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**THE INVOLVEMENT OF THE EUROPEAN UNION AND THE WEU  
IN PEACEKEEPING MISSIONS OUTSIDE EUROPE**

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## Introduction

The involvement of The European Union and the WEU in peacekeeping operation has to be seen in the context of the increased consideration being given to regional organisations in the peacekeeping work of the United Nations following the end of the Cold War.

The end of the Cold War, like the end of the First and Second World Wars, has brought a renaissance of the multilateral imperative, the desire to find multilateral solutions to problems of international relations and security. It has also been, as recently pointed out by Professor Phil Williams<sup>1</sup>, the experience of the last five years that regional organisations like world organisations have found the post-Cold War world frustrating and the "multilateral imperative matched only by its elusiveness"<sup>2</sup>. That having been said, there is a need to examine ways in which regional organisations such as the European Union and WEU may be able to assist the United Nations in its functions in providing for world security. This paper will examine their place within the range of regional organisations, their potential contributions in the field of peacekeeping and peace-enforcement and assess the costs and benefits of using them as regional organisations rather than the United Nations for peacekeeping and peace-enforcement.

Regional organisations are far from homogeneous in their nature and it is important first to examine the differences between them before examining the potential contributions of the European Union and WEU to peace operations. The Secretary-General's 1992 'Agenda for Peace' report indicates at paragraph 61 the range of regional organisations:

"The Charter deliberately provides no precise definition of regional arrangements and agencies, thus allowing useful flexibility for undertakings by a group of states to deal with a matter appropriate for regional action which also could contribute to the maintenance of international peace and security. Such associations or entities could include treaty-based organisations, whether created before or after the founding of the United Nations, regional organisations for mutual security and defence, organisations for general regional development or for cooperation on a particular economic topic or function, and groups

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<sup>1</sup> P. Williams, 'Multilateralism: critique and appraisal' in Multilateralism, and Western Strategy, edited by Michael Brenner, New York, St. Martin's Press, 1994, p. 209ff.

<sup>2</sup> Williams, op. cit., p. 210.

created to deal with a specific political, economic or social issue of current concern."<sup>3</sup>

The discussion of regional organisations and arrangements in connection with the United Nations normally concentrates on Chapter VIII of the Charter and in particular Articles 52-54. It is however important to recall that Article 48.2 also deals with the way in which the decisions of the Security Council can be carried out by the members, both "directly and through their action in the appropriate international agencies of which they are members". It may therefore be more appropriate to think of regional agencies acting for the Security Council in these terms and, although there is no similar reference in Chapter VI, it would appear that what applies in Chapter VII could equally apply to the use of regional agencies in as far as Chapter VI measures are concerned.<sup>4</sup>

There are therefore three broad categories of regional organisations and arrangements, the distinction between the former and the latter appears to turn on the issue as to whether or not the body has a treaty. A regional organisation or agency is characterised by a treaty which creates permanent institutions which have an international legal personality while this would not apply to regional arrangements.<sup>5</sup> The first category are those which one might call classical regional organisations, the second being collective self-defence organisations with a potential for peacekeeping and the third being regional groups which have been primarily created for more general functions rather than foreign and security policy issues.

The first category of organisations can be described as 'classical' regional organisations who fit clearly within the structure of Chapter VIII of the United Nations Charter. These are organisations covering a well-defined geographic region to which all countries of the region are normally entitled to belong and for which the prototype was the Organisation of American States (OAS), the case of which was discussed at length at the San Francisco Conference. The Arab League was also considered at the same time although, as the earlier discussion has suggested, this was somewhat more controversial. Among organisations which would seem today to fall into this first

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<sup>3</sup> 'An Agenda for Peace', Boutros Boutros-Ghali, United Nations, 1992, paragraph 61.

<sup>4</sup> It is equally interesting to note that, in the discussions in the General Assembly in 1950 at the time of the question of the recognition of the Arab League as a regional body, a resolution was passed. ((A/Res/477 (V), 1 November 1950.) It is clear from this that a wide interpretation was given to the term 'regional' which took into account not only the geographic dimension but also the community and affinity of traditions and interests of the members of a regional organisation. This wide interpretation could be of value if, for instance, the North Atlantic Treaty Organisation, which, has members in more than one geographic region, were to ask for formal status with the United Nations.

<sup>5</sup> 'Manual of the Pacific Settlement of Disputes between States', United Nations, Office of Legal Affairs (New York: United Nations, 1992).

category are the OAS, the OAU and the OSCE. These are all, in a sense, mini United Nations with structures in many ways paralleling that of the UN, although none having the power or the decision-making arrangements which exist in the Security Council. While the regional character may mean that there is slightly more homogeneity within the membership of these organisations, there is a wide range of social and political structures in their member states, and these states cannot be said to have significantly affected their sovereignty by becoming a member of such regional organisations. All three have now had some experience in taking measures to deal with security and related problems in their own regions but the success of these has been relatively limited. Inevitably however when there have been successes, these have received little publicity and the actions which such regional organisations have taken which have not succeeded have been those to which most public attention has been drawn.

The second group of organisations were those designed initially for collective self-defence but which have a potential for peacekeeping in the post-Cold War world. Of these, the North Atlantic Treaty Organisation and Western European Union both existed during the Cold War and, in addition, the CIS, particularly those members of it who have agreed to the Tashkent Agreement, has some similar characteristics.

It is perhaps worth noting that, at the time of their establishment, there was a debate as to how far both Western European Union and NATO were to be seen as regional organisations or purely as organisations for collective self-defence. The view however was taken that WEU should primarily be based on the provisions concerning collective self-defence in Article 51 of the Charter, rather than on Article 52 as a regional organisation. Later, at the time of the ratification of the modifications to the Brussels Treaty in 1954, the debate in the French Parliament made it clear however that France saw Western European Union as being a body which could deal with aggression from outside, as well as respond to challenges which came from a signatory to the treaty.

As far as NATO was concerned, Dean Acheson during the negotiations on the treaty pointed out:

"There were two concepts which would have to be mutually exclusive, although it would be difficult to draw the line between them. One was collective self-defence –something that could be engaged in at any time without anybody's approval in the event of armed attack. The other concept was

enforcement action, which was something done to somebody else not in self-defence."<sup>6</sup>

But Dean Acheson was aware that, without the authorisation of the Security Council, the Alliance could not undertake enforcement action but could only take self-defence measures. This argument was too subtle to be understood by public opinion. As a result of this, the negotiators agreed the following statement which reminded the parties to the treaty not to quote Chapter VIII of the Charter of the United Nations in public statements:

"It is the common understanding that the primary purpose of this Treaty is to provide for the collective self-defence of the Parties, as countries having common interests in the North Atlantic area, while reaffirming their existing obligations for the maintenance of peace and the settlement of disputes between them. It is further understood that the parties will, in their public statements, stress this primary purpose recognised and preserved by Article 51, rather than any specific connection with Chapter VIII or other Articles of the United Nations Charter. "<sup>7</sup>

This was not completely the end of the story as, during the discussions on ratification of the treaty in the United States Senate, the following statement was made by the Foreign Affairs Committee:

"The question has been raised as to whether the Treaty establishes a regional arrangement within the meaning of Chapter VIII of the Charter. As stated earlier in this report, the Treaty is intended primarily to establish a collective defence arrangement under Article 51. However, it is not necessary to define the organisation of the North Atlantic Community as exclusively one or the other. The Treaty need not be departmentalised. Its purpose is to assist in achieving the great purposes of the [UN] Charter, primarily the maintenance of peace. It can be used as a regional arrangement under Chapter VIII or in any way, subject to the principles and all pertinent provisions of the Charter, which may be useful to accomplish these purposes."<sup>8</sup>

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<sup>6</sup> Escott, Reid 'Time of fear and hope. The making of the North Atlantic Treaty 1947-49', (Toronto: McClelland, Stewart, 1977).

<sup>7</sup> *Op.cit.*, appendix 3, page 268.

<sup>8</sup> E. Beckett, 'The North Atlantic Treaty, the Brussels Treaty and the Charter of the United Nations' (London: Stevens & Sons Ltd., 1950), p. 34.

These issues about the double nature of NATO and WEU were not significantly discussed between the time of their inception and the 1990s. In 1992, both WEU in the Petersberg Declaration of 19 June 1992 and the North Atlantic Council at its Oslo meeting of 4 June 1992 and its Brussels meeting of 17 December 1992, indicated their availability for undertaking peacekeeping operations under the authority of the CSCE and the United Nations.

In the Petersberg Declaration the WEU Ministers declared:

"As WEU develops its operational capabilities in accordance with the Maastricht Declaration, we are prepared to support, on a case-by-case basis and in accordance with our own procedures, the effective implementation of conflict prevention and crisis management measures, including peacekeeping activities of the CSCE or the United Nations Security Council. This will be done without possible prejudice to possible contributions by other CSCE countries and other organisations to these activities."<sup>9</sup>

The same declaration set out subsequently the basis on which WEU's operational role would be strengthened:

"WEU member states declare they are prepared to make available military units from the whole spectrum of their conventional armed forces for military tasks conducted under the authority of WEU. Decisions to use military units available to WEU will be taken by the WEU Council in accordance with the provisions of the UN Charter. Participation in specific operations will remain a sovereign decision of member States in accordance with national constitutions. Apart from contributing to the common defence in accordance with Article 5 of the Washington Treaty and Article V of the modified Brussels Treaty respectively, military units of WEU member States, acting under the authority of WEU, could be employed for:

- humanitarian and rescue tasks;
- peacekeeping tasks;
- tasks of combat forces in crisis management, including peace-making. "<sup>10</sup>

Western European Union therefore has a basis for its action and capacity to provide forces to the UN or CSCE for a wide range of military actions including peacekeeping.

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<sup>9</sup> Petersberg Declaration: WEU Council of Ministers, Bonn, 19 June 1992 , para. I. 2.

<sup>10</sup> WEU Council of Ministers, Petersberg Declaration, Bonn, 19 June 1992 paragraph II. 2-4

WEU like NATO is made up of a group of countries who are relatively homogeneous in terms of shared norms, principles and common values. In the field of collective self-defence, they have demonstrated a common will to act and, in the case of NATO, have developed effective procedures for multilateral action. Although decision making in both cases requires unanimous agreement of all members (although WEU does provide in Article VIII.4 of the Modified Brussels Treaty for other voting procedures to be agreed to), they are generally assumed to have a greater probability of reaching a consensus on decisions to use their forces than the larger regional arrangements such as OSCE.

The third group of organisations to be considered are those regional groups which have been developed for general purposes and which may develop a function in the foreign and security policy area. The European Union is probably the most advanced of these although ASEAN could be seen as an organisation which may follow a similar route, and the same may be true in the longer term for the Gulf Cooperation Council. The European Union which began as an economic community but which developed a clear political vocation with the Treaty of Maastricht is therefore also playing a part in the development of a Common Foreign and Security Policy for its members. It has already involved a significant pooling of sovereignty in the economic area where decisions can be made which are binding on all members by a qualified majority vote. Although this applies to a lesser extent in the case of the Common Foreign and Security Policy (CFSP) and is explicitly excluded in the case of defence matters, there is a dynamic in the nature of the European Union which is likely to lead to increased responsibility for the Union collectively compared with that of the member states. In the areas of CFSP, the Article J.5 of the Maastricht Treaty makes clear that "... the presidency shall represent the Union in matters coming within the Common Foreign and Security Policy" and "... shall be responsible for the implementation of common measures; in that capacity, it shall in principle express the position of the Union in international organisations and international conferences." As far as the United Nations is concerned, explicit reference is made in the Maastricht Treaty to the position of the members of the European Union who are members of the United Nations Security Council:

"Member States which are also members of the United Nations Security Council will concert and keep the other members fully informed. Member states which are permanent members of the Security Council will, in the execution of their functions, ensure the defence of the positions and the

interests of the Union without prejudice to their responsibilities under the provisions of the United Nations Charter."<sup>11</sup>

The Maastricht Treaty also made explicit the relationship between the European Union and WEU which is described as being "an integral part of the development of the Union" with a responsibility "to elaborate and implement decisions and actions of the Union which have defence implications".<sup>12</sup> The European Union and WEU are both committed to reviewing their procedures and their relationship in 1996 and the Intergovernmental Conference to be held then may well increase the structural relationship between the two organisations.

It is perhaps useful to make a distinction between the nature of the military cooperation which occurs within Alliances and that which can develop as part of the process of countries growing together towards a confederal/federal objective. The first form of military alliance is usually initiated as a result of an external threat or challenge. One could describe this as the *exogenous* motive for military cooperation. It is not necessarily the case that such cooperation will cease with the end of the threat or challenge as the practice and habits of cooperation may persuade the states concerned to maintain a framework for military cooperation. It is, however, likely to be of a static kind. On the other hand, in the case of countries which are gradually moving together towards a more unified structure, there may well be patterns of cooperation occurring as a result of that process. Some of this may cover all of the countries in the organisation concerned and other may be restricted to a limited number of the member states. This cooperation can be seen as *endogenous*, and as an example one could see the way in which the various Swiss cantons gradually moved their armed forces towards a common unit while retaining cantonal responsibilities in some respects. This could be paralleled at the level of the European Union with the cooperation initially between France and Germany and subsequently involving Spain, Belgium and Luxembourg in the European Corps or the decisions by France and Britain to develop a common Air Staff. Such cooperation is not a function of an external challenge but a response to the process of closer relations between the countries concerned. It can be argued that this sort of cooperation is likely to have a dynamic development of its own, irrespective of the external environment.

This discussion of the types of regional organisations and in particular the cases of Western European Union and the European Union has treated those which are created on a permanent basis. It is however worth also considering those which are created on

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<sup>11</sup> Treaty on European Union, Maastricht, 1991, Article J.5(4).

<sup>12</sup> *Op. cit.* Article J.4 (2).



an *ad hoc* basis to deal with particular situations. These may be described as 'coalitions of the willing' and could of course be created from within a regional organisation such as WEU or the EU on some occasions. They are referred to in the Secretary-General's paper *An Agenda for Peace* at paragraph 62. It may well be that they have a particular role when there is a need for more substantial peace enforcement action.

### **The contribution of regional organisations to peace operations**

The earlier discussion of regional organisations as a whole has shown the variety of organisations and their different characteristics. It will now be useful to examine the range of activities which they can undertake in support of peace operations outside their own regions.

Before looking at this external peacekeeping function of regional organisations, it is worth pointing out how by their existence contribute to the elimination of the risk of conflict between their members. This is to the extent to which they form 'security communities' in the sense defined by Karl Deutsch and his colleagues.<sup>13</sup> A 'security community' is defined there as "one in which there is real assurance that the members of that community will not fight each other physically, but will settle their disputes in some other way. If the entire world were integrated as a security community, wars would be automatically eliminated." The North Atlantic Treaty Organisation and the European Community/European Union working together have effectively created a 'security community' in Western Europe and, to that extent, have eliminated the need for peacekeeping or peace-enforcement operations within that region. Such a process is not necessarily perfect and may have problems at its margins as the experience of Cyprus demonstrates.

The European Union and the Atlantic Alliance may be able to effect stabilisation in their own neighbourhood and therefore prevent the need for peacekeeping or peace-enforcement by their gradual extension. The involvement of countries in Central and Eastern Europe with the European Union, WEU and the Atlantic Alliance through Europe Agreements in the case of the European Union, Associate Partner status in the case of WEU, and Partnership for Peace in the case of NATO, can be seen as a way in which peace-building is accomplished in this region.

The third way in which the European Union, through its members states, makes a contribution to United Nations peacekeeping is through their contribution to the

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<sup>13</sup> Karl W. Deutsch et al. *Political Community and the North Atlantic Area*, Princeton University Press, 1957.

peacekeeping budget. The member states of the European Union contributing in total over 36 per cent of the peacekeeping budget. In addition, of course, member states through the costs of maintaining their own forces in peacekeeping operations make, in total, a substantially larger contribution to the costs of peacekeeping and increasingly have given assistance to other states to ensure effective peacekeeping participation. The European Union as such has made one contribution to financing a peacekeeping operation in that it paid the costs of the Belgian Battalion initially serving in the UNOSOM operation in Somalia. This, rather unusual, example of a regional organisation supporting peacekeeping activities by a member state is an interesting precedent. On the other hand, the initial offer of the European countries coming from WEU and NATO to make their forces available to UNPROFOR in Bosnia in 1992 at no cost to the United Nations was not considered to be a helpful precedent as it directly challenged the United Nations practice of treating the core costs of peacekeeping as a regular expense of the organisation. "At the time, a number of United Nations officials and governments such as Canada feared it would begin to erode the hard-won principle of collective financial responsibility for peacekeeping".<sup>14</sup> The view was also taken that if regional organisations were to pay for peacekeeping in their own neighbourhood, they might be less willing to contribute to peacekeeping operations in other parts of the world where the regional organisations would not have similar resources.

The members of regional organisations already contribute peacekeeping forces to United Nations activities and within regions sub-groups are beginning to make collective contributions to such forces. Reference should here be made to the NORDBAT (Nordic Battalion) operating in UNPROFOR and the development of BALTBAT, bringing together companies from Estonia, Latvia and Lithuania for training in preparation for deployment in peacekeeping functions. The member states of the European Union have among their number states which have a long record of contributions to peacekeeping and at present contribute some 40 per cent of all UN peacekeeping forces. If the six countries of Central and Eastern Europe who are Associate Partners of WEU and have Europe Agreements with the European Union are also included, the total of peacekeepers from this region goes to over 52 per cent of all UN peacekeepers. The intensity of their contribution to peacekeeping can be seen in

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<sup>14</sup> Enid C.B. Schoettle, in: 'Keeping the peace in the post-Cold War era: strengthening multilateral peacekeeping,' a report to the Trilateral Commission, 1993. Schoettle refers to the statements by the Canadian Foreign Minister before the United Nations General Assembly on 24 September 1992 and the statement by the Australian Ambassador to the UN on 12 November 1992.

another way in that, on average, those countries contributing to UN peacekeeping operations contribute 11 men or women per million of the population. The countries within the European Union contribute at a rate five times higher than this. There are of course individual countries within the Union which have significantly higher contribution rates.

Europe as a regional organisation has to some extent also served as a model for the development of regional security structures elsewhere. It can thereby, by example, serve as a contribution to peacekeeping and peace-making. Although, of course, the variations from region to region mean that structures cannot be directly borrowed, the success of the CSCE process and of the development of the European Community/ European Union has been noted by those attempting to develop regional organisations in other parts of the world. Thus the model for confidence and security-building measures within the CSCE has been examined within the OAS, and the development of the European Union has provided a model for discussion of common markets elsewhere. As has been seen earlier, these can lead to the development of Deutschian 'security communities'.

It may be argued that the discussion to date has involved indirect contributions by European regional organisations or merely grouped the contributions by member states of the United Nations who are also members of European regional organisations. There are also the direct contributions to peacekeeping and peace-making which have been undertaken by WEU.

In 1987-1998 WEU coordinated the activities of those of its member states who were involved in mine clearance operations in the Gulf at the time of the Iran/Iraq war. It was the first action by the member states of WEU following their declaration in Rome in 1984 to "consider the implication for Europe of crises in other regions of the world" and the statement in The Hague Platform of 1987 to concert their respective policies on crises outside Europe "in so far as they may affect our security interests".

WEU also acted in 1990 in support of UNSC Resolutions 661 and 664 following Iran's invasion of Kuwait. It instructed a group of representatives from foreign and defence ministries of its member states to coordinate the contributions of member countries to naval operations in the Gulf in support of those UN Resolutions and, in addition, to Resolutions 665 of 25 August 1990 and 678 of 29 November 1990. These actions were all reported to the United Nations Secretary-General, as provided for under Article 54 of the Charter.

In the Autumn of 1991 the WEU Council and an *ad hoc* group examined the consequences of the implementation of UNSC Resolution 713 of 25 September 1991 on former Yugoslavia for WEU member states. It provided the Secretary-General with contingency planning work undertaken by WEU experts and supported the initiatives of members of WEU who were also members of the Security Council in order to get Resolution 743 creating UNPROFOR adopted on 21 February 1992.

Subsequently at a meeting preceding that of the North Atlantic Council and held in the margins of the CSCE Helsinki Summit, the WEU Council of Ministers decided to assist in surveillance of the embargo imposed on former Yugoslavia by UNSC Resolutions 713 and 757 by making available air and naval elements deployed in international waters off the Yugoslav coasts. They agreed to make available to the United Nations a list of contributions which WEU member states could make to implement new decisions by the Security Council to provide humanitarian relief to regions within Bosnia. The Security Council Resolution 770 of 13 August 1992, which called upon states "to take nationally or through regional agencies or arrangements all measures necessary to facilitate in coordination with the United Nations the delivery by relevant UN humanitarian organisations and others of humanitarian assistance to Sarajevo and wherever needed" responded to some extent to this initiative.

Later in the month, at the London conference on the former Yugoslavia, the WEU countries considered what could be done and the Ministerial Council meeting in London on 28 August expressed the view that support for humanitarian organisations, including the protection of convoys, should be organised by the United Nations and expressed the collective will of WEU members to contribute to this initiative. Following the adoption of UNSC Resolution 776 which authorised the extension of UNPROFOR's mandate to Bosnia, six WEU countries made forces available to the UN. At the same time, in August 1992, the WEU Ministerial Council said that they were ready to help the Danube Riparian states in maintaining sanctions along the Danube. This was reaffirmed by UNSC Resolution 787 of 16 November 1992 and later in November the WEU ministers declared that they were prepared to provide assistance to the countries concerned. This action was undertaken in the first half of 1993 and cooperation with Bulgaria, Hungary and Romania has continued.

A final way in which regional organisations in Europe could assist peacekeeping, and possibly peace-enforcement, would be in support of other regional organisations. These proposals have been discussed informally with the Organisation of African Unity and were mentioned by the then Secretary-General of Western European Union, Dr. Willem van Eekelen, when he took part in the meeting of Secretaries-General of

regional organisations convened by the Secretary-General of the United Nations on 1 August 1994. Subsequently, French and British leaders meeting in Chartres in November 1994 and in London in October 1995<sup>15</sup> supported the idea that European countries should find ways of supporting peacekeeping operations in Africa. The idea would be that if the Organisation of African Unity, were to accept a mandate from the UN to undertake a specific peacekeeping operation, individual African countries might have difficulty to equip and transport battalions of peacekeepers to fulfill this mandate. A European regional organisation could provide logistic and other support to this OAU activity, either on a regional organisation to regional organisation basis or by arranging for different member states to partner African countries who were considering providing peacekeeping battalions. This was done to a limited extent in the deployment of UNAMIR II to Rwanda in 1994, and in the provision by the UK of an initial logistic battalion and by Portugal of a communications unit for UNAVEM III in Angola in 1995, but could clearly be developed. While this has been discussed so far in the case of the Organisation of African Unity, it could presumably be developed to apply to other regional organisations as well.

#### **A cost-benefit analysis of regional organisations in peacekeeping and peace-enforcement**

The discussion so far has outlined a variety of ways in which regional organisations could be involved to a greater extent in peacekeeping and peace-enforcement. Before deciding on the desirability of an increased role for regional organisations such as the European Union and WEU vis-à-vis the world organisation, it is probably useful to try and analyze such a shift from the point of view of the United Nations, from the point of view of the regional organisations and from the point of view of member states. In each case, there will be advantages and disadvantages of such a shift and it is only by making an overall analysis that a judgment can be made about the value of such a development.

At the level of the United Nations, faced at the moment with a problem of more demands for its peacekeeping services than it can provide, the attractiveness of a devolution of peacekeeping, and perhaps peace-enforcement, to regional organisations to carry out peace-keeping activities in their own regions would be the immediate relief on budgetary pressures, the availability of additional manpower through regional organisations and the argument that regional organisations might have a greater coherence in operating in common in some of the more difficult peacekeeping/peace-

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<sup>15</sup> Possible reference to WEU, November 1995 Ministerial to be added.

enforcement situations which have arisen since the end of the Cold War. A regional organisation such as NATO, and perhaps in the future Western European Union, could be expected to have greater experience of working together as a force and member states might be more prepared to transfer forces to the operational control of a force commander working within the structure of a regional organisation that they knew than to a UN force commander from a country with whom they had previously not had any combined military activities. This might also permit the force commander to take a greater degree of responsibility for the overall action and the regrettable tendency of contingents contributed to UN peacekeeping activities remaining to a significant extent under the command of their national authorities reduced. This argument seems likely to apply primarily to peace-keeping activities within a region, but might apply to peace-enforcement measures outside Europe as well.

On the other hand, the use of a regional organisation could lead to problems of loss of control by the UN Security Council and Secretary-General of an operation. While this has not yet arisen in the case of WEU, the example of NATO may be relevant.

The former Secretary-General of NATO has made it clear that while the Security Council resolutions have spoken of NATO acting "in support of UNPROFOR in the performance of its mandate", he does not consider NATO to be a "sub-contractor" of the United Nations.<sup>16</sup> Regional organisations are concerned about their own 'credibility' and do not like to be in situations where they appear to be subject to an external body. Increased use of regional organisations would also mean the loss of the 'United-Nationsness' of the operation.<sup>17</sup>

Regional organisations like WEU feel that they have a particular knowledge and responsibility for their region and that therefore they will have an advantage in undertaking work there, this argument does not apply to activities outside Europe in the case of WEU. It can be argued that they are likely to be more militarily effective because of the greater coherence which they provide and that if the peacekeeping activity was relatively close to Europe they would probably be less expensive than a traditional UN peace-keeping operation because of the reduced logistic costs.

When it comes to the disadvantages to a regional organisation of undertaking a military action under a United Nations mandate, these seem to be that the regional organisation may be so constrained by the mandate that it is not able to operate

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<sup>16</sup> Willy Claes statement quoted by Reuters, 27 October 1994.

<sup>17</sup> Shashi Taroor, 'The role of the United Nations in European peacekeeping', paper given to Norwegian Institute of International Affairs Conference, December 1994, p.4.

successfully and that therefore its credibility as an effective organisation will be reduced. There have been some indications of this in some complaints made in NATO countries about the relationship between the UN and NATO in Bosnia-Herzegovina. A further disadvantage, in the view of some, is that peace operations may be a diversion from the organisation's remaining collective defence function and that peace operations should therefore be only undertaken when they are of such military complexity as to require the equipment, training and command structures which regional organisations such as NATO possess. This can be seen as a basis for a 'division of labour' between regional organisations with NATO restricting itself to its treaty functions of collective self defence and possible use for as the framework for a 'coalition of the willing' for peace-enforcement operations while WEU would undertake the humanitarian and peacekeeping missions set out in the Petersberg Declaration, with the possibility of going further if the Combined Joint Task Force concept is developed with NATO.

Looking finally to the benefits and costs of regional organisations rather than the United Nations undertaking peace operations from the point of view of individual member states one has again a range of positions. There is of course a distinction between those states in the region and those outside it, and a distinction between the states undertaking the peacekeeping operation and those to whom it is applied. Even within a member state there are sometimes differences of approach with different positions being taken up by the diplomatic representatives of the same state at discussions of peacekeeping operations in UN bodies and in regional organisations.

An increased role for regional organisations in peace operations would certainly provide an opportunity for countries in which UN peacekeeping forces were deployed to use the option of the replacement of a UN force by a regional force as a bargaining lever. The attempts earlier this year by president Tudjman of Croatia to propose that NATO or WEU forces should replace UNPROFOR are an example of this. It is not clear whether a recipient country feels that it would have more political leverage with a regional organisation than with the world organisation or whether it feels that the regional organisation would have more sympathy for its position.

There is, however, linked to this the possibility that in the view of countries receiving peacekeeping or peace-enforcement operations, a regional organisation might be seen as less impartial, there is always the risk of the perception of neocolonialism or domination by a regional hegemon. The former could arrive if action were taken by WEU or in the future the WEU, but would presumably be considerably less if done by a regional European organisation, than if it were undertaken by an individual European state in a country where it had been the colonial power. The latter could be Nigeria, in

the case of the ECOMOG operation in Liberia, the United States in the case of some OAS actions and Russia in the case of CIS actions. To that extent, the member states receiving a peace operation might see a considerable disadvantage in a regional approach rather than a United Nations' approach.

As far as the states providing the peacekeeping operation or being members of the regional organisations, the benefits are presumably those of coherence and efficiency, of greater political understanding and of cost effectiveness.

The disadvantages may be that a regional organisation, even when it possessed a United Nations' mandate for its operations might be considered to have less legitimacy than a UN operation. The military effectiveness might therefore be outweighed by some reduction in political effectiveness.

## **Conclusions**

The debate on these issues is still too open for anything more than very tentative conclusions or suggestions to be made. It may be that regional organisations such as the European Union and WEU will have a most important role in the future in relieving the United Nations of the need to undertake directly some of the "traditional" peacekeeping activities, namely "the presence in the field (normally including military and civilian personnel) with the consent of the parties to implement or monitor the implementation of arrangements relating to the control of conflicts (ceasefires, separation of forces, etc.)"<sup>18</sup>, and perhaps also for the protection of the delivery of humanitarian relief. In particular, it might be that regional organisations either of a formal kind such as WEU or of an informal kind could develop their role of providing packages of forces to a UN force. References have already been made to the role of informal groupings providing units such as the NORDBAT (Nordic Battalion) and BALTBAT (Baltic Battalion) in doing this at battalion level, but a body like WEU could provide packages of forces of brigade or possible divisional level for a UN peace operation.

At the other end of the scale, when it was necessary to have a peace-enforcement action under chapter VII in response to inter-state aggression, it might be possible in future to see a regional organisation take the lead in this activity. The regional organisation might therefore provide from within its own members a "coalition of the willing" which could also include some participation from outside its membership. The discussion of the Combined Joint Task Force (CJTF) concept in NATO gives some

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<sup>18</sup> "Improving the capacity of the United Nations for peacekeeping, report of the Secretary-General" a 48/403, para. 4. (c).



indication of how WEU might participate in this in future. It is however recognized that such actions by regional organisations would require a United Nations' mandate. Again it seems unlikely that WEU would be undertaking this alone but this is where the idea of partnership between two regional organisations requires examination.

The difficulties arise with actions which fall between these two cases. This is the grey area where the military effectiveness of a regional organisation should ideally be combined with the political impartiality and judgement of the United Nations in order to provide an ideal solution. There is no doubt that this presents very serious problems of politico-military interface as well as the difficulties of coalition warfare in general. Military effectiveness requires clear lines of command and a well ordered structure, but the political reality of two or three layers of political decision-making, at the level of the Security Council, the regional organisation and the contributing states, suggests that this will be very difficult to attain.