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Looking Forward by Looking Back:

A pragmatic look at
conflict and the regional option

by

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Be it economic or political, regionalism is (re)emerging as one of the most important trends in international relations¹. In particular, the end of the Cold War has reawakened the original UN vision of regionalism whereby regional organizations and arrangements are expected to act as effective instruments in the management and settlement of regional disputes and conflicts. Indeed both the *Agenda for Peace* (1992) and the more recent *Supplement to the Agenda for Peace* (1995) contain elaborate comments on Chapter VIII of the UN Charter and the potential of regional organizations in matters related to peace and security.

For most of the postwar period regional organizations did not play a very effective role in intra-regional conflict management. Regional politics and lack of internal cohesion within these bodies all too often hampered or neutralised regional efforts, particularly when great power interests were at stake. By the mid-1980's the traditional regional organizations - the Organization of American States (OAS), the Arab League and the Organization of African Unity (OAU) - were generally considered to be little more than moribund institutions suffering from terminal paralysis. Of the three, the OAS was the only body which could legitimately claim to have played a significant and effective regional conflict management role, and its period of effectiveness lasted only a few short years during the 1950's and early 1960's. As for the Arab League and the OAU, they remained politically divided bodies throughout their respective postwar histories and proved to be poor conflict management fora. In short, the original vision of regionalism as a building-block to world order enshrined in the UN Charter did not come about.

With the seismic changes of the beginning of this decade in the structure of the international system, the 'contextual' background of international regionalism has changed considerably. The depolarization of international cooperation patterns and the lifting of superpower strategic overlay over entire regions has removed some of the external obstacles to more effective regional organization. In turn, this has generated a gradual movement towards the regionalization of security politics which will become an international determinant for years to come. In many - but not all - regions, political space has been created for genuinely regional discussions on peace and security issues where this was hitherto impossible. In terms of institutional development, the results have been quite remarkable. Witness the institutional development of the Conference on Security and Cooperation in Europe (CSCE) - now Organization on Security and Cooperation in Europe (OSCE) - in Europe; the political rebirth of the OAS in Latin America; the creation of an

¹This paper was completed while the author was the 1994-95 Cadieux Fellow in the Policy Staff of the Canadian Department of Foreign Affairs and International Trade. The author wishes to thank Chris Cooter, Gerald Cossette, Wendy Gilmour, Dan Livermore, Gary Soroka and Francois Taschereau for their comments on earlier drafts.

OAU mechanism for conflict management in Africa; and the emergence of an institutionalised security dialogue in Southeast Asia in the form of the Association of South-East Asian Nations (ASEAN) Regional Forum (ARF). These developments illustrate the importance presently bestowed by states and institutions on organising for better regional understanding and cooperation in security matters, particularly through the institutionalisation of conflict management functions within bodies which were not very well organised for this purpose. At the same time, the credibility of the UN and regional organizations has been tarnished considerably by major setbacks in such places as the Horn of Africa and Central Africa, and the Balkans. The international community is manifestly ill-equipped to manage and resolve intra-state conflicts; yet, as the Ecuador-Peru border war and the latest episode in the Spratly Islands between China and the Philippines reminded us recently, there remains a multiplicity of extant or potential inter-state conflicts and disputes.

The characteristics of present day internal strife - violent conflict of an ethnic, religious or sectarian warfare nature - remain especially alarming. And the number of such conflicts seems to be on the rise rather than diminishing.² Obviously, this challenges the traditional role of international and regional institutions which were originally designed to act as fora for the resolution of inter-state rather than internal conflicts. Today, they face a wide range of sub and trans-national security-related problems - ethnic and sectarian warfare, large scale environmental degradation leading to potentially disruptive migration patterns, "collapsed" states, the proliferation of complex humanitarian emergencies - which, in many cases, are overwhelming their capacity to react. Although there are indications that some institutions are slowly adapting to these new circumstances, many others have yet to devise effective ways of tackling such issues. But is institutional adaptation enough? Recent setbacks suffered by the UN and regional organizations in the conflict management field, it seems, have prompted a belated rediscovery of that cardinal rule of international cooperation: organization alone cannot be a substitute for political will. If we are looking at the factors which affect conflict management effectiveness, better organization to prevent, manage and resolve conflict is but one aspect - admittedly a crucial one - of a multi-variable equation which also includes the political will to act or to support multilateral action, and the often evolutionary response of parties or belligerents to third party intervention or mediation.

This paper seeks to demonstrate that if we are to make progress in the present debate on regional organization we must look beyond the quasi-theological discussions on the respective advantages of regional and global approaches to peace and security and take a more

² According to the UN Development Programme of 82 armed conflicts between 1989 and 1992 only three were between states. See the UNDP's *Human Development Report 1994*, New York/Oxford, Oxford University Press, 1994, p. 47.

pragmatic look at current regional trends at ground level. For instance, despite what is authorized by the UN Charter, we know - and the UN acknowledges - that very few regional organizations can generate strong action-oriented mandates in the peace and security field or are appropriately equipped to carry out effective peacekeeping or enforcement operations. We also know that this situation is unlikely to change in the near future. Yet three years after the publication of the original *Agenda*, discussions about Chapter VIII, global governance and subsidiarity are still replete with generic notions of what regional organizations should be able to accomplish in the field of conflict management. Not only do current trends indicate that under present institutional and political circumstances it might be unrealistic to expect regional organizations to function as the drafters of the Charter expected it, but there are also indications that there might be unexploited or misunderstood facets of the 'regional option' which need to be examined more carefully.

What, then, are the difficulties associated with regional approaches to conflict management, and what are some of the options available to the international community in trying to enhance the role of regional bodies? This paper examines where regional groupings have been effective in addressing conflict and where they have not, and offers a few observations about some of the outstanding issues concerning regional approaches to conflict management.

1. Regional successes, regional failures

The following examples illustrate some of the recent successes and achievements of regional approaches to conflict management:

- In Latvia and Estonia the OSCE is playing an essential role in helping to manage the delicate citizenship issue through its High Commissioner for National Minorities (HCNM) and long term missions on the ground. Its continued involvement in other issues, some of them military-related, is contributing to the stabilisation of Baltics-Russia relations and reducing tensions in the region.
- During the Congo's 1993 political crisis, OAU mediation paid off and an escalation of tensions was averted between government and opposition. Similarly, the OAU played an important third party mediation role during the Nigeria-Cameroon 1994 border dispute;
- In Lesotho an ad hoc regional group consisting of Zimbabwe, Botswana and South Africa, with British, EU and American support, helped restore constitutional rule after the August 1994 coup. It should be noted here that a credible threat of external military intervention played a role in King Letsie III's decisions to restore

the government.

- In the **Peru-Ecuador** border war, the four guarantor countries of the 1942 Rio Protocol intervened rapidly and with some success to broker a settlement in this recurring border conflict. A 40-strong military observation team, MOMEPA, is now located on both sides of the contested border area in the Cenepa River valley.
- In both **Nicaragua (1990-1993)** and **Surinam (1992)** the OAS played an important post-conflict role in the demobilization of insurgents and in the implementation of peace agreements. Both missions have reinforced OAS credentials after a very difficult period for that organization.
- Island-states of the South Pacific, with Australian and New Zealand support, formed a temporary South Pacific Peacekeeping Force (SPPKF) for the Oct. 1994 peace talks held on **Bougainville Island** between the Papua-New Guinea government and Bougainville Revolutionary Army (BRA) rebels. Despite the inconclusive results of the talks, the occasion can be considered a milestone for the region.

By contrast, there have been failures and difficulties:

- In the former **Yugoslavia**, the involvement of the EU, the WEU, the OSCE, NATO, and the UN have made institutional cooperation and coordination a major challenge. It has also demonstrated that the existence of relatively strong regional institutions is not in and of itself a guarantee of better regional crisis management. It must be acknowledged, however, that the Contact Group approach has given some needed flexibility to the peacekeeping efforts.
- In **Liberia** the Nigerian-led ECOWAS Monitoring Group (ECOMOG), hailed by the UN and Western countries as an example of regional self-help, suffered repeated military and political setbacks in its multiple peacemaking attempts. The signing of the latest Ghanaian-mediated peace plan appears to have been prompted both by the possibility of a total ECOMOG and UN pullout and by the sheer exhaustion of the belligerent parties.
- In **Somalia**, the Organization of African Unity (OAU), the Arab League, and the Organization of the Islamic Conference (OIC) were ineffective in preventing that country's descent into chaos and played no role in the multiple attempts at peacemaking which followed UNOSOM I.

- In **Rwanda**, although the OAU had observers in country prior to the explosion there on April 6, 1994, it was the UN that tried, however imperfectly, to do something concrete both before that date and after. In **Burundi**, the OAU has been unable to effectively moderate a very complex and unstable situation because of a lack of cooperation from the belligerent parties.
- Given the competing and unyielding claims on the **Spratly Islands** by China, Taiwan and some ASEAN members, neither ASEAN nor its Regional Forum (ARF) have been able to deal effectively with this long-standing regional dispute. Indeed a widening China-ASEAN rift now appears to be developing on this issue.

2. *Some fundamental considerations:*

A complex institutional picture

The end of the Cold War, and to some extent UN discourse on regional organizations, have contributed to a blurring of the traditional distinctions between multipurpose regional organizations, regional defense organizations and other types of regional or sub-regional arrangements. Yet they differ tremendously in their mandates, capability, track records, and approaches to problems. Structurally, they range from institutions with elaborate internal architecture, such as the OSCE or the OAS, to institutionalised regional dialogues on security such as the ASEAN Regional Forum (ARF). Groupings such as the Commonwealth, the Organization of the Islamic Conference (OIC) and *La Francophonie*, which lack a geographically cohesive base and are not endowed formally with peace and security functions, are often put under the general 'sub-global' political institutions category which formal regional bodies find themselves in.³

In thinking about regional organizations it should also be borne in mind that the political map is not uniformly covered with such arrangements and organizations. Sub-regional systems like Northeast Asia and South Asia are for all intent and purpose devoid of

³ The Commonwealth's peacemaking and peacekeeping track record is well-known. Recent Commonwealth documents specifically refer to 'conflict reducing and resolving activities' of the organization in accordance with Chapter VIII of the UN Charter. For their part, the OIC and *La Francophonie* are only now beginning to be utilised as political tribunes in matters related to peace and security. Since 1992 the OIC has been voicing increasing criticism of UN and Western policy in Bosnia in the face of perceived inaction to save the muslim populations, while in *La Francophonie's* case – and at the instigation of the Canadian government – the Rwanda and Burundi crises have prompted an internal debate on its political role.

effective regional political-security cooperation mechanisms, yet they remain among zones of tensions of the world.⁴ Finally, it should not be lost that in certain cases the universal values embodied in the UN may not be entirely compatible with the perceived role-conception of certain regional bodies. For example, there is a strong and historical human rights component in the Inter-American system which complements the UN role in that field. Neither ASEAN, the OAU nor the Arab League can be considered particularly dynamic agencies in this regard.

At least three basic conceptions of regional security organizations can be distinguished in the postwar period. The first one is rooted in Chapter VIII of the UN Charter and is represented by such classic multipurpose regional organizations as the OAS, the Arab League and the OAU.⁵ Such organizations represent the original 'building block to world order' conception of regionalism promoted in the UN Charter. Although such bodies were structured very differently, one of their principal objectives - along with non-interference in regional matters and respect for territorial integrity - was the prevention and settlement of intra-regional disputes between member states. To achieve this, the so-called Chapter VIII regional organizations relied mostly on traditional pacific settlement of disputes methods (i.e. good offices, mediation, arbitration, etc). Measures requiring the deployment and/or use of military force were considered to be either the domain of the UN Security Council or were enshrined in various collective defense arrangements.⁶

⁴ Although there have been consultations held under its aegis, the South Asian Association for Regional Cooperation (SAARC) does not at present constitute an effective framework for regional cooperation and security.

⁵ Since 1992 the OSCE has been recognized as a Chap. VIII organization. Russian authorities now claim that the Commonwealth of Independent States constitutes a Chap. VIII organization. Since there are no specific hurdles to recognition as a Chap. VIII organization, this assertion is likely to remain a contentious issue for some time, particularly in light of the controversial peacekeeping record of the CIS.

⁶ Under its Joint Defense Pact (1950), the Arab League set up a Permanent Military Commission and a Joint Defense Council to draw up plans for 'collective defense' against Israel. Practical implementation of the Pact remained as elusive as Arab Unity itself, however, and it is considered today to be inoperative. Interestingly, Libya called for its reactivation in early 1995. As for the OAS, the 1947 Inter-American Treaty of Reciprocal Assistance - otherwise known as the Rio Pact - straddled the line between Ch. VIII and Art. 51 of the Charter. It was an outward-oriented collective defense pact linked to a Ch. VIII arrangement. The Rio Pact was perceived as an instrument of American hegemony by many Latin countries. When in 1982 Argentina invoked pact provisions during the Falklands/Malvinas war the United States refused to consider the case as a legitimate one and

For most of the Cold War, external control or influence over regional security issues and lack of internal political cohesion within regional organizations precluded the development of indigenous regional security instruments which went above and beyond pacific settlement of disputes methods. Other conceptual and internal constraints, such as state-centred security doctrines, the nature of the political role of militaries in many Third World countries, and often scarce defense resources, also impeded the development of cohesive regional security "thought". Today's renewal of interest in regional organizations and regionalism has not *ipso facto* transformed the institutional realities of the past. At present, Chap. VIII organizations remain cash-strapped, under-resourced institutions with little organic capacity to plan for and launch anything more than small monitoring or "preventive diplomacy" missions.

A second conception, based on the principle of collective self-defense enshrined in Art. 51 of the UN Charter, is represented by traditional alliances and collective defense pacts which were originally designed to contain global, regional or systemic threats (Rio Pact, NATO, ANZUS, SEATO, Warsaw Pact, CENTO, FPDA, etc.). These structures were designed to face external threats rather than deal with intra-regional disputes through Chapter VI-like methods. With the exception of NATO, which developed both an intricate system of political consultation mechanisms and an extensive multinational military infrastructure, such alliances often lacked the inward region-building character which is one of the hallmarks of regionalism. In many cases these were more an expression of the great powers' security interests rather than a political vision emanating from within the regions themselves. History has not been kind to postwar regional alliances. Only a few survived both decolonisation and the end of the Cold War. However there is an interesting case in the form of the Gulf Cooperation Council (GCC). Although its achievements have not always been impressive, it functions essentially as a sub-regional security alliance.

In a third conception, the primary purpose of the regional security organization is the enhancement of the security of member states through cooperation and collective action in the political-security field writ large. Such types of organizations appear to share two major attributes: 1) broad and inclusive membership, either at the regional or sub-regional level, and; 2) consensualism. The OSCE - a bit of a hybrid since it is now a recognized Chapter

actively supported the UK instead. This effectively sounded the death-knell of the treaty and it is now largely considered to be a Cold War relic. Probably of more relevance for the Americas today are new OAS norms regarding democracy. OAS objectives and statutes were recently modified - through the 1991 'Santiago Commitment to Democracy' and the 1992 Washington Protocol - to allow the organization and its collective membership to assume greater responsibility for defending democratic regimes in the hemisphere.

VIII organization - shares the above characteristics and can be considered the original grouping of this kind. ASEAN, with its long and incremental development towards the formation of a pluralistic security community, also exemplifies this type of organization. Other similar structures and processes are developing regionally. For instance, the new Association of Southern African States (ASAS) will replace the Frontline States (FLS) as the major political-military structure in Southern Africa. The proposed Conference on Security and Cooperation in the Mediterranean (CSCM) - which may or may not move forward depending on the results of the Middle East Peace Process (MEPP) and the resolve of southern European states - could also belong to this category.⁷ And of course the MEPP itself, which is predicated on a multi-dimensional and inclusive concept of regional security, will probably lead to some institutionalization of conflict prevention and confidence-building functions.⁸

It cannot be over-emphasized that the latter type of bodies or groupings reflect the *regional* consensus on political-security issues rather than UN vision of how regional security should be built or organized.

The normative framework

Chapter VIII of the UN Charter, which has a complex and somewhat chequered history, provides the normative framework for the role of regional 'arrangements and agencies' in the maintenance of international peace and security, along with articles 33 and 37 of Chapter V. Chapter VIII lays out the following principles of action:

- regional organizations should make every effort to achieve pacific settlement of

⁷ The case for the creation of a Conference on Security and Cooperation in the Mediterranean (CSCM) was put forward by France, Spain, Italy and Portugal in 1991, just after the Gulf War. European interest on Mediterranean issues is extremely high at the moment. The EU, for example, is developing a Mediterranean strategy; the WEU is looking towards the Mediterranean as one of its main areas of operation; NATO has recently opened a Mediterranean dialogue process; even the OSCE has demonstrated interest in the area by holding a Mediterranean security seminar in Egypt.

⁸ It is expected that the Arms Control and Security (ACRES) working group of MEPP will decide on the establishment of three regional security centres. A first centre, based in Jordan, would act as a regional security centre and develop an OSCE-like communication/early-warning network. A second centre, based in Tunis, would deal mainly with naval and other sea-related issues. A third centre, based in Qatar, would elaborate measures for the advance notification of regional military manoeuvres and the exchange of other confidence-building information.

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

UN Security Council to consider seriously a preventive intervention in Burundi.

Regional organizations have shown more reluctance than the UN to move on this issue. Nevertheless there has been movement among some of the major regional bodies. There are clear indications, for example, that OAS and OAU orthodoxy have been shaken off. Dealing with internal conflict is now the first priority of the recently established OAU Mechanism for conflict prevention, management and resolution; and the OAS has changed its statutes so that it can assume greater responsibility for protecting democratically elected governments in the Western Hemisphere. The OSCE, of course, has developed quite an elaborate array of mechanisms to deal with internal situations related to national minorities and human rights and it has demonstrated its institutional usefulness in many situations.⁹ It is clear, however, that crisis resolution and stopping shooting wars are not its strong points.

It is doubtful whether regional bodies command the authority and legitimacy to override state sovereignty without some measure of consent from belligerent parties. In the one obvious relevant and recent case, ECOWAS, which was not granted a UN mandate for its muscular 1990 "peacekeeping" intervention in Liberia, acted without the consent of the most powerful Liberian military faction. Although it later received the mantle of UN legitimacy through financial contributions and the presence of UNOMIL, the Nigerian-led ECOWAS force in Liberia (ECOMOG) never fully recovered from this original sin and suffered from a perceived lack of impartiality throughout its troubled stay in the country.

In the overwhelming majority of recent cases where regional bodies have gotten involved in the regulation and resolution of internal conflict, they have done so with the partial or full consent of belligerent parties under preventive diplomacy, conflict stabilisation or mediation/conflict resolution mandates. Often this has imposed severe limitations on their ability to play an effective third-party role, be it mediatory or observatory. In other cases, consent and quiet diplomacy was exactly what permitted small successes and breakthroughs. The degree of influence of regional organizations seems to have been determined by three principal factors:

- 1) the type of conflict (ethnic/religious, political /constitutional, non-violent/violent);
- 2) the extent to which the parties in the area of tensions are amenable to exterior influence, and;

⁹ For instance, the High Commissioner on National Minorities (HCNM), the Human Dimension (Moscow) Mechanism, the Consensus minus one rule, the OSCE Code of Conduct, the Emergency Meeting Mechanism, Long term OSCE missions, etc.

3) the perceived political weight of missions sent to deal with the problem.

In these turbulent times, looking for a hard bottom line on the sovereignty issue might be like pursuing the Holy Grail. At issue should be whether there is a duty rather than a right to intervene. We already know there can be a *droit d'intervention* under certain conditions.

Organization, finances and decision-making processes: boring but crucial

Organizational and financial aspects of regional bodies have an obvious impact on their effectiveness and constitute a major determinant of their conflict management potential. Rather than being secondary issues financial considerations act as a major determinant of the type of activities regional bodies can plan for and undertake. The critical state of the OAU's finances gives an idea of the problems some of these organizations face. Out of a 1994/1995 OAU regular budget of US \$26.7, million a sum of only \$3.5 million had been received from member states by the OAU secretariat by December 1994. Moreover, as of December 1994 the sum of arrears of contributions due from member states represented more than two consecutive assessed regular budgets of the organization.¹⁰ Even if the OAU's financial situation has since improved somewhat, the fact remains that any discussion of a potential OAU role in conducting peacekeeping operations has a distinctly academic flavour given the considerable costs of such operations.

Adequacy of financial or logistical resources is not the only issue. Regional leadership, expressed through the stabilizing influence of a few important and responsible countries, also constitutes an objective condition of success. Needless to say, decision-making processes and institutional power of initiative are extremely significant in this respect. Many regional bodies have slow, sometimes byzantine decision-making processes and some advocates of stronger regionalism have lamented the absence of regional security councils or more executive form of decision-making bodies within regional bodies. There can be two sides to this issue. The consensus rule in the OSCE, for example, can be cumbersome, but on the other hand, once a decision is taken, no member state can claim that it was taken against its will. This has helped the OSCE in looking into intra-state conflict since no state can deny that it consented to that role. On the other hand the absence of more executive decision-making processes means that regional bodies are often slow to react effectively to emerging situations requiring political imprimatur and urgent action.

¹⁰ Salim Ahmed Salim, OAU State of the Continent Address to the Council of Ministers, Addis Ababa, 23-27 January 1995.

The degree to which each organization or body is transparent in its operations and accountable to member states will also affect how effective the organization will be. Its credibility with member states and, therefore, the support they give it, will depend on its ability to function openly and to govern itself accountably.

Formal institutions or looser arrangements?

In recent years, ad hoc peace processes have often substituted for formal action through regional bodies. In many cases, this has taken the form of action through "Contact Groups", "friends of the Secretary General" or "elder statesmen" groupings. The main advantage of such approaches is that they can potentially provide states interested in peacemaking with a framework for coordination when institutional approaches are insufficient or deadlocked.¹¹ In other cases regional and sub-regional bodies not formally endowed with peace and security mandates have played a leading role. Given that such non-institutionalized processes have often led to conflict resolution successes in the past (e.g. Namibia, Central America, Cambodia) we should encourage flexibility and effectiveness of approach rather than insist on confining problems to pre-packaged institutional solutions.

In doing so, however, we also have to be aware of the limitations and drawbacks of such approaches. First, at the regional level there is a danger of a reassertion of zones of influence and a corresponding loss of international oversight. The international community has to ensure that regional peacekeeping interventions comply with UN Charter principles and other fundamentals of international law. In particular, it needs to pay attention to humanitarian needs, human rights and respect of the principle of minimum effective force when resort to force is unavoidable. Second, in complex cases of conflict management, the existence of a multiplicity of interested groupings can cause confusing "background noise". The role played by the Organization of the Islamic Conference (OIC) in Bosnia, for instance, exemplifies how such coalitions can turn into influential lobby groups. Third, although ad hoc groupings have played an effective peacemaking role in some recent conflicts, the burden of implementing peace accords overwhelmingly rests on the shoulders of international institutions, chief among them the UN and its specialized agencies.

The 'proximity to conflict' issue

Theoretically, the greatest strength of regional organizations lies in their interest in

¹¹The "elder statesman" approach, which for a host of reasons has been particularly popular in Africa, can also be considered an ad hoc peacemaking technique. However, experience has demonstrated that while such an approach is sometimes useful in initiating a mediation process, preventing a specific situation from worsening or brokering temporary ceasefires, it seldom leads to comprehensive and durable peace agreements.

and knowledge of local conditions - their "proximity" to conflict. In effect this is the fundamental regionalist thesis: regional problems, regional solutions. Since the conflict is literally in its backyard, the organization should be better able to gain the political, and with it, the financial commitment of its members states needed to deal with conflict.

In practice, however, the value of this "proximity" varies. Members of the organization may not be neutral among the parties to the conflict, thus complicating the search for a solution. Some members may be more interested in pursuing the role of regional hegemon than in resolving disputes. Finally, some regional organization members may lack the resources to contribute to the search for peace, no matter how strong their motivation to do so. Despite these drawbacks, in certain cases there are no effective alternatives to a regional or sub-regional mediation process. One very good example of this is the Inter-Governmental Agreement on Drought and Desertification (IGADD) mediation process in the Sudanese conflict, one of Africa's longest running civil wars. Endorsed by an international 'Friends of IGADD' committee, it represents the most serious attempt to settle the conflict in that country in years.

The physical reality of "proximity" varies also. Some organizations have an enormous geographic reach: the OSCE, for example, stretches from Vancouver to Vladivostok and encompasses 53 states; similarly the OAU covers a continent of 53 states.¹²

Peacekeeping and enforcement: tasks for regional organizations?

The *Supplement to the Agenda for Peace* makes a clear distinction between Chapter VI and Chapter VIII operations. Given the major problems experienced with Ch. VII mandates in Somalia and Bosnia-Herzegovina, the Secretary General has come to the conclusion that, at present, enforcement actions are 'beyond the capacity of the United Nations except on a very limited scale', a statement that is not likely to be disputed.¹³ Given that one of the expectations of the original *Agenda* was that regional organizations should become involved in the field of peace operations, should we expect regional organizations to take on peacekeeping and enforcement tasks?

¹² For comparison purposes, more states belong to the OAU and the OSCE today than to the UN at its foundation in 1945.

¹³ Boutros-Ghali, Position Paper - A Supplement to An Agenda for Peace/Executive Summary, 5 January 1995, p. 4.

Many options have been proposed in order to improve the effectiveness of the UN in implementing and enforcing Security Council decisions, and the effectiveness of regions and regional institutions in response to security problems and crises in their backyard. The singular success of the United States in forming a politically viable multinational force during the Gulf War led to proposals that the UN should 'contract out' major military operations to multi-national coalitions or regional organizations. For its part, in 1992 NATO formulated a broad 'inter-locking institutions' concept for European security. These proposals have informed much of the discussion on regional organizations at the UN and in Western capitals; and to some extent they have also percolated down to some regional institutions, notably the OAU.

Debate on such ideas, however, has been so far inconclusive. There is now a much better understanding of the practical and political problems associated with the subcontractant option and certainly a much more acute appreciation of the fact that institutional development is a necessary but insufficient condition to more effective regional crisis management. High amongst the outstanding difficulties is the basic fact that most regional organizations do not have the financial resources or the political-military machinery to put together, command and control even small peacekeeping contingents for a significant period of time, let alone more heavily armed formations.¹⁴ In that respect the ECOMOG mission in Liberia should be seen more as an exception than a clear indication of future trends in the developing world.

Of existing regional structures, only NATO, and to a marginal extent the Western European Union (WEU) - both of which are *not* Chap. VIII organizations - have the military potential and organization to play a significant and effective role in peacekeeping and/or enforcement in support of the UN or the OSCE.¹⁵ Events in the Former Yugoslavia have

¹⁴ This is not to say that Chapter VIII organizations have no experience of peacekeeping or peace observation. The Arab League, with its Arab Security Force in Kuwait (1961-1963), was the first regional organization to mount a regional peacekeeping operation. The OAS and the OAU were both also involved in a limited number of small-scale operations during the Cold War. On the whole, however, the peacekeeping experience of the regional during the Cold War demonstrated that they could not sustain operations for very long nor did they always follow core UN peacekeeping principles (i.e. impartiality, consent and non-use of force).

¹⁵ It should be pointed out here that at the Helsinki Summit of July 1992, CSCE - now OSCE - members created a permanent Forum for Security Cooperation (FSC) and approved measures empowering the OSCE to actively take on conflict prevention tasks. As for peacekeeping tasks, the original concept was that NATO or the WEU would fulfil peacekeeping mandates negotiated under the aegis of the OSCE. In the case of the latter activity it seems the situation is evolving in a different manner than expected. Under an OSCE military advisory group called the High Level Planning Group (HLPG) the OSCE is now in the final planning stages

raised serious doubts as to the political effectiveness of NATO's existing machinery for non-collective defense tasks, however. Not only have the difficulties of political-military coordination between the UN and NATO been a source of tension at the political and military level, but NATO members are also beginning to acknowledge that the Alliance's military structures - essentially designed for collective defense - may not be completely compatible with crisis management or contingency operations. Obviously, a leading NATO role in post-UNPROFOR Yugoslavia would create a *sui generis* situation for the Alliance, compelling it to re-evaluate its pan-European security role at a time of tremendous pressures to expand eastwards.

A second factor which militates against the generalised use of regional organizations in fulfilment of UN mandates is that there are no precedents for UN assessed contributions financing non-UN commanded operations, be they in the form of multinational coalitions or through regional organizations. Given the prevailing mood at the UN, it is highly unlikely that UN member states would agree to pay on an assessed basis for NATO/WEU operations in the Former Yugoslavia, for Russian/CIS peacekeeping operations within the CIS, or even for a small OAU peacekeeping force in Central Africa.¹⁶ There are therefore major structural impediments to the contracting out option.

On the other hand, although the inter-locking institutions rhetoric has been worn out considerably by the inability of the West to act with unison in Bosnia, there are some interesting developments in the Atlantic Alliance which deserve mention. Since early 1994 NATO has been considering the concept of Combined Joint Task Forces (CJTF) as a means to: 1) facilitate contingency operations for non-Art. V (collective defense) missions, and; 2) promote the European Security and Defense Identity (ESDI), notably through possible

for mounting a peacekeeping operation in Nagorno-Kharabak. However, there remain serious doubts as to the viability of such an operation. Thus far the warring parties on the ground have shown little genuine interest in an internationally negotiated settlement. Moreover, the OSCE simply does not have at present the organic political-military and C3 structures capable of managing and sustaining a large peace support operation of the kind envisaged nor have the composition, logistical and financial arrangements of the operation been fully agreed to.

¹⁶ The addition, by SC Res 998 (16 June 1995), of the Rapid Reaction Force (RRF) to UNPROFOR's battle order in Bosnia demonstrates this problem. The P-5 did not initially agree to a financing formula for the force and it is unlikely that UN members will want to pay for it on an assessed basis. The RRF, therefore, will be financed by its direct participants (Fr/UK/Neth.) and by the United States. The operating cost of the German *Tornado* attack and reconnaissance planes sent to northern Italy in July 1995 in support of the RRF will presumably be borne in full by Germany.

transfer of assets to the WEU for the implementation of CJTF mandates. Such missions could include peacekeeping, humanitarian or enforcement operations under UN or OSCE authority. Although the development of the CJTF concept has now stumbled over some problems, notably an NATO/WEU split over a NATO veto on transfer of military assets and the reluctance of some major NATO countries to consider CJTF's for Art. 5 missions, it is expected that present discussions will eventually come to fruition. In fact, it may well be that the Rapid Reaction Force (RRF) assembled by France, the UK and the Netherlands in order to protect UNPROFOR troops will turn out to be a first live experiment with a CJTF-like concept and, one should note, an entirely European one. Given the virtual American veto over NATO actions in Bosnia and European frustration over U.S. policy in the Former Yugoslavia it is more than likely that the European members of the Alliance will demand more access to, if not control of, common NATO military assets and structures in the future.

When to most effectively play a role?

Past and recent experience have demonstrated time and again that the UN invariably gets involved in the most complex situations. The actual usefulness of regional organization appears to lie at the lower end of the conflict spectrum. Regional organizations, therefore, should seek to develop a comparative advantage in early warning and prevention of conflict since they are physically and culturally closer to the ground, and more likely to pick up the first tremors indicating that trouble could be on its way. In any case, the UN should be a "back-up" if and when regional efforts fail.

In dealing with actual conflict, however, it may be that in some cases the UN, with its universal role and more developed conflict management structures, is better-positioned to intervene in an impartial way - at least if there is to be any mobilization of force (may they be peacekeepers or peace enforcers). Given the diversity of organizations and regional capabilities that exist, however, generalizations on the regional theme can be misleading. Each case must be evaluated on its own merit and regional frameworks should not be evaluated against each other but rather against the particular problem they are contributing to resolve.

The division of labour and coordination issues: highly consequential

In some parts of the world, several regional or sub-regional organizations can potentially play a role, and everywhere the UN has some role. An appropriate division of labour, therefore, is essential to avoid overlap, gaps, and institutional rivalry. Ideally, regional bodies should take the lead in early warning and conflict prevention, keeping the UN informed. If conflict escalates, they would pass the problem to the UN Security Council, demonstrating to local combatants that there is now a more universal interest in

seeing the conflict resolved.

The above represents an ideal situation, one based on Chap. VIII principles of action. However, political inertia, organizational deficiency and institutional rivalry have often prevented such a division of labour from developing in the past. Therefore, taken at face value, the case for improved inter-institutional cooperation appears to be a compelling one. But it should also be recognized that such cooperation may simply not be possible, and maybe not militarily practical or politically advantageous, in all contexts.

Two current examples have highlighted the importance of this issue. The heated debate over UN/NATO 'dual key' arrangements for authorizing airstrikes in support of UNPROFOR illustrates the disconnect that can arise from the UN's quasi-absolute need to maintain political neutrality and the military imperatives of a deteriorating situation on the ground. In the aftermath of the July 1995 London Conference on the situation in Bosnia, considerable confusion arose over the issue of command authority for the launch of NATO airstrikes. Under pressure from the United States and other Western allies to do away with the 'dual key' after the fall of the UN safe areas of Srebrenica and Zepa, the UN Secretary General reluctantly agreed to delegate the authority to sanction airstrikes held by his political representative in the Former Yugoslavia to the overall UN theater commander. A further shift in authority occurred following the UN decision to withdraw from Gorazde when the NATO commander in southern Europe (CINCSOUTH) was discreetly awarded even greater latitude in conducting air strikes. The experience of the preceding two years had demonstrated that the previously adopted coordination arrangements were simply not contributing effectively to the enforcement of Security Council resolutions.¹⁷ Another current example of the importance of the institutional coordination issue is the absence of the Arab League in the Middle East Peace Process (MEPP). It is a telling illustration of how a regional organization is sometime the wrong regional body to solve a problem. In that instance the Arab League – a regional institution which has never had a particularly favourable disposition towards Israel – was widely recognized by all parties as an

¹⁷ By SC Res 836 (4 June 1993) the UN Security Council had decided that Member States, acting nationally or through regional arrangements, might take, under its authority, all necessary measures, through the use of air power, in and around UN safe areas, to support UNPROFOR. SC Res 816 (31 March 1993) had already empowered NATO to enforce a ban on military flights to cover flights by all fixed-wing and rotary-wing aircraft in the airspace of Bosnia-Herzegovina. In the case of the latter it was recognized that operational effectiveness dictated that NATO commanders, rather than the UN, have command authority for air intercepts. On the other hand, the UN insisted that its special representative in the Former Yugoslavia, or in certain cases the Secretary General himself, should have the last word on NATO close air support missions or more important strike missions, rather than UNPROFOR commanders on the ground or NATO military commanders, hence the 'dual key'.

inappropriate forum to address the issue. An *ad hoc* multilateral process was adopted by the parties as a better, more flexible solution.

Another limiting factor for regional bodies is that there is often little or poor coordination between them and non-political regional or international bodies such as international or regional financial institutions, humanitarian agencies and NGO's. This is especially true of regional organizations in the developing world. Often this poses severe limitations on the regional organization's ability to manage certain situations, notably complex humanitarian crises which require rapid mobilization of resources and capital on short notice.

Experience has demonstrated that in many cases where the UN and regional organizations are working together (e.g. Haiti, Burundi), the UN will overshadow the role played by the regional body. More often than not, belligerents regard the UN as the organization which carries more political weight and that acts more neutrally and legitimately. Far from being a drawback, this can sometimes be turned to an advantage. Regional bodies can use such situations to develop function-specific niches (e.g. elections monitoring, human rights observation) and acquire experience in the peace and security field which in the longer- term will increase an organization's potential. In Haiti, this is exactly what the Caribbean Community (CARICOM) is now doing. It has contributed a contingent to UNMIH II and has been given responsibility for an entire sector while remaining under overall UN command.

It is uncertain, however, whether all regional organizations can play a leading role in the post-conflict phase, as it is sometimes claimed. Some regional organizations and bodies have strengths and capabilities in areas such as human rights and election monitoring which can directly contribute to the strengthening of civil society and democracy. But one of the major impediments to their greater and more effective role in the post-conflict reconstruction of societies and countries is the weakness of the financial and economic instruments at their disposal. The development of more responsive institutions and better coordination among regional bodies, the UN and the donor community (including international financial institutions) will remain vital in that respect. Another major difficulty often lies with the relatively short attention span regional bodies can effectively dedicate to one particular problem once the violent manifestations of conflict have abated. Burdened as it is by countless urgent situations, the OAU, for example, can ill afford to 'walk, talk and chew gum' at the same time. It can, at best, focus simultaneously on very few problems.

There is a small but very significant statement in the *Supplement to the Agenda for Peace* on this important issue. In the *Supplement*, the UN Secretariat has identified 5 areas where regional organizations of all types and the UN can work together, thereby broadening

the scope for institutional cooperation (another one was later added to the list by the UN Department of Peacekeeping Operations). These are: 1) consultation; 2) diplomatic support; 3) technical support; 4) operational support; 5) co-deployment; 6) joint operations.¹⁸ These modes of cooperation, which have never been stated as clearly in the past, reflect already existing practice. This may very well constitute the real base of a future division of labour between the UN and regional bodies in the peace and security field.

Developing regional leadership

The regionalization of security politics occurring today is putting much greater responsibility on regional levels of decision, national or institutional. Yet any discussion about regionalism and security must acknowledge the often shallow nature of multilateralism in the developing world, both in the economic and the security area. There have been too many failed or weak regional institutions in Africa, the Middle East, Latin America and Asia to embark again on the wholesale promotion of ineffectual structures, regional or global in scope. Conditions under which multilateralism can successfully deal with conflict must be better understood and a pragmatic outlook must be kept in mind when addressing the issues.

Since it is almost axiomatic that multilateral institutions are only as effective as their members allow them to be, the development of regional leadership on peace and security issues constitutes a cornerstone of any strategy designed to increase regional conflict management capabilities. However, in doing so, interested states and institutions should avoid imposing security agendas or models from the outside and work cooperatively with the right partners and institutions in order to strengthen regional conflict management capabilities.

Conclusion

On the whole, the recent record of regional bodies in conflict management is

¹⁸ In *Supplement to Agenda for Peace* terminology, co-deployment consists of deploying a UN field mission in conjunction with that of another organization or grouping (e.g. ECOMOG and UNOMIL in Liberia, UNOMIG and the CIS Force in Georgia), whereas joint operations consists of jointly staffing, directing and financing field missions (e.g. THE UN/OAS civilian mission in Haiti (MICIVIH) during UNMIH I in 1993). The category 'technical support' was not originally included in the 1995 *Supplement*. It was added later by the UN in a speech by the Asst Sec.-Gen. for Peacekeeping Operations given to SHAPE/NATO officers in April 1995. It refers to technical support as technical advice provided by the UN to regional organizations planning to undertake PKO's, or who wish to improve the PKO capabilities of their member states.

unimpressive and the rhetoric of regionalism remains far ahead of its actual accomplishments in this field. The present structural and operational weaknesses of regional organizations - while not immutable - are unlikely to change dramatically in the near future. As the UN itself has discovered since the Cold War, the transition from being a rule-making institution to one devoted to more operational activities in the fields of security and humanitarian affairs involves a degree of preparation, organization and professionalism far superior than in previous times. Regional bodies will have to confront this situation as well as they move towards greater involvement in these issues.

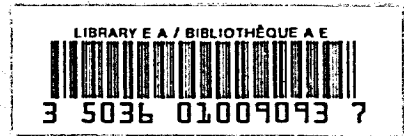
As a major promoter of security-related regionalism since 1992, the UN has played an important role in trying to enhance the role of regional bodies. In August 1994 it held the first ever summit between regional organizations and the UN. Moreover, the *Supplement to the Agenda for Peace* has also made an important contribution to furthering the understanding of the regional option while at the same time injecting some needed pragmatism in the debate. There are signs, however, that UN members are losing interest in this issue. One of the results of the *Supplement* had been the establishment of a UN working group on the follow up of the document. The group was later sub-divided into four sub-working groups which were to study different aspects of preventive diplomacy and peacemaking, coordination (role of regional organizations), post-conflict peace-building, and sanctions. This process is now stalled as it seems G77/NAM (non-aligned movement) countries are showing little enthusiasm for more prolonged discussions on peace and security issues at the UN. They perceive that the UN development agenda has been neglected compared to UN efforts in the peace and security field.¹⁹

Regional organizations and groupings carry potential which needs to be exploited more effectively, particularly since the UN is barely able to sustain its present commitments to conflict prevention and peace support operations. Obviously more active and effective involvement from regional actors and institutions in the prevention, management, and resolution of regional conflict would constitute a much needed complement to UN efforts. However, if there is an inescapable bottom line on this issue it is that the primary responsibility for ensuring the effectiveness of regional bodies lies with their membership.

The following are a few suggestions to move the present debate forward:

¹⁹ This is not an entirely inaccurate perception when one considers the evolution of UN budgetary outlays between 1990 and 1994. The peacekeeping budget of the UN increased more than tenfold during this period whereas the general budget, which deals with social and economic programs as well as general UN administrative expenses, essentially stagnated as a result of the zero-growth policy insisted upon by industrialised countries.

- acknowledging both the value of regional organizations, especially in early warning, and their limitations which stem from differing histories, mandates and resources;
- stressing that regional bodies' effectiveness will ultimately depend on the degree of engagement of their members' political will. At a time when the UN is overburdened, solutions will often have to rest on regional and local leadership on conflict management issues;
- emphasizing that the goal is resolving real or potential conflict, not institution-building. The most effective instrument for solving the problem should be supported, whether a formal organization, an ad hoc grouping or some other arrangement;
- encouraging the appropriate division of labour among the regional bodies and the UN. To this end, there should be more coordination between their secretariats and other internal agencies and units;
- stressing that regional organizations take an integrated approach to resolving conflict, one which helps to mobilize diplomatic, economic and other resources and is not unduly focused on peacekeeping/military resources;
- insisting that all conflict-related activities, including enforcement action, be consistent with international law, including the UN Charter. In this connection, it should be emphasized that regional organizations should not be used as a cover for the assertion - or re-assertion - of local hegemony by a dominant regional power;
- developing or enhancing regional leadership with a view to establishing working partnerships with selected countries and institutions on peace and security issues;
- coordinating international support and approaches to regional bodies, to avoid duplication of efforts and, among other things, to emphasize the importance of transparency and accountability within regional bodies.



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