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# **UN-EU cooperation in peace and security in the 21<sup>st</sup> century: development of structural relationship**

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## **Abstract**

The purpose of this paper is to explore the development of UN-EU cooperation in peace and security and its present and prospective contribution to the maintenance of security in the 21<sup>st</sup> century. Both the UN and the EU faced severe reality regarding their inability to solve the series of violent conflicts that erupted through 1990s. While the UN worked hard to improve its own peace keeping capacity, it also started to seek cooperation with regional organisations. The EU has also taken significant step to develop itself into an autonomous crisis management body. The cooperation between the UN and the EU has been stimulated through these developments within both organisations. Significantly, the EU has recently obtained the enhanced status within the UN General Assembly, reflecting the UN and its member states' recognition of the EU's developing global role. The paper will attempt to draw a comprehensive picture of UN-EU cooperation, covering the legal, historical and structural aspects of the relationship. It will firstly examine in general terms the increased cooperation between the UN and regional organisations in the maintenance of peace and security in the post-Cold War era. It will also provide not only the legal basis of such cooperation but also the detailed description regarding the development of the UN-regional organisation cooperative mechanism. The paper then provides an overview of the emerging structural cooperation between the UN and the EU. Concluding remarks will focus on some of the assets and shortcomings of this cooperation.

## 1. Introduction

The post-Cold War security environment has presented international organisations with increasing demands for peace operations in complex security situation at local and regional level. Faced with the increased demand for peace operations, both the EU and the UN learned hard lessons. The emergence of consecutive conflicts in its neighbouring area dramatically exposed the EU's inability to manage regional conflicts. The UN went through similar difficulties as it was unable to prevent the major crises in such areas as the former Yugoslavia and Rwanda. Moreover, the emergence of truly global problems such as climate change, proliferation of weapons of mass destruction and many others has led to an increasing paradox of security governance, as 'the policy authority for tackling global problems still belongs to the states, while the sources of the problems and potential solutions are situated at the transnational, regional, or global level'.<sup>1</sup>

The UN has worked hard to improve its capacity in crisis management. The Department of Peacekeeping Operation (DPKO) has been transformed extensively based on the recommendations made in the Brahimi Report.<sup>2</sup> Moreover, the UN has repeatedly appealed to regional and sub-regional organisations for assistance to meet the increasing demand for peace operations, as noted in the 1992 *Agenda for Peace*,<sup>3</sup> and numerous consequent documents ever since.<sup>4</sup> In the meantime, the EU also started to develop its peacekeeping capacity from mid-1990s onwards. Consequently the European Security and Defence Policy (ESDP) was revitalised as part of the EU's Common Foreign and Security Policy (CFSP), setting ambitious capacity-building goals in order for the Union to develop into an autonomous crisis management body. The cooperation between the UN and the EU has been

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<sup>1</sup> See Ramesh Thakur and Luk Van Langenhove, 'Enhancing Global Governance through Regional Integration', *Global Governance: A Review of Multilateralism and International Organisations*, vol.12, no.3 (2006), pp.233-240.

<sup>2</sup> UN Doc. A/55/305-S/2000/809, *Report of the Panel on United Nations Peace Operations* (21 August 2000).

<sup>3</sup> UN Doc. A/47/277-S/24111, *An agenda for peace: preventive diplomacy, peacemaking and peace-keeping* (17 June 1992)

<sup>4</sup> Among which: A/RES/49/57, *Declaration on the enhancement of Cooperation between the UN and Regional Arrangements or Agencies in the Maintenance of International Peace and Security* (9 December 1994); S/1995/1, *Supplement to the Agenda for Peace* (25 January 1995); A/RES/49/57, *Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security* (17 February 1995); A/50/571, *Report on Sharing Responsibilities in Peace-Keeping: The UN and Regional Organizations*, Joint Inspection Unit, (17 October 1995); S/RES/1631, *Cooperation between the United Nations and regional organizations in maintaining international peace and security* (17 October 2005), which was the first Security Council resolution on UN-Regional organisations cooperation; A/61/204, S/2006/590, *A Regional-Global Security Partnership: Challenges and Opportunities: Report of the Secretary-General* (28 July 2006); S/2008/186, *Report of the Secretary-General on the relationship between the UN and regional organizations, in particular the African Union, in the maintenance of international peace and security* (7 April 2008).

stimulated through these developments within both organisations. The EU could provide the UN with the necessary capabilities to fulfil its complex tasks, thus considerably lightening the latter's financial and logistical burden. On a political and strategic level, the EU's dedication to the UN is encapsulated in the doctrine of 'effective multilateralism', which constitutes a cornerstone of the European Security Strategy (ESS), adopted in 2003 and reviewed in 2008.<sup>5</sup> In this context, the EU accorded overwhelming attention to the UN and its principles in its new treaties. In fact, the UN is referred to not less than 19 times in the current EU treaties (including the Protocols and Declarations).<sup>6</sup> From 2003 onward, the two organisations started establishing a more structured relationship through the conclusion a *Joint Declaration on UN-EU Cooperation in Crisis Management* and the subsequent creation of a joint consultative mechanism.<sup>7</sup>

This paper explores the development of UN-EU cooperation in peace and security and its present and prospective contribution to the maintenance of security in the 21<sup>st</sup> century. It will firstly examine in general terms the increased cooperation between the UN and regional organisations in the maintenance of peace and security in the post-Cold War era. The paper then provides an overview of the emerging structural cooperation between the UN and the EU. Concluding remarks will focus on some of the assets and shortcomings of this cooperation.

## **2. UN-regional organisational cooperation in peace and security**

### **2.1. The UN Charter and inter-organisational peace operations**

Chapter VIII of the UN Charter endows regional organisations with a special role with regard to the maintenance of peace and security. While Article 52 allows them to take initiatives for the peaceful settlement of disputes within their region, Article 53 mentions the possibility to undertake enforcement actions provided that these are authorised by the Security Council accordingly.<sup>8</sup> However, the original concept of encouraging regional organisations to

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<sup>5</sup> *A Secure Europe in a Better World, European Security Strategy* (12 December 2003), available at [<http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>]. *Report on the Implementation of the European Security Strategy, Providing Security in a Changing World* (11 December 2008), available at [[http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/reports/104630.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/reports/104630.pdf)].

<sup>6</sup> See Steven Blockmans and Ramses A Wessel, 'The European Union and Peaceful Settlement of Disputes in its Neighbourhood: the Emergence of a New Regional Security Actor?', *The European Union and Global Emergencies : A Law and Policy Analysis. Modern Studies in European Law* (26). Hart Publishing, p.77.

<sup>7</sup> 'Joint Declaration on UN-EU Cooperation in Crisis Management' (New York, 24 September 2003).

<sup>8</sup> The significance and the legal implications of Chapter VIII have been extensively analysed by a number of scholars including: Bruno Simma (ed.), *The Charter of the United Nations: A Commentary* (Oxford: Oxford University Press, 1995); Ademola Abass, *Regional Organizations and the Development of Collective Security: Beyond Chapter VIII of the UN Charter* (Oxford and Portland OR: Hart Publishing, 2004); Leland M. Googrish,

function under the general guidance and control of the UN suffered a severe setback for most of the Cold War. As Haas concluded, the relationship between the UN and regional organisations during the Cold War remained competitive, rather than cooperative.<sup>9</sup>

This situation changed dramatically in the early 1990s, as a growing demand for peacekeepers plunged the UN into highly complex and expensive operations. Moreover, as operations in volatile regions such as Somalia suffered considerable losses, several UN member states began to perceive DPKO as unfit for the job and grew reluctant to provide troops. As a result, the UN turned to regional organisations for support.

Secretary-General Boutros-Ghali pointed out in his 1992 report, *An Agenda for Peace*, that cooperation with regional organisations could lighten the burden on the UN and contribute to a deeper sense of participation, consensus and democratisation in international affairs. He argued that regional organisations had a potential that should be utilised for preventive diplomacy, peacekeeping, peacemaking, and post-conflict peace-building.<sup>10</sup> This plea was repeated in the 1995 *Supplement to an Agenda for Peace*, in which Boutros-Ghali raised the possibility of diplomatic and operational support, co-deployment and joint missions.<sup>11</sup> The cooperation between the UN and regional organisations was enhanced especially under UN Secretary General Kofi Annan, who repeatedly called for a greater role for regional organisations in conflict prevention, management and resolution.<sup>12</sup>

While the demand for the UN has increased sharply, so has the number of regional organisations the UN could appeal to over the decades since its establishment in 1945 when the OAS and the League of Arab States were the only regional organisations existed. Moreover, several regional organisations gradually started to expand their scope of activities from collective defence (e.g. NATO, WEU) or economic cooperation (e.g. EU, ECOWAS) to

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'Regionalism and the United Nations', *Proceedings of the Academy of Political Science. The United States and the Atlantic Community*, Vol. 23, No. 3 (May 1949), pp. 47-56; Norman J. Padelford, 'Regional Organizations and the United Nations', *International Organization*, Vol. 8, No. 2 (May 1954), pp. 203-216; Gerhard Bebr, 'Regional Organizations: a United Nations Problem', *The American Journal of International Law*, Vol. 49; No. 2 (April 1955), pp.166-184; Asbjorn Eide, 'Peacekeeping and Enforcement by Regional Organizations: Its Place in the United Nations System', *Journal of Peace Research*, Vol. 3, No. 2 (1966), pp. 125-145; R. A. Akindele, *The Organization and Promotion of World Peace: A Study of Universal-regional Relationships* (Toronto: University of Toronto Press, 1976); Kennedy Graham and Tania Felicio, *Regional Security and Global Governance* (Brussels, VUB University Press, 2006).

<sup>9</sup> Ernst B. Haas, *Why We Still Need the United Nations* (Berkeley: Institute of International Studies, University of California, 1986), pp.29-34.

<sup>10</sup> UN Doc. A/47/277-S/24111, *An agenda for peace* (17 June 1992)

<sup>11</sup> UN Doc. S/1995/1, *Supplement to the Agenda for Peace* (25 January 1995)

<sup>12</sup> See, for instance, A/61/204, S/2006/590, *A Regional-Global Security Partnership: Challenges and Opportunities: Report of the Secretary-General* (28 July 2006)

the domain of conflict prevention and crisis management, without explicitly declaring themselves as regional organisations in the sense of Chapter VIII of the UN Charter.

In the similar vein, the Security Council in the post-Cold War era has started to authorise regional and inter-governmental organisations to undertake peace operations including enforcement actions on a number of occasions. The UN therefore cooperated with the OAU (Western Sahara, the Great Lakes region, Sierra Leone, Ethiopia, and Eritrea), with the ECOWAS (Liberia and Sierra Leone), and with the OSCE (the former Yugoslavia).

Regional peacekeeping and subcontracting of enforcement action inevitably led to the question as to what specific institutions meet the criteria to be considered as regional organisations in the sense of Chapter VIII of the Charter. The UN Charter does not provide a clear definition of regional organisations, but merely states that such organisations have the task of taking care of the peaceful settlement of disputes within their own regions (Article 52). Only a small number of organisations have explicitly identified themselves as Chapter VIII regional organisations, either in their constituent charter (e.g. the OAS)<sup>13</sup> or other document (the African Union)<sup>14</sup>, or in later declarations (e.g. the Arab league,<sup>15</sup> the OSCE<sup>16</sup> and the CIS<sup>17</sup>). Other organisations such as NATO and EU, have carefully avoided being qualified as such.<sup>18</sup> The former Secretary-General Boutros-Ghali maintained that the lack of precise definition of regional arrangements and agencies allowed ‘useful flexibility for undertakings by a group of States to deal with a matter appropriate for regional action’.<sup>19</sup> Indeed, the Security Council seems to have adopted a very pragmatic flexible approach and has started to

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<sup>13</sup> OAS Charter Article 1.

<sup>14</sup> AU Protocol, Article 17 (2).

<sup>15</sup> UN Doc. A/RES/48/21, *Cooperation between the United Nations and the League of Arab States* (22 November 1993).

<sup>16</sup> At the second Helsinki Summit, the Heads of State or Government declared the CSCE to be a regional arrangement in the sense of Chapter VIII of the United Nations Charter. See *CSCE Helsinki Summit Document 1992: Challenges of Change* (9 July 1992).

<sup>17</sup> In February 1994, in his capacity as chairman of the CIS Council of Foreign Ministers, Kozyrev formally requested that the CIS be granted observer status at the UN (Request made to UN Secretary-General Boutros-Ghali on 3 February 1994). The following month he called for recognition of the CIS as a ‘regional structure’ by European organisations such as the EU and the CSCE. See Roy Allison, ‘Peacekeeping in Soviet Successor States’, *Chaillot Paper* 18 (Paris: WEU Institute for Security Studies, February 1994).

<sup>18</sup> NATO’s Treaty makes no specific reference to Chapter VIII of the UN Charter, but is solely to be seen in reference to Article 51 of the UN Charter. While mandating or sub-contracting NATO within the framework of UN peace operations indicates NATO’s evolution beyond its original alliance character, NATO has made it clear on several occasions that its involvement in peace operations would be ‘on a case-by-case basis’. See also the note 55.

<sup>19</sup> *An Agenda for Peace* (1992). On the concept of regional arrangements and the competences of the Security Council in that respect see E. de Wet, ‘The Relationship between the Security Council and Regional Organizations during Enforcement Action under Chapter VIII of the United Nations Charter’ (2002) *Nordic Journal of International Law* 1–37; Th.J.W. Sneek, ‘The OSCE in the New Europe: From Process to Regional Arrangement’ (1994) *Indiana International & Comparative Law Review* 1–73

cooperate with the ‘able and willing’. Relevant Council resolutions sometimes refer to Chapter VIII, but on other occasions to Chapter VII. Moreover, the Security Council has sometimes avoided explicitly designating the organisations envisaged.

## **2.2. Contact between the UN Secretariat and regional organisations: high-level meetings**

Such a flexible approach was also applied to biennial high-level meetings between the UN representatives (including the Secretary-General) and representatives of regional organisations, the first of which was convened in 1994. Since then, seven such meetings have been held, and the number of regional organisations attending literally has doubled.<sup>20</sup> While the first four meetings focused on preventing armed conflict and strengthening the foundation of peace through global-regional cooperation,<sup>21</sup> the fifth meeting focused on terrorism, reflecting the changed security environment after the September 11<sup>th</sup> 2001 terrorist attacks on the United States.<sup>22</sup> These meetings allowed for the development of a framework for cooperation ‘based on the comparative advantages of global and regional institutions’, comprising modalities for conflict prevention and principles for peace-building.<sup>23</sup>

Preparations for the sixth meeting were more thorough than for previous ones. The purpose of this high level meeting was to discuss the findings of the Secretary-General’s ‘High-level Panel on Threats, Challenge of Change’<sup>24</sup> and his report *In larger freedom*<sup>25</sup> in particular the recommendations related to regional organisations. Thematic working groups

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<sup>20</sup> Whereas the first UN-regional high-level meeting held in 1994 was attended by 10 regional and other international organisations from across the regions, as many as 23 such organisations (secretariats) were invited to the seventh high-level meeting held in September 2006 including: Association of South-East Asian Nations (ASEAN); African Union (AU); Caribbean Community; Commonwealth of Independent States (CIS); Council of Europe; Commonwealth; Community of Portuguese-Speaking Countries; Collective Security Treaty Organisation (CSTO); Economic Community of Central African States (ECCAS); Economic Community of West African States (ECOWAS); European Union (EU); Intergovernmental Authority for Development; International Criminal Police Organisation (ICPO); League of Arab States; North Atlantic Treaty Organisation (NATO); Organisation of American States (OAS); Organisation of the Islamic Conference (OIC); Organisation internationale de la francophonie; Organisation for the Prohibition of Chemical Weapons (OPCW); Organisation for Security and Cooperation in Europe (OSCE); Pacific Islands Forum (PIF); Southern Africa Development Community (SADC); and the Shanghai Cooperation Organisation (SCO). See UN Press Release, Note No.6032 (18 September 2006). For the full list of the participating organisations in the UN-regional organisational high-level meetings from 1994 (1<sup>st</sup>) to 2005 (6<sup>th</sup>), see Kennedy Graham and Tania Felicio, *Regional Security and Global Governance* (Brussels: Brussels University Press, 2006), p.69.

<sup>21</sup> See UN Press Release, SG/SM/6658 (29 July 1998). The first high-level meeting on cooperation between the UN and regional organisations in peace operations was held on 1 August 1994. For the subsequent three meetings, see UN Press Releases, SG/2020 (12 February 1996); SG/SM/6658 (29 July 1998); SG/SM/7706 (6 February 2001).

<sup>22</sup> See UN Press Release, SG 2083 (28 July 2003).

<sup>23</sup> See UN Doc. A/60/341-S/2005/567 *Report of the Secretary-General on the work of the Organization* (8 September 2005), p.7.

<sup>24</sup> UN Doc. A/59/565, *A more secure world: Our shared responsibility* (2 December 2004)

<sup>25</sup> UN Doc. A/59/2005, *In larger freedom* (21 March 2005).

were established in order to have a more focused approach to coordination in areas such as peacekeeping, civilian protection, human rights, the dialogue among civilizations and disarmament. In addition, a Standing Committee was also created to initiate ideas, mobilize political will and monitor implementation of decisions taken. At the same time, the general principles for cooperation were reaffirmed, such as: UN primacy in all crises, a flexible and pragmatic approach in responding to crises, a clear division of labour between the universal and regional international organisations and regular consultations between the organisations. Also, the expansion of this work to counter terrorism was discussed.<sup>26</sup>

The seventh high-level meeting with regional organisations was held in September 2006. At the meeting, the Secretary-General called for a ‘new level of clarity, practicality and seriousness in their joint relations’ in tackling the myriad issues of global security.<sup>27</sup> This followed his remarks earlier to the Security Council calling for a more profound partnership with regional organisations. While acknowledging that progress had been made in strengthening the global-regional security partnership through successive high-level meetings, it was also recognised that much work remained to be done to make it fully operational. The principal challenges were the clarification of roles and assistance with capacity-building. Among several issues discussed, the delegates suggested that UN-regional organisational coordination should be made more effective by having clear guidelines. For example, the primacy of the Security Council in peace and security had to be looked at, while also having future meetings focusing on specific conflict situations with a balanced approach across all the regions.<sup>28</sup> Nevertheless, this process seems to be in decline and the UNDP unit responsible for organising the High-Level meetings has been dissolved in 2007. While the former UN Secretary General Kofi Annan tried to enhance UN-regional organisation cooperation in general, his successor Ban Ki-moon tends to put more focus on the cooperation between the UN and the African Union.<sup>29</sup> However, on 7 April 2008, the Secretary-General issued one of the most comprehensive reports on UN and regional organisations to date.<sup>30</sup> While the report addresses several contours of the relations between the UN and regional organisations, it

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<sup>26</sup> See UN Press Release, PI/1668 (21 July 2005)

<sup>27</sup> “Annan stresses ‘multilateralism and joint action’ at meeting on UN-regional cooperation”, UN News Centre (22 September 2006).

<sup>28</sup> UN Daily News, DH/4738, p.13 (22 September 2006).

<sup>29</sup> For instance, in September 2009, the Secretary-General set up an AU-UN panel to consider the modalities of how to support AU peacekeeping operations established under a UN mandate. See also UN Doc. A/63/666–S/2008/813 31 (December 2008). For a discussion, see Edith Drieskens, ‘Beyond Chapter VIII: Limits and Opportunities for Regional Representation at the UN Security Council’, *International Organizations Law Review* 7 (2010), pp.149-169.

<sup>30</sup> *Report of the Secretary-General on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security*, S/2008/186 (7 April 2008).

focuses on UN's relations with the African Union. The report was of significance in that it highlighted the need for 'more planned, consistent and reliable arrangements' for UN-regional organisational cooperation that would replace the present 'selective resource-skewed approach' to it.<sup>31</sup> In this context, the Secretary-General invited the Security Council, once again, to consider demarcating Chapter VIII regional organisations from the more amorphous ones. Such conceptual categorisation of regional organisations would also be beneficial in illuminating the rather obscure nature of the legal relations between the UN and regional and other international organisations. However, the politics within the Council did not serve favourably to the desire of the Secretary-General for a greater legal clarity. While the Council did not shut out potential collaborators in the context of Chapter VIII, it did not either express any will to drastically change the status quo enjoyed by some of its permanent member states.<sup>32</sup>

In January 2010, the Secretary-General hosted a High-Level Retreat under the theme of "Cooperation in Times of Crisis: crisis prevention and mediation".<sup>33</sup> 12 heads of regional and other international organisations were invited, and its agenda also included the informal forum where the participants could discuss issues of critical concern to their respective regions. Significantly, the Secretary-General raised some questions which go to the root of the relations between the UN and regional organisations. Among others, the Secretary-General emphasised the need to enhance compliance with Chapter VIII provisions. This is particularly of importance in the context of future operationalisation of Chapter VIII framework, as the Security Council has previously never evinced concern about the fact that regional organisations hardly kept the Council informed of actions they take or plan to take under Chapter VIII just as it had been, to all intent and purpose, content with 'welcoming' actions taken by regional organisations without its authorisation.

### **2.3. The Security Council and regional organisations**

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<sup>31</sup> *Ibid.*

<sup>32</sup> UN Doc. S/RES/1809 (16 April 2008).

<sup>33</sup> The participants in the High-Level Retreat included the heads of African Union Commission (AU), Caribbean Community, Economic Community of West African States (ECOWAS), European Commission (EC), Intergovernmental Authority on Development (IGAD), League of Arab States (LAS), North Atlantic Treaty Organisation (NATO), Organisation of Islamic Conference (OIC), Organisation for Security and Cooperation in Europe (OSCE), Pacific Islands Forum Secretariat (PIF), Southern African Development Community (SADC), and Shanghai Cooperation Organisation (SCO). The retreat was followed by the Security Council meeting, in which Mr. Ki-moon and the representatives of regional and other international organisations attended. See UN Docs. S/PV.6257 and S/PRST/2010/1 (13 January 2010).

The Security Council has also started convening their annual meetings with regional organisations from 2003 onwards, welcoming strengthened collaboration between the UN and regional organisations especially in conflict prevention, and stabilising war-torn states.<sup>34</sup> Significantly, interaction with regional organisations on the modern threats of terrorism and proliferation had already been on the agenda, as a result of the Council's two sessions in 2003, prior to its meeting with regional organisations.<sup>35</sup> Two months after the 2005 meeting, the Security Council had adopted its first resolution on working with regional organisations. That resolution expressed the Security Council's determination to take appropriate steps to further develop cooperation between the United Nations and regional bodies and invited the Secretary-General to report to the Council on the opportunities and challenges facing this cooperation.<sup>36</sup>

In September 2006, the Security Council meeting with regional organisations was held for the first time at the ministerial level. The statement by the President of the Security Council proposed a "Regional-Global Security Mechanism" and invited all regional organisations to enhance their working relationship with the Secretariat. At this meeting, the Secretary-General presented his report *A Regional-Global Security Partnership: Challenges and Opportunities* pursuant to the Security Council Resolution 1631.<sup>37</sup> The report notes the Secretary-General's conviction that the time was ripe to establish a more effective partnership with regional organisations based on a clear division of labour that reflected the comparative advantages of all organisations. The report also identified two main challenges to be addressed in order to make the partnership more effective, namely: classification of the respective roles of the UN and all its partner organisations in peace and security; capacity-building. In order to meet the challenges faced by the recent peace operations, the Secretary-General concluded with a number of recommendations for strengthening partnership in conflict prevention, peace-making, peacekeeping and peace-building.

While the Secretary-General's recommendation on conflict prevention and peace-building received unanimous support, his recommendation regarding the need for a clear distinction between Chapter VIII regional organisations and other inter-governmental organisations

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<sup>34</sup> For the Security Council's successive thematic debates on the issue of UN cooperation with regional organisations held annually, see UN Docs. S/2003/506 (25 April 2003); S/PRST/2004/27 (20 July 2004); S/RES/1631 (17 October 2005); S/2006/757 (21 September 2006).

<sup>35</sup> UN Docs., S/RES/1456, *High-level meeting of Security Council combating terrorism* (20 January 2003), para.8; S/RES/1467, *Proliferation of small arms and light weapons and mercenary activities* (18 March 2003)

<sup>36</sup> UN Doc. S/RES/1631, *Cooperation between the United Nations and regional organizations in maintaining international peace and security* (17 October 2005)

<sup>37</sup> UN Doc. A/61/204-S/2006/590, *A regional-global security partnership: challenges and opportunities, Report of the Secretary-General* (28 July 2006).

proved to be more complex. Many speakers supported bringing more clarity to the definitions (OAS, AU, LAS, OIC and Commonwealth). However, others including some of the P5 (the US, China, Russia), the EU and Council of Europe preferred a flexible and pragmatic approach, result-oriented and less formal in nature, avoiding creation of new structures and not confined to a particular modality or mechanism. Russia in particular seemed suspicious that any change of terminology might cause unforeseen political consequences such as giving more legitimacy and status to organisations like NATO.

#### **2.4. General issues for the future inter-organisational cooperation**

As the above discussion has shown, there has been increased talk about extended cooperation between the UN and regional organisations. Next to a limited amount of concrete cooperation cases, there have been attempts to formalise or streamline such cooperation processes, also at the level of the Security Council. As more and more regional and sub-regional organisations are establishing autonomous roles in crisis management, it would be beneficial for both the UN and regional organisations to cooperate with each other based on their comparative advantage. Moreover, the present international security environment is moving towards multipolarity that reinforces the importance of regional stability. As long as these regional organisations respect the primary role of the Security Council and the need for an authorisation for enforcement actions, this evolution should be welcomed. Whereas regional organisations need the UN's legitimacy, the UN on the other hand increasingly depends on the resources of regional organisations. The broadening security concept to human security<sup>38</sup> and the embracing of new doctrine such as 'responsibility to protect'<sup>39</sup> makes it even more difficult for the UN to deal with all the tasks. Moreover, there has been growing interest in this partnership as shown by the attendance both at the high-level meetings and Security Council meetings.

However, the development of the global-regional organisational cooperation mechanism has been hampered by an array of complexities, pertaining to uncertainties over the meaning

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<sup>38</sup> The 1994 UNDP Report lists following seven elements as the components of human security: economic security; food security; health security; environmental security; personal security; community security; political security. See United Nations Development Programme (UNDP), *Human Development Report 1994* (Oxford: Oxford University Press, 1994), pp.24-25. See also Commission on Human Security, *Human Security Now* (New York: Commission on Human Security, 2003).

<sup>39</sup> For a discussion on the initial idea on the concept, see International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: International Development Research Centre, December 2001). See also Ramesh Thakur, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect* (Cambridge: Cambridge University Press, 2006), especially at pp.250-257.

of concepts such as ‘region’, ‘agency’, and ‘arrangement’; the structural duplication of regional agencies and other organisations including overlapping of membership; ambiguity over their objectives; contention over the area of application of their functions.<sup>40</sup> While a flexible approach that has been taken so far has made it possible for various types of organisations to cooperate with the UN whenever possible, it has caused certain problems due to its lack of efficiency and/or coherence. Thus, the *2005 Summit Outcome Document* called for an expanded consultation and cooperation between the UN and regional and sub-regional organisations ‘through formalised agreements between the respective Secretariats, and as appropriate, involvement of regional organisations in the work of the Security Council’.<sup>41</sup> The 2008 Secretary-General report was meant to help overcome these complexities, again having recommended formalised partnership operating in close cooperation with the Security Council based on a clear division of labour reflecting the comparative advantages of each organisation.<sup>42</sup> While the challenge of capacity-building was supported by the member states and regional organisations alike, the challenge of clarity was overlooked for the political reasons discussed above, in favour of a pragmatic and flexible approach. Moreover, regional organisations dealing with peace and security vary enormously in terms of their nature and capacities. The change in the name of the high-level meetings to include ‘other intergovernmental organisations’ in order to assure accuracy in the attendance list is also an indication of these confusing situation. These complexities present a further need to build an institutional framework that organises relations between the UN and regional organisations. In line with this quest for a more structured UN-regional organisational cooperation, the overview and analysis of rapidly developing partnership between the UN and the EU could provide some important lessons for closer cooperation with other organisations.

### **3. The development of UN-EU structural cooperation in peace and security**

#### **3.1. Historical development**

Contacts with the EC and some of the members of the UN family started very early in the history of the two organisations. For instance, the European Coal and Steel Community concluded a cooperation agreement with the ILO as early as 1953. The starting point for the more formal relationship between the UN and the EU was 27 October 1970, when the six

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<sup>40</sup> For a detailed discussion on these issues, see Kennedy Graham and Tania Felicio, *Regional Security and Global Governance* (Brussels: Brussels University Press, 2006).

<sup>41</sup> UN Doc. A/RES/60/1, *2005 World Summit Outcome* (24 October 2005).

<sup>42</sup> UN Doc. A/61/204–S/2006/590, *A regional-global security partnership: challenges and opportunities, Report of the Secretary-General* (28 July 2006)

foreign affairs ministers of the European Community adopted the first Davignon Report and created the European Political Cooperation (EPC). The EPC was an intergovernmental process with no institutional basis that aimed to provide for foreign policy coordination.<sup>43</sup> In the first documents of the EPC, no reference was made to cooperation of EC states within the UN, since the Federal Republic of Germany (FRG) was not yet a member of the UN.<sup>44</sup> With West Germany's entry into the UN in 1973, the EC was granted observer status the following year, which enabled the president of the European Council to address the plenary session of the General Assembly on behalf of the EC membership.<sup>45</sup>

The EPC was further superseded by the Common Foreign Security Policy (CFSP), with far more comprehensive agenda for security-related matters. Through the EPC and the CFSP, the member states of the EC/EU have been trying to coordinate their positions in the framework of the UN.<sup>46</sup> As a consequence of the EU's own political development and very similar objectives, the UN and the EU have been developing 'a natural partnership' gradually.<sup>47</sup>

The EU initially focused its attention on the CSCE and its peacekeeping missions with UN mandates. However, with the signing of the Amsterdam Treaty that enabled the EU to carry out the "Petersberg Tasks" related to humanitarian aid, peacekeeping and peace-making activities, the EU has opted to play its own role in UN operations. An important precondition in this regard was the EU's continuous commitment to the primary role of the UN in maintaining international peace and security. This dedication is most profoundly expressed in the European Security Strategy (ESS), which declares that: 'Strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, is a European priority'.<sup>48</sup>

In 2000, the first significant attempt to develop a more systematic UN-EU relationship in crisis management was made by the French Presidency of the UN General Assembly.<sup>49</sup> The UN Secretary-General was invited to meet EU institutions at this occasion. The consultation between the UN and the EU, which had previously been limited to biennial high-level

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<sup>43</sup> Charlotte Bretherton and John Vogler, *The European Union as a Global Actor* (London: Routledge, 2006), p.164.

<sup>44</sup> Paul Luif, *EU Cohesion in the UN General Assembly, ESSI Occasional Papers, No. 49* (European Union Institute for Security Studies (ESSI), 2003), p.9.

<sup>45</sup> See UN Doc. A/RES/3208 (XXIX), *Status of the European Economic Community in the General Assembly* (11 October 1974). For the observation of the relationship between EC/EPC and the UN, see Peter Bruckner, 'The European Community and the United Nations'. *European Journal of International Law* (1990), pp.174-192

<sup>46</sup> For the history of the EC/EU's coordination at the UN General Assembly and the UN agencies, see Philippe Adriaenssens, 'Rapprochement between the EU and the UN: history and balance of intersecting political cultures', *European Foreign Affairs Review* (vol.13, 2008), pp. 53-72.

<sup>47</sup> European Commission, 'Summary: January 30, 2004: Visit of United Nations Secretary General Kofi Annan to Brussels and the EU institutions (New York)', EC04-013EN (30 January 2004).

<sup>48</sup> European Union, *A Secure Europe in a Better World: European Security Strategy* (12 December 2003).

<sup>49</sup> 55th Session of the United Nations General Assembly, Statement by H.E. Mr Hubert Vedrine, Minister of Foreign Affairs of France, President of the Council of the European Union (New York, 12 September 2000).

meetings between the UN Secretary-General and representatives of various regional organisations, was consequently expanded with regular contacts and informal meetings between the UN Secretary-General and the EU High Representative for the Common Foreign and Security Policy. These contacts have led to some significant achievements: establishment of points of contacts; regular high-level and working-level meetings; identification of themes of cooperation (conflict prevention, civilian and military aspects of crisis management, and regional issues).<sup>50</sup>

In June 2001, the EU General Affairs Council presented a concrete proposal on EU-UN cooperation in conflict prevention and crisis management, which affirmed the ‘determination to develop and strengthen cooperation in the areas of crisis management and conflict prevention’<sup>51</sup>. The Western Balkans, Africa and the Middle East were cited as key regions for cooperation. Regarding civil and military crisis management, the document emphasised the need to ensure the EU’s evolving military and civilian capabilities provide an ‘added value’ for the UN, such as enhancing compatibility of training standards, exchange of information and coordination in the field. The 2001 European Council also established a ‘platform for intensified cooperation’, creating new points of contacts in order to improve understanding between the two organisations. At the senior official level, the existing consultation between the UN Secretary-General and the EU’s High Representative for Common Foreign Security Policy was expanded to: EU Ministerial meetings with the UN Secretary-General; meetings of the High Representative and the External Relations Commissioner with the UN Secretary-General and the Deputy Secretary-General; and meetings and contacts between the Political and Security Committee (PSC) and the deputy secretary-general and under-secretaries-general.<sup>52</sup> Moreover, contacts were also established at the working level between the Council General Secretariat and the Commission services on the one hand, and the relevant UN Secretariat service on the other. A mission of the EU General Secretariat first met with the UN Department of Peacekeeping operations officials in May 2001. Since April 2002, the UN Deputy Secretary-General has headed a meeting each spring in Brussels. Moreover, the UN delegation in Brussels coordinates their activities and agenda with that of the EU on day to

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<sup>50</sup> Thierry Tardy, ‘Limits and Opportunities of UN-EU Relations in Peace Operations: Implications for DPKO, External Study for United Nations Peacekeeping’, External Study for United Nations Peacekeeping (September 2003).

<sup>51</sup> Council of European Union, Draft Council conclusions on EU-UN cooperation in conflict prevention and crisis management, 9528/2/01 REV 2 (Brussels, 7 June 2001), later approved by the European Council.

<sup>52</sup> *Ibid.*

day basis, the EU delegation in New York is responsible for the coordination of the EU common position at the UN.<sup>53</sup>

The two organisations entered into a more structured relationship in 2003 when they concluded a *Joint Declaration on UN-EU Cooperation in Crisis Management* that covers both civilian and military operations.<sup>54</sup> The declaration aimed to deepen dialogue between the UN and the EU in light of the positive cooperation in Bosnia (where the EU replaced a UN police mission)<sup>55</sup> and in the Congo (where the EU reacted promptly to UN requests to assist in stabilising the security situation). On the institutional level, the declaration established a Joint Consultative Mechanism led by the EU-UN Crisis Management Steering Committee. The Committee is co-chaired by the Council General Secretariat and by the UN Peacekeeping Department, and is further complemented by a range of actors, e.g. the United Nations Development Programme (UNDP), the Office for the Coordination of Humanitarian Affairs (OCHA) and the European Commission Humanitarian Aid Office (ECHO), reflecting its comprehensive approach to crisis management.<sup>56</sup> The Committee would meet twice a year in New York and Brussels in order to ‘examine ways and means to enhance mutual co-ordination and compatibility’<sup>57</sup>.

The need for cooperation between the UN and the EU was repeatedly emphasised in various documents. In June 2004, the European Council further adopted ‘Elements of Implementation of the EU-UN Joint Declaration’ dealing with military crisis management.<sup>58</sup> The document considers close coordination with the UN to be essential for the EU to be able to play a supporting role effectively through its close coordination with the UN, and put forward two models of rapid deployment in support of the UN: the ‘bridging model’, which would be able to provide the UN with time to establish their new operation; and the ‘stand-by model’, which would consist of an EU component in support of a UN operation.

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<sup>53</sup> See the reports of the UN delegation in Brussels on the results of UN-EU cooperation (*Improving Lives: Results of the partnership between the United Nations and the European Union*), published yearly since 2006. Available at [[http://www.europa-eu-un.org/articles/articleslist\\_s113\\_en.htm](http://www.europa-eu-un.org/articles/articleslist_s113_en.htm)].

<sup>54</sup> Council of European Union, *Joint Declaration on UN-EU Co-operation in Crisis Management* (Brussels, 24 September 2003).

<sup>55</sup> On the EU’s and the UN’s role there, see Jan Wouters and Frederik Naert, ‘How Effective is the European Security Architecture? Lessons from Bosnia and Kosovo’, *International & Comparative Law Quarterly*, vol.50 (2001), pp.540-576.

<sup>56</sup> Jan Wouters and Tom Ruys, ‘UN-EU Crisis management: Partnership or Rhetoric?’, pp.215-232, in pp.220-221, in Steven Blockmans (ed.), *The European Union and Crisis Management: Policy and Legal Aspects* (The Hague: Asser Press, 2008).

<sup>57</sup> *Joint Declaration on UN-EU Co-operation in Crisis Management*, p.1. para.3.

<sup>58</sup> European Council, *EU-UN Cooperation in Military Crisis Management Operations: Elements of Implementation of the EU-UN Joint Declaration* (18 June 2004).

A document of similar nature regarding civilian crisis management was adopted by the European Council in December 2004.<sup>59</sup> The documents pointed out the need for enhanced information exchange within the EU in order to improve the efficiency of UN-EU cooperation. Regarding the practical cooperation in civilian crisis management, the document illustrates several forms of EU contribution including: assessment and monitoring of a crisis through the rapid deployment of experts, in advance of UN involvement; a component of larger UN operation; an autonomous operation within the framework of the UN; an autonomous operation launched before/after an UN operation; simultaneous EU-UN operations.<sup>60</sup> The document stressed that both the EU and the UN would benefit from further cooperation in civilian crisis management, as the UN would be able to rely on the EU's qualitative and quantitative capabilities and the EU would be able to gain more external visibility.

### **3.2. EU-UN cooperation in peace and security: some assessment**

The EU does not see itself as a Chapter VIII regional agency in a strict sense, such as the AU is for Africa and the OAS for America. It has been argued that it should be seen as *sui generis* instead; an entity that operates on a plane above the nation-state but not yet, and perhaps never, a single supra-national entity. Although the EU is often seen as the regional actor that has the most developed relationship with the UN and that offers the most promising perspective on future cooperation, it has never been willing to participate in the meetings in the category of 'regional arrangements and agencies', but rather as one of the 'other international organisations'. In fact, a representative of the EU explicitly stated at one of such High-Level Meetings between the UN and Regional and other Intergovernmental Organisations that: "the EU supports the development of the co-operation between the United Nations and relevant regional organisations as a way to strengthen effective multilateralism. However, we strongly advocate a pragmatic and action-oriented approach, both for the EU-UN cooperation and for the broader context of cooperation between the UN and regional and other organisations."<sup>61</sup>

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<sup>59</sup> European Council, Annex IV of the Presidency report, Doc. 16062/04 (13 December 2004).

<sup>60</sup> *Ibid.* 6.

<sup>61</sup> See the Statement on behalf of the European Union, by H.E. Mr. Erkki Tuomioja, Minister for Foreign Affairs of Finland, Seventh High-Level Meeting between the United Nations and other Intergovernmental Organisations (New York, 22 September 2006). cf. NATO declared as early as 1992 that it would support the UN peace operation "on a case-by-case basis" (Final communiqué, December 1992). It is interesting to see the similarity of rhetoric used by NATO and the EU, despite the fact that these two organisations are very different in their nature, purpose, and capacity.

Notwithstanding this matter of status, the EU's organisational cooperation with the UN in peace and security has gradually but steadily developed, especially since the start of their formal contacts in 2000. The UN and the EU are now in close contact, with regular consultations taking place both at the political and working levels.<sup>62</sup> Moreover, they have established close structural links as well, including the EU military liaison officer to the Council's New York Liaison Office. These close communication channels are certainly contributing to a more efficient collaboration among the two organisations, as they not only help to avoid the duplication of resources and facilitate rapid response but also promote practical collaboration among the two organisations even further (such as the joint initiatives in training or planning).<sup>63</sup> Moreover, such close structural cooperation would help both organisations to learn each other's past lessons.<sup>64</sup>

There are however some issues and uncertain elements remaining regarding UN-EU partnership in peace and security. While the UN-EU cooperation has developed at a significant pace, it is still far from the strategic partnership that the UN is seeking in order to help it meet its growing obligations in the field of crisis management. So far, the relationship remains characterised by a degree of imbalance that stems from the different agendas of the two organisations. While the UN has generally emphasised the need for complementarity between the UN and regional organisations including the EU, the EU obviously favours a more flexible case-by-case approach so that the EU's autonomy of decision would remain.<sup>65</sup> The EU has more or less dictated the terms and pace of the cooperation and has not displayed strong willingness to enhance its rapid reaction military support for UN-led peace operations. Moreover, some member states are reluctant to accept overall UN command and control of their forces. As Tardy rightly put it, the relation so far has been largely determined by the divide between 'what the UN wants and what the EU is willing to offer'.<sup>66</sup>

Apart from reservations concerning the EU and the member states' commitments to UN peacekeeping, some of other potential shortcomings could also be raised here. The first one is to do with the issue related to the wide variety of actors in the ESDP/CSDP. While the Lisbon

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<sup>62</sup> See European Council General Secretariat, *Exchange of EU Classified Information (EUCI) with Third Countries and Organizations* (23 March 2007), Doc. 7778/07, 7.

<sup>63</sup> Wouters and Ruys, 'UN-EU Crisis management' (2008), p.226.

<sup>64</sup> Thierry Tardy, *Limits and Opportunities of UN-EU Relations in Peace Operations: Implications for DPKO, External Study for United Nations Peacekeeping* (2003), p.13.

<sup>65</sup> Browning argues that while the EU often displays willingness to take 'responsibilities in ordering the post-Cold War situation', it also seems to be 'driven by the more traditional interest-based concerns of power politics' that will have potentially negative effects. See Christopher S. Browning, 'The EU as a foreign policy actor: The Limitations of territorial sovereignty', in Stefano Guzzini and Dietrich Jung (eds.), *Contemporary Security Analysis and Copenhagen Peace Research* (London: Routledge, 2004), pp.167-179.

<sup>66</sup> Tardy, 'EU-UN Cooperation in Peacekeeping' (2005), p.49.

Treaty does refer to the Union's continued ambition to use its ability for 'for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nation',<sup>67</sup> there seem to be no significant changes that would counter the constraints inter-institutional cooperation has faced. The 'Peace-building, Conflict prevention, and Mediation Unit' has not been given enough staff members, and this could even prevent the EU from monitoring the extensive funds which it provides to external organisations, primarily the UN, and from cooperating with external actors.<sup>68</sup> These shortcomings also indicate the Union's lack of strategic vision that defines the aims of the newly established instruments including the High Representative for Foreign Affairs and Security Policy and the European External Action Service (EEAS). The absence of such conceptual basis will contribute to the current institutional fragmentation. While the institutional innovation of the High Representative and the EEAS should allow the Union to organise its external relations more coherently and thus making the EU 'a better partner for the UN',<sup>69</sup> the new Treaty has not brought about one integrated focal point with which the UN could deal. The lack of a conceptual vision could potentially undermine a coherent approach to crisis management. It seems therefore reasonable to conclude that the Union's internal coordination remains to be as challenging and tough as pre-Lisbon period, so does its institutional coordination with the UN.

A second issue is related to the question of whether and to what extent the EU can be seen as a regional organisation in the sense of Chapter VIII of the UN Charter, which can be utilised by states to settle disputes. As mentioned above, the Charter does not provide a definition of regional arrangements, thereby enabling organisations to proclaim themselves as such. While the Security Council did address the European Community in some of the resolutions in early 1990s regarding its role in achieving a peaceful solution in Yugoslavia as an organisation acting under the provisions of Chapter VIII of the UN Charter,<sup>70</sup> the EU has made it clear that it favours a 'action-oriented approach'<sup>71</sup> for the cooperation with the UN and other international organisations thus maintains its autonomy. While some argue that it is time for the EU to consider claiming the status of a regional agency in the sense of Chapter VIII of the UN Charter so that it could institutionalise its attachment to the UN and to

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<sup>67</sup> The Lisbon Treaty, Article 42. 1.

<sup>68</sup> European Peacebuilding Liaison Office (EPLO), *Conflict prevention and peacebuilding inside the EEAS* (February 2011).

<sup>69</sup> European Union, *EU HR Ashton addresses UN Security Council on cooperation between the UN and regional and subregional organizations*, Ref: EUUN11-007EN (New York, 8 February 2011).

<sup>70</sup> UN Docs. S/RES/713 (25 September 1991); S/RES/727 (8 January 1992).

<sup>71</sup> Statement on behalf of the European Union, by H.E. Mr. Erkki Tuomioja, Minister for Foreign Affairs of Finland, Seventh High-Level Meeting between the United Nations and Regional and other Intergovernmental Organisations (New York, 22 September 2006)

contribute to a more structured UN-regional organisational cooperation,<sup>72</sup> such transformation of the status of the EU does not seem likely to happen in the foreseeable future. In reality, however, the EU has already been making ‘every effort to achieve pacific settlement of local disputes before referring them to the Security Council’ (Article 52) on a number of occasions, and one could therefore argue that the most obvious impact of such change would be a reporting duty (Article 54).<sup>73</sup> Currently, nothing in the EU Treaties seems sufficient to enable the EU to fulfil this task internally. The Union’s policies in this area are primarily (if not exclusively) related to threats to or breaches of the peace within or by states that are not members of the EU. This clearly distinguishes the EU from other regional arrangements and agencies, which see as their primary task the settling of disputes among their Member States. A more unclear issue would be to do with the question whether a particular EU operation is to be seen as an enforcement action. As is the case with other crisis management operations round the world, EU operations will most probably include several kinds of Petersberg tasks at once, without a clear distinction being made between the different modalities. This seems to call for a continuous dialogue with the United Nations once the EU engages in any crisis management operation, based on the provision of article 54 of the UN Charter.

Related to this aspect is the need for a UN mandate for EU operations. In peacekeeping and crisis management, the UN could relate to regional organisations through the arrangement envisaged in Chapter VIII of its Charter where regional security providers are linked to the UN system. They are able to play an independent role in the peaceful settlement of conflicts with prior report to the Security Council, but they need the Security Council’s authorisation for the use of force. The need for the EU to obtain UN mandate however has not been clearly defined, as the EU does not consider itself bound by Chapter VIII provisions regarding regional organisations. As such, while the newly presented EU ‘battle group’ concept is expressly designed to respond to UN requests, the EU has never referred to Chapter VIII to justify an ESDP operation. So far, the EU did seek a UN mandate regarding either coercive

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<sup>72</sup> Jan Wouters and Frederik Naert, ‘Linking Global and Regional Organizations: the Case of the United Nations and the European Union’ [<http://www.law.kuleuven.be/iir/nl/onderzoek/opinies/FNJWuun.pdf>]. See also Ramses A. Wessel, ‘The State of Affairs in EU Security and Defence Policy’, *Journal of Conflict & Security Law*, vol 8, no 2 (2003), p.281; ND White, ‘The EU as Regional Security Actor within the International Legal Order’, in M Trybus and ND White (eds.), *European Security Law* (Oxford, Oxford University Press, 2007), pp.329-49; Steven Blockmans and Ramses A Wessel, ‘The European Union and Peaceful Settlement of Disputes in its Neighbourhood: the Emergence of a New Regional Security Actor?’, *The European Union and Global Emergencies : A Law and Policy Analysis. Modern Studies in European Law* (26). (Hart Publishing, 2011), p.81.

<sup>73</sup> Article 54 of the UN Charter provides that the Security Council shall at all times be kept fully informed of activities which are undertaken or are being contemplated under regional arrangements by regional agencies for the maintenance of international peace and security. This would include all activities by the EU related to the peaceful settlement of disputes.

action or operation outside Europe. However, it is unclear whether or not the EU will seek a UN mandate for possible operations in the future that do not fall into neither of the above mentioned categories.<sup>74</sup>

We cannot therefore draw any definite conclusion with regard to the EU's status as a Chapter VIII regional organisation. While the EU has already been active in assisting the UN in a number of occasions, current lack of procedures to secure internal security is a shortcoming in that respect. Nevertheless, the practice over the past decade seems to indicate the evolution of the EU's new role in this respect, together with its principal objective to 'preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter'.<sup>75</sup>

In this context, the resolution by the UN General Assembly in May 2011 to upgrade the status of the EU's participation in the UN seems to be of significance in several ways.<sup>76</sup> First of all, the Union's enhanced powers in the General Assembly would potentially enhance the EU's ability to support the UN in a more coherent and effective manner.<sup>77</sup> Moreover, it could consequently open the door for other regional organisations to request the same rights. This could ultimately contribute to the development of a feasible form of 'multilateralism mode 2.0' in the future, where various actors (not only sovereign states but also non-state actors such as sub-national regions, regional organisations, and civil society organisations) are involved in the multilateral system in diverse areas.<sup>78</sup>

### **Concluding remarks**

Although much remains to be explored, the EU's role as a regional organisation in peace and security in cooperation with the UN should be further promoted as a positive example for the UN and other regional organisations and sub-regional organisations.<sup>79</sup> The UN and the EU are

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<sup>74</sup> Tardy, *Limits and Opportunities of UN-EU Relations in Peace Operations* (2003), p.10.

<sup>75</sup> TEU, Article 21(2). Conflict prevention was added to the objectives of the EU by the Lisbon Treaty.

<sup>76</sup> UN Doc. A/RES/65/276, *Participation of the European Union in the work of the United Nations* (3 May 2011). The resolution granted the EU's enhanced powers in the General Assembly including: the right to speak in debates; the right to submit proposals and amendments; the right of reply; the right to raise points of order and to circulate documents. So far, the EU is the only international organisation that holds these enhanced powers as a General Assembly observer.

<sup>77</sup> European Union, A 172/11, *Statement by the High Representative, Catherine Ashton, on the adoption of the UN General Assembly Resolution on the EU's participation in the work of the UN* (Brussels, 3 May 2011).

<sup>78</sup> On the concept of 'multilateralism mode 2.0', see Luk Van Langenhove, 'The Transformation of Multilateralism Mode 1.0 to Mode 2.0', *Global Policy*, vol.1 no.3 (2010), pp.263-270.

<sup>79</sup> The Irish EU Presidency of 2004 stated to the Security Council at the Open Debate on UN Peacekeeping Operations that 'we recommend that DPKO expand and deepen its contacts with regional organisations and their sub-regional partners, especially at the working level, in order to identify and implement practical means of tapping this potential for cooperation.' *EU Presidency Statement - United Nations Peacekeeping Operations* (17 May 2004)

both going through a period of institutional transformation and adaptation to the evolving security environment. Both the UN and the EU have come a long way since their very first formal contact four decades ago moving from an ad-hoc dialogue to a structured cooperation of today. None of other UN-regional organisational cooperation has gone so far as UN-EU relationship, despite the fact the EU is not a traditional regional organisation in the sense of Chapter VIII of the UN Charter. With its shared objectives and values with the UN, and the financial and human resources available, the EU is relatively well-adapted to a mutually supportive inter-organisational structure to tackle the complex issues in the 21<sup>st</sup> century security environment, and it might be able to present itself as a unique regional organisation in years to come. Importantly, the proposed Lisbon Treaty explicitly provides that the EU should not only respect the principles of the UN Charter but also promote multilateral solutions in particular with the UN. Given the growing importance of the EU within the UN system, the EU has a potential to continue to explore multi-level governance partnerships between the UN and regional organisations. Moreover, the EU member states could take initiative in this field by using its new status in the General Assembly.

As have been discussed, both the UN and the EU have demonstrated their determination to continuously reinforce the multilateral system for peace and security based on their complementarity. The challenge for the future inter-organisational cooperation is how to relate the potential of each organisation in order to address various problems in the ever more diversified security environment. However, even more challenging task for both the UN and EU might be how to overcome the obstacles that prohibit the internal coordination within each organisation.