could address, including:

- strengthening of UN support to regional organisations in the maintenance of international peace and security and its practical implications;
- forms of direct partnership between the United Nations and regional organisations;
- the implementation of previous Council decisions and recommendations on the UN and regional organisations;
- the scope of further and more direct resources to regional organisations supported by the UN; and
- the possibility for the Security Council to incorporate outcomes of bodies such as the African Union Peace and Security Council in its own decisions.

The UN Charter and Regional Organisations

When the UN Charter was negotiated there was debate over the place of regionalism in the new organisation. The outcome was Chapter VIII which acknowledges the scope for contribution of regional organisations to the settlement of disputes, but in a subordinate capacity, and there is some ambiguity about the exact nature of regional arrangements.

Article 52(1) states that nothing in the Charter precludes “the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action”.

Article 53(1) makes clear the supremacy of the Council in peace and security matters. It states:

“The Security Council shall, where appropriate, utilise such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council.”

Article 54 states that the Security Council should be kept fully informed of activities undertaken by regional organisations for the maintenance of international peace and security.

While the Charter is often cited as the basis for interaction between the UN and regional organisations, the Council’s practice has not been consistent in citing Chapter VIII when recognising or authorising the actions of an organisation to lead peace operations.

Key Facts

In the early 1990s the UN began to pay more attention to the need to involve regional organisations in the pursuit of peace and security. This was highlighted in a number of reports published at the time. In January 1992 the Security Council, meeting for the first time at the level of heads of state or government, asked the Secretary-General to recommend ways to strengthen and make the UN more efficient for preventive diplomacy, peacemaking and peacekeeping. In response the Secretary-General issued his report *An Agenda for Peace* in June 1992, where he highlighted the role that regional organisations could play in preventive diplomacy, early warning systems for crisis prevention, peacekeeping and post-conflict peacebuilding. This was the birth of the concept of a “regional-global security partnership”.

In April 1998 the Secretary-General released his report on peace and security in Africa. While the focus of this report was Africa, the recommendations on peacekeeping dealt with UN cooperation with any regional organisation. In order to review the recommendations in the report the Council established an *ad hoc* working group. Based on the recommendations of the working group the Council adopted a number of presidential statements and resolutions from September to November 1998 that were relevant to regional organisations involved in the maintenance of international peace and security.

The role of regional organisations was also an important theme in the various reports generated in 2004 and 2005 in the lead up to the UN 60th Anniversary Summit Meeting. Both the December 2004 report of the *High-Level Panel on Threats, Challenges and Change* and the Secretary-General’s March 2005 follow-up to that report, *In Larger Freedom: towards development, security and human rights for all*, recommended strengthening the relationship between the UN and Regional Organisations. In the *In Larger Freedom* report the Secretary-

General talked about the “establishment of an interlocking system of peacekeeping capacities” that would allow the UN to work with regional organisations in predictable and reliable partnerships. He also introduced the possibility of:

- having Memoranda of Understanding (MOU) between the UN and regional organisations;
- regional organisations with conflict prevention or peacekeeping capacity placing those capacities within the framework of the UN Standby Arrangements System;
- amending the peacekeeping budget to give the UN the option, under exceptional circumstances, to use assessed contributions to finance regional operations authorised by the Security Council; and
- inviting regional organisations to participate in meetings of UN system coordinating bodies.

The Summit Outcome Document of September 2005 recognised the contribution of regional organisations to peace and security and supported a stronger relationship between the UN and regional and subregional organisations pursuant to Chapter VIII of the Charter. It resolved to expand cooperation by involving regional organisations in the work of the Council and ensuring that regional organisations have the capacity for conflict prevention or peacekeeping and consider placing such capacities in the standby arrangements framework. The Summit Outcome also endorsed a ten year capacity-building programme for the AU.

Also in September 2005, on the margins of the World Summit, the Security Council adopted an important resolution, 1625, in a meeting at the level of heads of state and ministers for foreign affairs. The resolution contained a declaration on strengthening the effectiveness of the Security Council’s role in conflict prevention, particularly in Africa. It recognised the need to develop an effective partnership between the Council and the African Union and called for the strengthening of cooperation between the UN and regional organisations in accordance with Chapter VIII.

(For a more detailed background, please see our 18 September 2006 *Update* report on the UN and Regional Organisations.)

Regional Cooperation and Thematic Council Debates

Since 1994, and as part of the implementation of the decisions outlined above, there have been seven high-level meetings between the UN and regional organisations and other intergovernmental organisations convened by the Secretary-General. In 2004 six working groups were formed to support the high-level meetings. The first five high-level meetings focused on the approach to the partnership and developed guidelines for the modalities for cooperation. The sixth meeting in 2005 produced more concrete proposals for action. It agreed that regional and subregional organisations would pursue joint activities under the umbrella of the high-level meetings under Chapter VIII of the Charter while other intergovernmental organisations would partner with the UN under other provisions of the Charter. It also agreed to hold high-level meetings annually, instead of bi-annually, in order to coordinate with the thematic meetings of the Council on this subject. In 2006, the thematic Council debate and high-level meeting took place consecutively on the same day.

The Security Council began to focus on this issue in more detail from 2003 through thematic debates involving regional organisations. In April 2003, under the Mexican presidency, the

Council held an open debate in which it met with six organisations (AU, ECOWAS, EU, League of Arab States, Organisation for Security and Cooperation in Europe (OSCE) and Organisation of American States (OAS)) to discuss the new challenges to international peace and security and the adoption of a common approach of the Security Council and regional organisations to face these challenges. Among the topics addressed were terrorism, the proliferation of weapons of mass destruction, the trafficking of small arms, climate change and AIDS.

In July 2004 the Council had an open debate on cooperation between the United Nations and regional organisations in stabilisation processes under the Romanian presidency. Seven international organisations attended (AU, Commonwealth of Independent States, EU, League of Arab States, NATO, OSCE and ECOWAS) and a presidential statement was issued acknowledging the important role that can be played by regional organisations in the prevention, resolution and management of conflicts and stressing the importance of improved cooperation and collaboration.

After the October 2005 open debate, which was also held under the Romanian presidency, the Council adopted resolution 1631—the first Council resolution on the UN and regional organisations. In it the Council expressed its intention to hold regular meetings with regional and subregional organisations and asked the Secretary-General to submit a report on the opportunities and challenges facing cooperation between the UN and regional and subregional organisations in maintaining international peace and security. The Council identified the following areas for specific action: standby arrangements, rapid deployment, small arms and light weapons, counter-terrorism and capacity-building assistance. Though some action has been taken and a number of countries have committed funds to African organisations, in particular ECOWAS, the progress at the general level is minimal.

In a presidential statement adopted at the September 2006 open debate on this issue, under the Greek presidency, the Council welcomed the progress made since the adoption of resolution 1631 and encouraged greater information-sharing on capabilities and lessons learned in peacekeeping through expanding the scope of the website of the Department of Peacekeeping Operation's Best Practices Section to cover the deployment experiences of all regional and subregional organisations and all experiences of cooperation in peacekeeping between the UN and these organisations. It also urged contributions to the capacity building of regional organisations and subregional organisations, particularly of the AU and African subregional organisations.

Involvement of Regional Organisations in Practice

In practice, the UN has begun to work with regional and intergovernmental organisations. Of the African organisations the AU and ECOWAS have made conflict prevention part of their core mandates and have assumed active roles in selected conflicts. ECOWAS and the UN have played a significant role in Liberia where ECOWAS created a military observer group (ECOMOG) in 1990. It has also deployed forces to Sierra Leone (1998), Guinea Bissau (1998), and Côte d'Ivoire (2002). The UN Observer Mission in Liberia (UNOMIL), set up in 1993, became the first operation to be undertaken in cooperation with a peacekeeping operation established by another organisation, in this case ECOWAS.

More recently, the AU has been involved in cooperation with the UN in Burundi, Chad, Côte d'Ivoire, Somalia and currently in significant detail in Darfur. With respect to Darfur, on 31 August 2006 the Council approved a very significant innovation in terms of cooperation with a regional

organisation. Resolution 1706 agreed to provide substantial UN military and logistical assistance to the AU Mission in Sudan (AMIS).

This was followed by the development of plans for a hybrid AU-UN force for Darfur in December 2006. Such an idea was completely new in UN peacekeeping practice. An AU Peace and Security Council communiqué outlined the approach towards a hybrid operation, which was also endorsed by the Security Council in a presidential statement. The hybrid operation would follow two preceding phases consisting of a package of “light” and “heavy” UN support to AMIS. The operation would be under leadership from a joint AU-UN special representative. Troops would be under command of an African, jointly appointed by the AU and UN, but UN involvement in overall operational command and control would be substantial. The mission would benefit from sustainable financing and logistics.

Despite these innovative responses and the willingness to explore practical implementation of the principle of cooperation with the regional organisations, it is uncertain when the hybrid force will become operational as the Sudanese government continues to present obstacles.

Key Issues

The Council will be faced with the following issues.

- There is a lack of a formal process for establishing working relationships with regional organisations. Currently existing mechanisms for collaboration are *ad hoc*. MOUs with regional, subregional and intergovernmental organisations might be helpful in defining the areas and scope of partnerships and allow for quicker action.
- A related issue is that the funding for regional peacekeeping is *ad hoc*, uncoordinated and depends on the vagaries of donor financing. There are unresolved issues about regional peacekeeping operations being financed by assessed UN budget contributions.
- The UN Secretariat is itself limited in terms of human and financial resources in its ability to offer longer-term substantive planning or logistical support to missions led by regional or subregional organisations. These restraints affect the UN's ability to collaborate with organisations in developing their capacity. Serious collaboration with regional organisations would mean that the Secretariat needs to increase its capacity to play a bigger role in setting common standards and frameworks for cooperation for peacekeeping operations and facilitating partnerships with regional organisations.
- The lack of resources such as equipment, logistics and standards in regional organisations is a serious issue. Regionally led peacekeeping operations do not qualify for UN stocks. As a result regional organisations could become burdened with a problem beyond their capacity.
- The issue of regional organisations placing peacekeeping capacity under UN Standby Arrangements System remains to be explored. At the moment the Standby Arrangements System is still very much a concept rather than a reality. The AU is working on developing an African Standby Force by 2010. None of the organisations involved in the high-level meetings or in the thematic debates seem ready to integrate their capacity under UN Standby Arrangements System.

Council Dynamics

While supporting the general idea of cooperation with regional organisations, the Council is normally reluctant to focus in detail on abstract issues—preferring to resolve detailed questions

in an *ad hoc* way in specific concrete situations. This is particularly true of the permanent members of the Council who have stated their positions openly during the Council debates. The idea that the Council has primary responsibility for the maintenance of international peace and security was also reflected in resolution 1631 and the 20 September 2006 presidential statement. Nevertheless there is awareness that there is an increasing need to work with regional and intergovernmental organisations in conflict situations and that to do so means developing the capacity not only of regional organisations, but also of the UN. Nevertheless some Council members are concerned that, as the Darfur case shows, even when the UN goes the extra mile there are limits to what regional organisations can achieve and the concrete effects of a partnership.

Underlying Problems

As regional organisations develop interest and greater ability to lead peace processes and operations, competition over leadership, supplies of available forces, logistics and funding will need to be managed.

Historical Background

20 September 2006 The Secretary-General and regional organisations held the seventh high-level meeting.

17 October 2005 The Security Council adopted the first resolution on the UN and regional organisations after the third open debate.

25 July 2005 The Secretary-General and regional organisations held the sixth high-level meeting

20 July 2004 The Council issued a presidential statement after its second open debate on cooperation between the United Nations and regional organisations.

29-30 July 2003 The Secretary-General and regional organisations held the fifth high-level meeting.

April 2003 The Council in a heads of state level meeting held its first open debate on the Security Council and regional organisations: facing the new challenges to international peace and security.

14 February 2001 The Secretary-General and regional organisations held the fourth high-level meeting.

21 August 1998 The Secretary-General and regional organisations held the third high-level meeting.

15 February 1996 The Secretary-General and regional organisations held the second high-level meeting.

25 January 1995 In the *Supplement to an Agenda for Peace* the Secretary-General outlined the forms of on-going cooperation between the UN and regional organisations.

9 December 1994 The General Assembly adopted the Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements and Agencies in the Maintenance of International Peace and Security.

1 August 1994 The Secretary-General and regional organisations held the first high-level meeting.

January 1993 The Council invited regional organisations to study ways of strengthening their functions in peace and security, and improve coordination with the United Nations.

June 1992 The Secretary-General's report, *Agenda for Peace*, was published.

31 January 1992 A heads of state level meeting of the Council asked the Secretary-General to recommend ways to strengthen and make the UN more efficient for preventive diplomacy, peacemaking and peacekeeping.

UN Documents

Selected Security Council Resolutions
<ul style="list-style-type: none">• S/RES/1706 (31 August 2006) was the resolution on the situation in Sudan mandating UN assistance to AMIS.• S/RES/1631 (17 October 2005) was the first resolution adopted by the Security Council on regional organisations.• S/RES/1625 (14 September 2005) was a declaration on the effectiveness of the Security Council's role in conflict prevention, calling for the strengthening of cooperation and communication between the UN and regional and subregional organisations in accordance with Chapter VIII.• S/RES/1497 (1 August 2003) recognised the role ECOWAS played in implementing the June 2003 ceasefire in Liberia and cited Chapter VIII.• S/RES/1464 (4 February 2003) welcomed the actions of ECOWAS in response to the violence in Côte d'Ivoire in 2002 with reference to Chapter VII and Chapter VIII.• S/RES/1197 (18 September 1998) was on the need for the UN to provide support to regional and subregional organisations and to strengthen coordination between the UN and those organisations.
Selected Presidential Statements
<ul style="list-style-type: none">• S/PRST/2006/55 (19 December 2006) endorsed the phased approach towards a hybrid AU-UN force agreed upon by the AU Peace and Security Council.• S/PRST/2006/39 (20 September 2006) welcomed the progress made in realising the goals of resolution 1631 and urged contributions to the capacity building of regional organisations and subregional organisations, particularly of the AU and African subregional organisations.• S/PRST/2004/44 (19 November 2004) recognized the importance of strengthening cooperation with the African Union in order to help build its capacity to deal with collective security challenges.• S/PRST/2004/27 (20 July 2004) was the statement after the Council's debate on cooperation between the United Nations and regional organisations in stabilisation processes.• S/PRST/1998/35 (30 November 1998) reaffirmed the increasingly important role of regional arrangements in maintaining peace and security.• S/PRST/1998/28 (16 September 1998) set general standards for peacekeeping and stressed the need to be fully informed of peacekeeping activities carried out by regional or subregional organisations.• S/PRST/1994/22 (3 May 1994) said that regional and subregional organisations should be taken into account when setting up new peacekeeping operations.
Selected Letters
<ul style="list-style-type: none">• S/2007/148 (14 March 2007) was the letter from the Permanent Representative of South Africa forwarding the concept paper on the relationship between the United Nations and regional organisations, in particular the African Union, in the maintenance of international peace and security.• S/2005/567 (8 September 2005) was the conclusions of the sixth high-level meeting between the Secretary-General and regional organisations.
Selected Secretary-General's Reports
<ul style="list-style-type: none">• S/2006/590 (28 July 2006) <i>A regional-global security partnership: challenges and opportunities</i>• A/59/2005 (21 March 2005) <i>In larger Freedom: towards development, security and human rights for all</i>• A/59/565 (2 December 2004) and Corr. 1 (6 December 2004) was the report of the High-Level

<p>Panel on Threats, Challenges and Change.</p> <ul style="list-style-type: none"> • S/1998/318 (13 April 1998) was the Secretary-General's report on the causes of conflict and the promotion of durable peace and sustainable development in Africa.
<p>Selected General Assembly Resolutions</p> <ul style="list-style-type: none"> • A/RES/60/1 (24 October 2005) was the World Summit Outcome Document. • A/RES/49/57 (9 December 1994) was the Declaration on Enhancement of Cooperation between the United Nations and Regional Arrangements and Agencies in the Maintenance of International Peace and Security.
<p>Other</p> <ul style="list-style-type: none"> • S/2006/961 (6 December 2006) contained the 30 November AU PSC communiqué on the phased approach towards a hybrid AU-UN force in Darfur. • S/PV.5529 (20 September 2006) were the records of the latest open debate on cooperation between the UN and international organisations in maintaining international peace and security. • S/PV.5282 and S/PV.5281 (Resumption 1) (17 October 2005) were the records of the open debate and the adoption of resolution 1631. • S/PV.5261 (14 September 2005) were the records of the Council summit meeting and the adoption of resolution 1625. • S/PV.5007 and S/PV.5007 (Resumption 1) (20 July 2004) were the records of the open debate on cooperation between the UN and regional organisations in stabilisation processes. • S/PV.4739 and S/PV.4739/Corr.1 (11 April 2003) were the records of the Council open debate with the AU, ECOWAS, EU, League of Arab States, OSCE and OAS.

Useful Additional Sources

Building Partnerships for Crisis Prevention, Conflict Resolution and Peacebuilding between the United Nations and Regional Organisations, International Peace Academy, 2006.

Felicio, Tania; Graham, Kennedy, *Regional Security and Global Governance: A Proposal for a Regional-Global Security Mechanism*, Royal Institute for International Relations, January 2005.

Foreman, Shepard; Greene, Andrew, "Collaborating with Regional Organisations" in *The UN Security Council*, Malone, David (ed.), Lynne Rienner Publishers, 2004.

Holt, Victoria; Shanahan, Moira, *African Capacity-Building for Peace Operations: UN Collaboration with the African Union and ECOWAS*, The Henry L. Stimson Center, February 2005.

Cooperation between the UN and Regional Organisations/Arrangements in a Peacekeeping Environment: Suggested Principles and Mechanisms, Lessons Learned Unit, UN Department of Peacekeeping Operations, March 1999.