

disputes before referring them to the Security Council;

- the Security Council can use regional organizations for enforcement purposes under its authority, but no regional organization or arrangement can undertake enforcement actions without the Council's authorization;
- the Security Council is to be kept fully informed of the activities undertaken or in contemplation by regional organizations in the maintenance of international peace and security.

Although the membership of regional arrangements is bound to uphold and respect the principles of the UN Charter, all regional arrangements are not formally bound by Chapter VIII. In the past this has often made for ambiguous commitments to UN decisions on the part of non-Chapter VIII regional bodies. In a number of instances even Chapter VIII organizations did not or could not comply with the above principles. One important issue requiring attention is the authorization to use force. When regional organizations or groupings authorize or undertake military action for purposes other than collective-self defense without the authorization of the Security Council, then situations can become very problematic indeed. What needs to be examined carefully is not only under what circumstances the Council can grant use-of-force authorization to regional organizations, but also how it can act to restrain illegitimate use of force.

3. Some reflections on current experience and proposals

Sovereignty is still a limit, but...

International legal hurdles to external intervention and the difficulties of forging regionally and locally accepted solutions have always presented difficulties for regional bodies in cases of internal conflict. Their Cold War record in the regulation of internal conflict is largely characterised by powerlessness, failure or irrelevance. The doctrines of national sovereignty and of non-intervention either conveniently justified inaction or were deemed insurmountable obstacles. Clearly, there have been some dramatic shifts on this issue, not only by the UN, but more particularly from the international community at large which now recognizes that state sovereignty should not be reified at all costs and that it can be contingent in nature. The experience of the last few years has demonstrated that in certain exceptional situations - such as humanitarian disasters or gross violations of human rights - sovereignty may be overridden and intervention considered without the consent of parties or states. Indeed, in some recent cases there was no working state left to grant or deny such permission (e.g. Somalia, Liberia). However, it is highly unlikely that this will become a recurrent or common UN practice, as demonstrated by the extreme reticence of the