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A Complex Dynamic: The Relationship Between the United Nations and Regional Institutions in International Peacekeeping

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THE RELATIONSHIP BETWEEN THE UNITED NATIONS AND REGIONAL INSTITUTIONS IN INTERNATIONAL PEACEKEEPING

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I. Introduction

With the wave of demonstrations and protests in the Arab World since December 2010 and the violence that has emerged as a result, there has been a renewed focus on civil conflicts around the world. In countries with the most violent uprisings and brutal government repressions, such as Syria and Bahrain, there are numerous calls from the international community for the United Nations to intervene on humanitarian grounds. As the longstanding global peacekeeping body, the international community looks to the UN to stop the violence and mediate a peaceful resolution through the deployment of its peacekeeping forces. UN peacekeeping, in its generic sense, involves the interposition of military forces between conflicting groups, either to stop violence or to prevent it and according to the United Nations itself, "has proven to be one of the most effective tools available to the UN to assist nations in navigating the difficult path from conflict to peace."[1] However, the current calls for action come at a time where

> "diplomats and other experts consider the organization's flagship mission to be slouching towards crisis once again. The most immediate cause, they say, is a sharp rise in the number of peacekeeping commitments worldwide and a type of "mission creep" that has added myriad nation-building duties to the traditional task of trying to keep enemies apart. "[2]

As a result, simply put, the United Nations is "overburdened, underfunded and overstretched." However, while the ability of the UN to be an effective peacekeeping body has diminished, the number of civil conflicts throughout the world has increased, specifically in the post-Cold War era. Indeed, "since the late 1980s, the main threat to regional and global peace has not come from major interstate confrontations, but from another source: internal conflicts, conflicts occurring within the borders of states. These

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[1] "United Nations Peacekeeping: What is Peacekeeping?"
[2] MacFarquhar

wars have replaced the Cold War's ideological clashes as the principal types of conflicts."[3] Consequently, the most visible form of the response from the international community is "the installation of peacekeeping forces. The UN primarily performs this duty due to its role as guardian of international peace and security."[4] Since its first peacekeeping mission in 1948, thousands of civilian and military peacekeepers have been successful in keeping people alive and in preventing conflict escalation.

Certainly, UN peacekeeping is not infallible nor is it the only effective strategy for dealing with civil conflict; however it continues to be the preeminent peacekeeping mechanism because of the belief that it has no particular stake in an outcome apart from a satisfactory reduction in violence. However, as a result, the UN is often spread too thin. In 2010, the General Assembly determined that "a shortage of resources required to carry out United Nations peacekeeping missions has created a 'yawning gap' between expectations and performance in the flagship mission that delegates maintained was already overburdened, underfunded, and overstretched."[5] This shortage has led to a dangerous juxtaposition in international peacekeeping, especially given the surge in civil conflicts, and the potential for widespread humanitarian catastrophes.

The current peacekeeping climate is reminiscent of the early 1990s when UN peacekeeping was similarly "overburdened, underfunded and overstretched." Following the conclusion of the Cold War, United Nations peacekeeping underwent a massive restructuring as the organization found itself "unable to successfully to sustain the increasing demands placed upon it."[6] As a result, then-Secretary General Boutros Boutros-Ghali searched for other mechanisms through which peacekeeping support might

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[3] Yilmaz 28
[4] Yilmaz 30
[5] "Overburdened, underfunded, and overstretched…"
[6] Morris 129

be achieved and even a possible alternative to the world body in international peacekeeping. The cumulative result was a normative framework for partnership between the United Nations and regional organizations. The regional-global relationship "in security matters was posited that a dominant UN would delegate tasks to subordinate regional institutions. In that conception, the region was simply an intermediate actor that that undertook tasks determined at the multilateral level."[7] Therefore, the primary purpose of regional agencies was simply a participatory role in a multilateral system controlled by the United Nations. In this orthodox view, the UN was indispensable in providing legality and impartiality to international security operations. However, despite this framework which purposefully limited the role of regional institutions, throughout the 1990s, "with the rise of so-called regionalism, regional organizations became actors in their own right. A number of them have acquired some kind of institutionalized mechanism for conflict management."[8]

Consequently, in the past two decades, many regional institutions have led independent peacekeeping missions around the world, including organizations such as the Commonwealth of Independent States, the North Atlantic Trade Organization, and the Economic Community of West African States. The increased role of regional peacekeeping has created a shift towards "'regional multilateralism' built around regional bodies as opposed to an 'orthodox multilateralism' centered on the UN, with nation-states as the basic units."[9] Thus, although the United Nations has retained its role as the primary international peacekeeping institution, some of the responsibility has shifted to regional organizations as the UN outsources its burden.

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[7] Hettne 227
[8] Hettne 227
[9] Hettne 230

Therefore, because the UN currently has 16 peacekeeping operations deployed around the world, it appears that regional organizations are better equipped to address the new wave of civil conflicts stemming from "Arab Spring." Perhaps regional institutions such as the African Union and the Arab League should deploy peacekeeping units into these fractured countries. Due to the reasons that often make regional arrangements a more viable peacekeeping force coupled with the longstanding desire of the UN to decrease its peacekeeping burden, this reasoning is not only justified, but also lends itself to the suggestion that this is preferred outcome by both institutions. However, this is based upon the idea that the United Nations and regional institutions are cooperative bodies and willingly support one another. Yet this dominant approach "neglects the degree to which the UN-led approach and regional security governance tend to follow different logics and as a result are potentially competing structures."[10] In the post-Cold war era, regional institutions have transformed into independent actors, "making their relationship to the UN much more complex than current policy and academic debates tend to recognize."[11] Today, "the greater 'actor-ness of regional bodies needs to be recognized. It is more realistic to think of the relationship between [the UN] and regionalism in horizontal and reciprocal terms."[12]

In the past two decades, the UN has suffered a decline in power and authority and therefore needs support from regional bodies. As a result, a distinct feature of "post-Cold War era has been an increase in the incidence of regional peacekeeping operations run independently of the UN by regional organizations"[13] and are sometimes these missions are in direct defiance of the United Nations. The latter outcome is one that the United

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[10] Hettne 227
[11] Hettne 228
[12] Diehl 210
[13] Duward 351

Nations neither expected nor addressed in the initial regional-global peacekeeping framework. Consequently, there is often tension between the United Nations and regional institutions in international peacekeeping.

In the 21st century, these two conflicting standards – the framework of burden-sharing that requires UN authorization for regional peacekeeping operations and the increasing significance of regional organizations that provides them with the power to act independently – have collided and created a regional-global peacekeeping dynamic that is unprecedented. No longer does the United Nations decide the course of action and the regional institution support its mandate. Instead,

> "Global and regional approaches are potentially competing authority structures; hence the challenge is to construct arrangements in which the two logics complement one another. Insistence on the vertical UN-led approach, which seeks to subordinate regions, will only reinforce competition between the two logics. Likewise, an ideological regionalism that ignores wider multilateralism cannot address the links between conflicts within the region and wider global politics."[14]

However, in order to create the ideal international peacekeeping framework, in which both institutions operate in concert rather than as adversaries, an understanding of how the current regional-global peacekeeping dynamic works is necessary. Much of the literature regarding intrastate peacekeeping does not discuss this dynamic. Therefore, the purpose of this paper is to determine what factors can explain the relationship between the United Nations and regional institutions in international peacekeeping. Specifically, it proposes and evaluates potential explanatory variables that can describe variation in international peacekeeping, such as the deployment of an independent regional or UN peacekeeping mission or the creation of a hybrid UN-regional peacekeeping operation.

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[14] Hettne 230

The paper finds that a regional-level factor – the potential effectiveness of the regional organization in terms of available resources and perceived neutrality – and an international-level factor - the willingness of the United Nations Security Council (UNSC) - influence the establishment of a third-party peacekeeping mission in a civil conflict. The paper concludes that these factors, both independently and collectively, can predict institutional behavior in international peacekeeping. Specifically, when an effective regional organization exists, it will intervene in a local conflict, with or without the approval of the Security Council, although there is a preference for a UN mandate. In the absence of a regional peacekeeping option, the United Nations will intervene if there is agreement within the Security Council. If there is not, an individual state, usually the regional hegemon, will act unilaterally. The argument is supported through the use of four case studies: the Somali Civil War (1991-present), the Sri Lankan Civil War (1983-2009), the First Liberian Civil War (1989-1996) and the Kosovo Conflict (1998-1999).

Through these findings, conceivably a viable future form of global-security governance can be later constructed. Perhaps when this is done, the international community will be able to respond in a timely and efficient manner to civil conflicts and larger events like Arab Spring so that innocent lives are not lost and countries can move forward, rather than backward, when the time for change comes.

II. Literature Review

In 1945, the United Nations was founded after the Second World War for the purpose of maintaining peace and international security, as is inscribed in its foundational treaty, the UN Charter. Its primary responsibility is to act, through its member nations, to extinguish "any threat to the peace, breach of the peace, or act of aggression."[15] Due to this mandate, the United Nations has involved itself in a number of peacekeeping operations since its inception, specifically 66 missions, of which 15 are still ongoing.[16] As a result, there is much written about the nature of these missions, how United Nations peacekeeping has transformed over time, and the successes and failures of each operation. The newest literature examines the expanding role of regional and sub-regional arrangements in peacekeeping. Despite this, there remains a gap in the literature concerning the relationship between the United Nations and regional institutions. This is crucial to examine because it can explain what key factors affect the response and subsequent action assumed by international community when a civil conflict breaks out within a sovereign nation, both at the international level and regional level.

A large portion of the analysis on international peacekeeping looks at how the nature of the United Nations operations changed following the end of the Cold War; however it does not address how the evolution of these efforts affected the relationship between the UN and regional arrangements. Nonetheless, it does provide insight into what the United Nations considers worthy of intervention, regardless of its eventual course of action. There is a general consensus between scholars in the field (Bellamy 2009; Hillen 1998; Howard 2008; Lang 2003; and White 1997) that "with the end of the

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[15] "Charter of the United Nations" (1945), Chapter VII, Art. 39 (1).
[16] "Peacekeeping Fact Sheet"

Cold War, United Nations peacekeeping operations experienced a significant transformation. Specifically, they underwent a quantitative, qualitative, and normative transformation that dramatically expanded the number and scope of peace operations"[17] due to an unprecedented degree of agreement "within the Security Council in responding to international crises [which] plunged the organization into a dizzying series of operations that bare little or no resemble in size, complexity and function to those that had borne the peacekeeping label in the past."[18] Thus, a majority of the literature focuses on "the current trend in peacekeeping" which is based upon a reinterpretation of state sovereignty.

Prior to World War II, international law prohibited intervention in sovereign states even for urgent humanitarian purposes. After the war, the United Nations codified the ban in the Charter, forbidding intervention by another state in an internal conflict of another state. Therefore, as Abeyratne (2011) wrote, "it was widely believed that there should be UN intervention only if there were grave human rights violations and that matters not concerned with human rights but are concerned with the internal politics of a nation would be best left to the country concerned to address."[19] However, since the Cold War, because of greater cohesion among Security Council members, this informal mandate shifted and the UN began addressing *intra*state conflicts rather than simply just *inter*state ones, launching the organization into new "endeavors of peacekeeping, peace-building and peace-enforcement as defined and delineated in former Secretary General Boutros Boutros-Ghali's *An Agenda for Peace* in 1992."[20]

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[17] Bellamy 5
[18] Hillen 25
[19] Abeyratne
[20] Howard 13

Bertram (1995) notes that that there are two specific differences between Cold War and post-Cold War peacekeeping missions. First, there has been greater military involvement in these conflict zones with the purpose of enforcing peace in these nations. Secondly, there has been a "move toward a prominent role for the United Nations as an agent of democratic transitions. Designed to address the root causes of conflict, it entails building the political conditions for a sustainable, democratic peace generally in countries long divided by social strife."[21] This marks a notable change from convention, which previously was to enforce peace agreements between hostile or armed parties rather than working with the warring parties to find a resolution that would create lasting peace.

Certainly this literature is helpful for the purposes of this paper because it describes the development and expansion of United Nations peacekeeping over the past 20 years. However, it somewhat obfuscates an understanding of the partnership between the United Nations and regional arrangements because it lends itself to the incorrect assumption that the UN will involve itself in any conflict with "grave human rights violations," thereby, negating the need for regional involvement. The research implies that the UN has and will continue to take a preeminent role in mediating civil conflicts, especially ones where the human rights violations are considerable. As recent history has shown, this is simply not the case; the United Nations has condemned far more instances of human rights violations than the number of civil conflicts it has intervened in. Therefore, there is a place in international peacekeeping for regional institutions. However the literature does not specify this role and subsequently, does not clarify the nature of regional-global peacekeeping dynamic.

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[21] Bertram 388

Instead, a large portion of the literature provides explanations for why the United Nations is involved in more civil conflicts. One prominent theory is that the world body expanded the scope of its responsibilities in the past two decades. The phrase "responsibility to protect" is often associated with the United Nations and since the end of the Cold War, it has become the most frequently used mechanism to stop civil conflicts. According to many scholars, humanitarian intervention is the exception to the non-intervention principle,[22] which is supported in the UN Charter and prohibits states from exercising authority within the jurisdiction of other states. However a shift in United Nations policy, specifically a more relaxed interpretation of the principle, has increased the duties of the body when a civil conflict erupts.

Former United Nations Secretary General Kofi Annan once proclaimed that the United Nations "has a moral responsibility to ensure that vulnerable peoples are protected and that genocides never occur again."[23] With greater participation by Western States in peacekeeping missions after the end of the Cold War, there have been efforts to "'mainstream," or integrate, internationally recognized human rights into the United Nations' operational policies and programs in peace and security. Broadly speaking, mainstreaming is intended to ensure all UN programs are consistent with…human rights."[24] Therefore, over time, the United Nations has expanded the definition of international peace and security to include "human" security. Now, the organization defines security to incorporate economic well-being, political stability, democracy, development, social harmony, human rights and basic needs such as education, health, food, and housing. Moreover Lango (2005) argues that Chapter VII, Article 39 of the UN

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[22] Lang 11
[23] "International Community Has Moral Responsibility to   Ensure that Vulnerable People Are Protected, Says Deputy Secretary General."
[24] Darrow 484

Charter, which states that "the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken…to maintain or restore international peace and security,"[25] essentially authorizes the Security Council to exercise an option of preventive military action.

Furthermore, a 2001 report by the International Commission on Intervention and State Sovereignty (ICISS) stated that military intervention is necessary when there is "large scale loss of life…which is the product of either deliberate state action, or state neglect or inability to act, or a failed state situation, or large scale 'ethnic cleansing.'"[26] In the same report, the ICISS claimed that "there is no better or more appropriate body than the UNSC to authorize military intervention for human protection purposes [and] the Permanent Five – the United States, United Kingdom, France, Russia and China (P5) - members should not apply their veto power in matters where their vital state interests are not involved."[27] Likewise, Bellamy (2009) argued that the development of the "responsibility to protect" ideal reframed the duties of the international community by determining it "had responsibilities to prevent, react and rebuilt - with an emphasis very much on the responsibility to react and on the question of when it was legitimate to intervene militarily to protect endangered communities."[28] Therefore, this expanded understanding of the United Nations' duties has led scholars to assert that the "nonintervention principle is [no longer] a shield behind which an unjust state can hide."[29]

[25] "United Nations Charter, Chapter VII
[26] Bellamy 56
[27] Bellamy 57
[28] Bellamy 64
[29] Lang 21

However, the literature about the expansion of United Nations responsibilities fails to provide reasoning for why the United Nations does not consistently intervene in every civil conflict regardless of location, severity, etc. In fact, the literature somewhat suggests that regional peacekeeping arrangements should be unnecessary or even non-existent because the UN, through its expanded mandate, is assuming all international peacekeeping duties. Due to its expanded peacekeeping mandate, it was assumed the deployment of UN peacekeeping missions would increase dramatically. This did occur, but there were still a large number of conflicts that went largely ignored without any consistency. Therefore, the literature is misleading. Moreover, much of this literature is a normative because it discusses what should happen but does not address what happens in practice and the reasons why. The "responsibility to protect" framework is idyllic but cannot be adapted to every situation because of questions of sovereignty, resources and willingness, among others.

For that reason, some scholars point to the challenges of maintaining balance between humanitarian efforts and sovereignty when deciding if and how to intervene (Bellamy 2009; Goldsmith 2000; Lang 2003; Luard 1972; and Wesley 1997). Bellamy writes that "where sovereign states are either unwilling or unable to protect the fundamental freedoms of their citizens, sovereignty and human rights come into conflict."[30] Goldsmith argues that this conflict is a direct result of the "the international system which is characterized by multiple, contradictory norms [such as] the UN Charter [which] pays homage both to territorial sovereignty and human rights."[31]   Therefore, maintaining a balance between the implicit rules of state sovereignty and the legal parameters of peacekeeping sway UN action. However, this too is a fallible argument

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[30] Bellamy 8
[31] Goldsmith 792

because while the UN Charter "replicates the 'domestic jurisdiction-international concern' dichotomy, no serious scholar still supports the contention that internal human rights are 'essentially within the domestic jurisdiction of any state' and hence insulated from international law."[32]

Despite the fact that international law addresses internal human rights violations, states are mindful of the combatants' perception of outside invention when determining a course of action. According to Howard (2008), "over the course of the last 50 years three interrelated 'rules' of peacekeeping have been established: all parties must consent to the operation, that the UN must not favor any given party and that only a very limited use of force should be used by peacekeepers."[33] Often, these three conditions cannot be met and as a result, peacekeeping is often passive: missions are restricted to observation and supervision as the body tends to shy away from highly volatile unstable conflict zones where their ability to intervene successfully is much less promising. Indeed, "UN operations are greatly affected by the degree of responsibility exercised by the government of the country in which the forces intervene."[34] Thus, member states are more likely to support action in states where the government approves their entry and will ensure the safety of the peacekeepers. Otherwise, the United Nations is "not obligated to intervene in all humanitarian nightmares."[35]

Accordingly, the discussion about state sovereignty suggests that the role of international law should be considered. It is agreed by scholars that increasingly, "international law has a legitimate interest in Civil Wars."[36] Traditionally, international law consisted of rules and principles governing the relations and dealings of nations with

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[32] Reisman 869
[33] Howard 14
[34] Lang 188
[35] Lang 188
[36] Laurd 170

each other, although recently, international law has been redefined to include relations between states and individuals, and relations between international organizations. Although it is generally accepted as binding, the actual abidance to international law by individual states has been inconsistent because "the sovereign state is still the chief pillar of our international system."[37] Despite the existence of international institutions and international courts, they acquire their authority from the participating states and thus, do not have status as independent actors. This authority allows countries to violate international law as they see fit because international law is often "inconsistent with norms, or logics of appropriateness, associated with national sovereignty."[38] Therefore, because international law derives its authority from individual states, it is only as meaningful as countries allow it to be.

Regardless, there is "substantial evidence that the UN acts more in accordance with humanitarian and security missions than many of its critics suggest."[39] Therefore, the significant change in United Nations policy to be more proactive in mediating in civil conflicts along with its expanded definition of what constitutes "maintaining international security," invites questions as to why, since the end of the Cold War, the United Nations as intervened in some civil conflicts but not in others. These questions are only sparsely addressed in the literature about the United Nations peacekeeping and nothing has been decisive because it ignores the substantial role of regional organizations in international peacekeeping.

Instead, much of the literature focuses on the effectiveness of various peacekeeping missions post-facto (Hillen 1998; Howard 2008; and Wesley 1997).

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[37] Schreuer 455.
[38] Goldsmith 969
[39] Beardsley 14

Generally, the United Nations peacekeeping missions are evaluated harshly because of high-profile missteps in Rwanda and Somalia. As a result of these self-admitted failures, there is widespread belief by both scholars and the public that the United Nations should not intervene in sovereign nations because the institution is ineffective at "solving conflicts in the long run, with intervention apparently having no effect on the occurrence, timing, or severity of future conflict."[40] Specifically, Lang (2003) wrote "past failures in the field clearly demonstrate that the United Nations was the 'right tool for the job' only when there was peace to keep, and that deploying the UN under any other circumstances does little good."[41]

However, successes in Namibia, El Salvador, Mozambique, Eastern Slavonia, Croatia, and East Timor since the end of the Cold War "demonstrate that the public and scholarly perception of constant failure in UN multidimensional peacekeeping is incorrect."[42] This is vitally important because it confronts the widespread belief that the United Nations is incapable of effectively addressing a civil conflict and therefore should abstain from intervening. Instead Beardsley and Schmidt (2011) argue that "UN involvement usually occurs only in the most severe and intractable disputes and therefore we should be surprised when we see the UN struggle to make a difference [because] it often acts as the intervener of last resort."[43] Moreover, Luard argues that the United Nations has in fact made useful and important contributions to maintaining world peace. Therefore, this raises questions as to why the United Nations fails to intervene in some of the most horrific ethnic conflicts when its ability to stop the conflict and restore peace has been proven in the past – the explanation that they are an "ineffective" body is no longer

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[40] Diehl 28
[41] Lang 187
[42] Howard 5
[43] Beardsley 47

convincing and instead suggests that some other factor can be attributed to this apparent inconsistency.

One plausible explanation is that the willingness of member states, especially of the Security Council, can explain why the UN cannot or does not intervene in certain civil conflicts. The 2001 ICISS report stated that the Permanent Five "should not" use their veto power unless vitally necessary, however history has shown they do not necessarily abide by this. When the interests of a government are involved, regardless of their vitality, the P5 states have used their veto power. Since 1970, China has used its veto power eight times, Russia (and the former Soviet Union) thirteen times, and the United States 83 times, "primarily in defense of allies accused of violating international humanitarian law."[44] The reason this occurs, especially when material interests are not involved, is that countries are concerned with protecting themselves and their allies from international condemnation. For example, just last year, the United States vetoed an otherwise unanimous Security Council resolution "that reiterated a principle of international humanitarian law—codified in the Fourth Geneva Convention, four previous resolutions, and a landmark World Court decision—that there should be a freeze on further construction in the West Bank because Israeli settlements are illegal."[45] Certainly the notion that the Israeli settlements are illegal is widely debated, but more importantly, this highlights the use of veto power by the Permanent Five even when their intimate interests are not concerned.

The recent use of the veto power by the Chinese and Russian governments appears to underscore that point. On February 4th, 2012, the two nations vetoed a draft resolution put forth by the Security Council demanded Syrian President Bashar al-Assad

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[44] Zunes
[45] Zunes

stop indiscriminately killing Syrian citizens and would seek to find a Syrian-led

resolution to the almost yearlong conflict.[46] It is this power that dictates the United

Nations' action to a certain degree and therefore, can help explain the inconsistencies in

its action. Indeed, the Syrian example, along with many similar instances throughout the

history of the United Nations has shown that "the way the UN has interpreted and

executed its responsibilities in relation to [human] security and sovereignty has given the

impression that these issues can be interpreted flexibly."[47] Some scholars (Bertram 1995;

Lango 2005; Lebovic 2004; and Wesley 1997) attribute this interpretation to the state-

centrism of the P5, meaning the collective decision-making process is driven by national

interests, often results in slow, tepid and divided action and accordingly, established a

dangerous precedent.   As a result, a division of the literature concurs that ability of the

UN to discharge its international security responsibilities is dependent on the national

interests of P5 and this in itself can be a help or a hindrance depending on a how a

particular UN operation is perceived to affect these interests.

However, while some research argues that the use of the veto plays a significant

role in determining UN action, the majority of the literature concludes that "most

international interventions since the end of the Cold War were not driven by material

interests of the powers but by their moral interests: securing peace and justice."[48] Still,

the extent to which the UN intervenes is based upon the Security Council's interpretation

of the Chapter VII of the UN Charter. For example, between 1990 and 1993, it "adopted

a strikingly intrusive interpretation. Member states thus endorsed a radical expansion in

the scope of collective intervention just as a series of ethnic and civil wars erupted across

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[46] Yan
[47] Makinda 161
[48] Betts 31

the globe."[49] The Security Council since then has contracted its broad interpretation,

which has consequently lessened the amount of conflicts they involve themselves in. This

contraction suggests one of two things: 1) the interpretation of the Charter is non-binding

and can be contracted further or expanded in the future, or 2) that the way in which the

Charter is interpreted is based on the specific civil conflict and differs between states.

The literature suggests that the latter is true.

Initially, it was the United States, the United Kingdom and France – three of the

P5 - that often interpreted the Charter according to their own interests, material or

political, creating a remarkable inconsistency in international law. These three powers

quite often determined the direction of the Security Council. Only when the UNSC

defined a situation as constituting a threat to international peace, can it apply Chapter VII

of the charter and authorize intervention, even if it means intervening in the domestic

affairs of member states. However, as noted earlier, in the past, this has been

categorically dependent on the Security Council. For example, in the 1990s, the United

States was a staunch advocate of sending a peacekeeping force into Haiti and thus, the

Security Council was coerced into signing off on the effort.

Conversely, when Eastern European countries wanted the UN to deploy a

peacekeeping operation to Abkhazia, the United States was able to prevent it from

happening. Moreover, the United States has influence over the type of mission the

United Nations undertakes. In 1994, the United States prevailed in disagreements over

the UN's approach to the Former Yugoslavia. Collectively, as Makinda (1996) writes,

"in the post-Cold War era, the United States and two of its allies, France and the United

Kingdom, have dominated the Security Council and dragged most of its resolutions. This

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[49] Doyle 1

has meant not only that certain states exercise considerable power, but that their voice has sometimes come to be described as the 'will on the international community.'"[50] This suggests that the Security Council is not as much an independent actor as the sum of the decisions of individual member countries and consequently, through the use of the veto power, one of the five nations has the ability to control the entire intergovernmental body. This is compounded by the fact that human rights have been treated as a highly politicized issue, thereby making it "extremely difficult for the UN to act even in cases where there is a general agreement on the infraction."[51]

However, in regards to understanding the United Nations' responses to various civil conflicts, while the influence of the Permanent 5 appears to be conceivable explanation for UN irregularity, it is not absolute because, while the actions of the Security Council tend to be highly inconsistent, a function of interest rather than international law or treaty obligations, it would be "misguided to characterize the UN as nothing but an instrument for the advancement of parochial great power interests. Consistent with the mission of preserving international peace and security, there is a close correspondence between measures of crisis severity and levels of involvement."[52]

Indeed, the severity of a conflict dictates UN action because states tend to be extremely cautious when authorizing action in a highly volatile conflict when missions involve their own personnel and thus will only intervene when they have direct interest in the warring nation. However, empirical evidence has shown that the relationship between the extent to which a conflict "engages the parochial interests of P5 members and the level of UN involvement is neither linear nor necessarily always positive: crises that

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[50] Makinda 161
[51] Cronin
[52] Beardsley 14

involve P5 bordering states or P5 states are less likely to experience extensive UN involvement."[53] Rather, Bove and Elia (2011) write, "the security threat that a conflict poses, the proximity to the conflict area and the number of displaced people influence the likelihood and size of intervention. When a conflict is regarded as a threat to stability, security concerns will trigger nation-specific responses."[54] Similarly, Beardsley and Schmidt (2011) say that "UN intervention efforts tend to occur in the most severe cases"[55] and their evidence appears to back that assertion based on their definition of "severe." However, because the literature does not conclude that simply the severity of the conflict, "the constellation of interests among the great powers,"[56] or the combination of both variables influence UN action, it appears that other factors influence the deployment of a UN peacekeeping mission.

Through discrediting older theories, a new theory has emerged which states that the expanding role of regional organizations affects the deployment of UN peacekeeping because the former possesses the capabilities to assume some of the burden. However, only recently has literature begun looking at this relationship, specifically how the involvement of the regional arrangements allows the United Nations to either minimize or eliminate its own responsibilities in certain conflicts. There is a consensus among scholars, as mentioned earlier, that states, even when they put aside their own interests, are unwilling to commit resources to conflicts where the likelihood of causalities is high and thus, "because peace operations rely on democratic contributions,"[57] the ability of the United Nations to act is compromised. Bove and Elia (2011) write:

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[53] Beardsley 14
[54] Bove 30
[55] Beardsley 14
[56] Beardsley 14
[57] Bove 3

"Since the international community is composed of individual states, there are inevitable collective action problems and what is individually rational for the national state may not be collective rational for the international community. Although the international system has properties and dynamics of its own, the participation in peacekeeping is reducible to the level of individual state behavior. Individual nations make their decision about where, when and how to send their military personnel as well as the justifications on which they base their involvement in sovereign states. Together domestic factors within member state- shaped by the international system – determine the UN capacity for action."[58]

Therefore, if states do not see their vital political or material interests intertwined with the conflict, they are less likely to authorize UN intervention. This, then, is when regional organizations can and do emerge as the preeminent peacekeeping force within their region.

Indeed, due to the vast number of civil conflicts arising, these bodies have taken on a larger role because the United Nations does not have the means or willpower to address every one. In his 1992 report, *Agenda for Peace,* former UN Secretary General Boutros Boutros-Ghali argued that regional bodies could play a larger role in resolving conflicts among and within their member states. This has significant importance on two fronts: 1) it shows the future direction of UN peacekeeping, and 2) it provides a plausible explanation as to why the UN has intervened alone in certain civil conflicts, in partnership with regional arrangements in others or not at all in some. Despite the fact that neither type of mission – regional or international - "has proved more adept at peacekeeping,"[59] evaluating the role of regional intergovernmental bodies and regional superpowers in negotiation and maintenance of intrastate peace may provide insight in how the UN determines its response to a civil conflict.

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[58] Bove 3
[59] Shaw 13

However, although the literature is beginning to address the role of regional peacekeeping, it does not yet explain the relationship between the two types of organizations. Over the past twenty years, this relationship has evolved complexly and manifests itself in a variety of ways depending on the specific conflict. Therefore, no single theory can account for how the United Nations and regional arrangements work together or in spite of each other to respond to a civil conflict. Nonetheless, the evolution of the partnership between the two over the course of the last 20 years does allow for the development of theories that can reasonably explain this relationship either through the combination of two or more theories or through the negation of a single theory.

Certainly, the literature about United Nations peacekeeping operations is vast; however, it is not comprehensive. It largely focuses upon the history of such missions, specifically how they have evolved, and whether the missions were successful. While this research is informative, it is somewhat outdated because it does not look at the current complex dynamic between the United Nations and regional institutions in international peacekeeping. Indeed, currently there is a large gap in the research regarding the regional-global peacekeeping relationship, specifically what factors influence the relationship and either institution's subsequent response to a civil conflict. Therefore, studying the emergence of regional peacekeeping institutions and their relationship to the United Nations may be the best way to understand what factors dictate the nature of the international community's response and to appreciate the role of intergovernmental organizations, both regional and international, in the maintaining global peace and security.

III. Theory

Since the early 1990s, the role of regional institutions in preserving international peace and security increased as the "termination of the Cold War reinvigorated the United Nations and simultaneously reinforced the trend towards security regionalism."[60] As mentioned earlier, the newfound unity and cooperation within the Security Council resulted in UN action in an unprecedented number of civil conflicts and consequently, raised expectations with regards to its fundamental duty of maintaining international peace and security. There was a general consensus between member-states that the UN alone could not adequately address the emerging security problems globally. Therefore, regional organizations began to take a more prominent role in Europe, Africa, Asia, Latin America, the Caribbean and the Pacific because "the end of the Cold War provided a much better climate for regional arrangements to make positive contributions to peace and security issues in their regions and beyond." [61] In this "better climate," regional institutions were believed equipped to help "share the burden of combating national, regional and international security challenges."[62] This dynamic is known as the "regional-global security mechanism." However, the partnership between the United Nations and regional bodies is not entirely straightforward; it is a complex relationship derived from a multitude of interests and contingent upon the specific conflict.

Regional institutions are comprised of "geographically proximate nations [and] compared to *ad hoc* collaborations between two or more states, regional organizations have, among other things, founding documents, formalized organizational structures, and

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[60] Alagappa 421
[61] Bergenas 18
[62] Bergenas 18

annual summits and periodic meetings."[63] The issues they undertake range from economic cooperation to security concerns, and, akin to the United Nations, they have the ability to adopt binding resolutions and implement collective decisions within their region. Some examples of regional and sub-regional organizations include in Europe, the European Union; in Africa, the African Union and the Southern African Development Community; in Asia, the Association of Southeast Asian Nations (ASEAN) and the Shanghai Cooperation Organization; in the Americas, the Organization of American States (OAS) and the Caribbean Community; and in Australia, the Pacific Island Forum.[64] Naturally, many individual states are members of multiple regional organizations and presumably are more likely to have an interest in preventing, containing or resolving conflicts in their region compared to the international community as a whole. Therefore, according to scholar, Muthiah Alagappa:

> "Regionalism should facilitate communications and socialization, information sharing, increase in consensual knowledge, and growth in power through the pooling of resources and collective action. Based on these assets, regional institutions should be able to avail themselves of one or more of the following interconnected strategies: norm-setting, assurance, community-building, deterrence, non-intervention, isolation, intermediation, enforcement and internationalization. Norms can define identities of states as well as regulate their behavior. Through norm-setting, regional institutions can influence the collective expectations and the internal and international behavior of member states in the political, economic and security arenas."[65]

The United Nations Charter asserts that regional organizations are necessary components in maintenance of international peace and security. However, it did not specifically delineate a regional institution and ascribed it relatively insignificant powers "largely because 'the notion of regionalism was still in its infancy' at the time when the

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[63] Bergenas 16
[64] Bergenas 16
[65] Alagappa 427

Charter was drafted in the mid-1940s."[66] Moreover, "in the formative years of the UN,

regional arrangements were seen as competing with and detrimental to the universal

approach embodied in the UN."[67] Consequently, the United Nations Charter did not want

to self-restrict itself by formalizing the meaning of "region." Despite this, "it is

nevertheless clear that the notion of 'arrangements or agencies' is relatively wide and

may cover any association of states irrespective of their international legal

background."[68] Specifically, Chapter VIII, Article 52 of the Charter states, "nothing in

the present Charter precludes the existence of regional arrangements for dealing with

such matters relating to the maintenance of international peace and security provided

[they] are consistent with the Purposes and Principles of the United Nations,"[69] however,

any action taken by such bodies must be authorized by the UN Security Council. In the

past two decades, through the UNSC has authorized various regional peacekeeping

missions and the once loose partnership has evolved into an informal framework for

international peacekeeping. In the international community,

> "[I]t is now widely accepted that global and regional institutions can and
> should work together in promoting international peace and security.
> Regional actors have a deep interest in conflict management in their
> respective regions and they can provide legitimacy, local knowledge and
> experience and some resources especially in the form of personnel."[70]

As a result, there is an informal accord within the United Nations that regional

organizations should be given the first opportunity to achieve an arrangement acceptable

to the warring sides and the UN should make use of or defer to regional institutions when

appropriate. As Salim Ahmed Salim, Tanzania's former permanent representative at the

UN (1970–1980), the Secretary General of the Organization of African Unity, and the

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[66] Bergenas 17
[67] Alagappa 422
[68] Orakhelashvili 43
[69] United Nations Charter, Chapter VIII, Article 52
[70] Alagappa 422

chief mediator for the AU in Darfur, once said, "'regional organizations are the first line

of defense' [and he] called on them to promote democracy, human rights and economic

development."[71]

Accordingly, this normative shift has affected how the Security Council assesses

its options for engagement. The Security Council responds to crises on a case-by-case

basis and has a wide range of options at its disposal. As a specific conflict "develops,

worsens, or approaches resolution, consultations will normally take place among the

Security Council, the Secretariat, the parties on the ground, regional actors and potential

contributing countries."[72] Through these consultations, the Security Council makes a

determination whether the deployment of a United Nations peacekeeping operation is the

most appropriate course of action or whether another option should be exercised. These

deliberations are

> "[D]irectly influenced by one or more of the following factors: 1) the
> interests and positions of the great powers; 2) the 'territorial integrity' of a
> member-state of the UN; 3) the involvement of regional organizations; 4)
> the consent of the government of the target state; 5) legal restrictions on
> the UN in regard to 'domestic matters;' and 6) attitudes with respect
> to revolutionary movements and human rights." [73]

If the Security Council does authorize the deployment of a UN peacekeeping

mission, it is develops a strategy based upon the following factors:

- Whether a situation exists the continuation of which is likely to endanger
  or constitute a threat to international peace and security;
- Whether regional or sub-regional organizations and arrangements exist
  and are ready and able to assist in resolving the situation;
- Whether a cease-fire exists and whether the parties have committed
  themselves to a peace process intended to reach a political settlement;
- Whether a clear political goal exists and whether it can be reflected in a
  mandate;

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[71] Adebajo 18
[72] "United Nations Peacekeeping Operations: Principles and Guidelines." United Nations: Department of Peacekeeping Operations, 18 Jan. 2008. Web. 23 Mar. 2012, page 48
[73] Mullenbach 535

- Whether a precise mandate for a United Nations operation can be formulated;
- Whether the safety and security of United Nations personnel can be reasonably ensured

While the UN considers all the aforementioned factors, in the post-bipolar world, the Security Council focused on the existence of a capable and willing regional arrangement because "many of the crises before the Security Council are regional in character. Rarely can the problems of one state be treated in isolation from its neighbors. The attitude of neighboring states can be as important a factor in determining the viability of a peace process." A successful regional engagement strategy could have a high payoff and to exclude regional actors from the peace process could be costly and detrimental. Therefore, the goal of the Security Council continues to be the engagement of regional institutions and utilization of regional resources in its peacekeeping strategy.

However, this goal is normative and idyllic; in actuality, the relationship between the two arrangements continues to be contingent upon the diverse set of interests and objectives of each institution as well as the specific actors and conditions of the respective conflict. Therefore, this paper will postulate what dynamics influence this relationship between the UN and regional organizations. Specifically, it proposes that the relationship between the United Nations and a regional organization and subsequent action (or inaction) taken by either is dependent on a combination of the following factors: 1) the shift towards burden-sharing in peacekeeping between the United Nations and regional institutions; 2) the perceived effectiveness of the pertinent regional arrangement; and 3) an impasse within the Security Council, specifically the use of regionalism as an "end run" when the Security Council cannot agree. Through an analysis of case studies in the next chapter, it is determined that the link between the UN and regional peacekeeping,

in practice, is dependent both upon the ability of the appropriate regional institution to effectively end the conflict and willingness of the Security Council to act.

Burden-sharing:

As a result of its expanded "responsibility to protect" mandate, the United Nations is expected by the international community to be responsible for mediating and ending all civil conflicts. However, a consequence of this is an overburdened UN peacekeeping division because although the number of civil conflicts is increasingly, its available resources remain stagnant. Therefore, in order to fulfill its duties under the "Responsibility to Protect" doctrine, the UN carved out an increased role for regional organizations in international peacekeeping and accordingly, a partnership has emerged between the two, with each assuming the lead role when appropriate. Therefore, this theory suggests that the relationship between the United Nations and regional institutions is based on shared responsibility.

The path towards burden-sharing emerged in the early 1990s under the leadership of then-UN Secretary General Boutros Boutros-Ghali. Regional institutions were increasingly looked upon "as one way to address the growing gap between demand and supply, and reducing the burden on the United Nations. [In the words of Boutros-Ghali,] 'regional arrangements or agencies in many cases possess a potential that should be utilized.'"[74] Similarly, the Security Council "expressed its view that one of the factors that should be taken into account when considering the establishment of new peacekeeping operations was the existence of regional or sub-regional organizations and

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[74] Alagappa 421

whether they were ready and able to assist in resolving the conflicts."[75] Since the notion was first introduced, this relationship has evolved over time.

Throughout the 1990s, the United Nations "invited regional organizations to study ways and means to strength their functions to maintain international peace and security within their areas of competence, paying due regard to the characteristics of their respective regions."[76] In 1994, Boutros-Ghali met with the heads of several regional bodies that the United Nations had recently cooperated with in peacekeeping efforts and from these talks, produced a supplement to *An Agenda for Peace* which established the type of cooperation that was possible between the United Nations and regional organizations: 1) consultation, which is practiced on a regular basis and is governed by formal agreements; 2) diplomatic support, by which a regional organizations can participate in UN peacemaking activities through diplomatic efforts of its own; 3) operational support; 4) co-deployment in conflict zones and 5) joint operations. With each option, it is expected, given the diversification in collaboration efforts between regional organizations and the United Nations, "the basic principles of the Charter should be borne in mind. Article 24 confers on the Security Council primary responsibility for the maintenance of peace and Article 52 stipulates that the action of regional organizations must in all cases remain consistent with that principle."[77]

In 1995, due to the growing instability within various African nations, the United Nations began examining ways to put *Agenda for Peace* supplement into action by asking regional and sub-regional bodies to complement UN efforts to stabilize the different conflicts. Annan issued a report in 1998 that stated, "within the context of the United

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[75] Cooperation Between the United Nations and Regional Organizations/Arrangements In A Peacekeeping Environment: Suggested Principles And Mechanism 8
[76] Cooperation Between the United Nations and Regional Organizations/Arrangements In A Peacekeeping Environment: Suggested Principles And Mechanism 8
[77] "Cooperation with Regional Organizations." United Nations. 1995. Web. 23 Mar. 2012.

Nations primary responsibility for matters of international peace and security, providing

support for regional and sub-regional initiatives in Africa is both necessary and desirable.

Such support is necessary because the UN lacks the capacity, resources and expertise to

address all problems that may arise in Africa."[78] Over the course of the year, the Security

Council adopted a series of statements and resolutions that looked at all the possible

regional and sub-regional peacekeeping arrangements. In September 1998, the Security

Council

> "Stressed the need for it to be fully informed of peacekeeping activities carried out or planned by regional or sub-regional organizations and encouraged the Secretary General to establish [an] appropriate UN liaison with regional and sub-regional organizations. It invited those organizations to provide the Security Council and Secretary General with information on their activities in the field of peacekeeping."[79]

That same month, the Security Council adopted Resolution 1197, which reiterated

the organization's supremacy in peacekeeping efforts, but recognized that it must provide

support for regional and sub-regional initiatives and strengthen the coordination between

the two. Moreover, the Resolution asked the Secretary General to assist the General

Assembly in developing a "commonly accepted peace doctrine." They noted that it was

necessary for there to be a clear framework for cooperation and coordination between the

UN and regional organizations. According to the Security Council, "such a framework

should include specifying objectives, the careful delineation of the respective roles and

responsibilities of the United Nations and the regional arrangement [with] clear

provisions regarding the safety and security of personnel."[80] In regards to the African

Union, the Resolution encouraged the enhancement of consultation and coordination

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[78] Berman 21
[79] Cooperation Between the United Nations and Regional Organizations/Arrangements In A Peacekeeping Environment: Suggested Principles And Mechanism 9
[80] "Need for Enhancing Monitoring of Activities Authorized by Security Council, But Carried Out by Regional Arrangements, Coalitions of States, Stressed."

between the UN and the OAU and between the UN and sub-regional organizations in

Africa. In 1999, the Security Council,

> "Underlined the increasingly important role of regional arrangements and agencies, and of coalitions of Member States in the conduct of activities in the peace and security field. The Council also recognized that its authorization of action by these bodies could be one type of effective response to conflict situations. To monitor any activities that it had authorized, the Council expressed its readiness to examine appropriate measures whenever such an authorization was being considered."[81]

Between 1994 and 2003, the Secretary-General moderated five high-level

meetings between the UN and regional organizations to discuss methods of cooperation.

The efforts resulted in a "Framework of Cooperation" between regional organizations

and the UN with guiding principles for collaboration in peacekeeping.

The most prominent byproduct of this framework was a ten-year capacity-

building plan with the African Union that Secretary-General Annan presented to the

General Assembly, specifically to develop an African "standby" force for

peacekeeping.[82] An example of this plan was the African Union mission to Sudan, the

purpose of which was to contain the violence within the Darfur region and find a path

towards peace. Eventually, the AU could not handle the sustained violence, which

"effectively forced it to hand the mission over to the UN through the authorization of an

AU/UN Hybrid Operation in Darfur."[83] However, the AU/UN partnership is an example

of the implementation of the new regional-global framework. Other examples where the

AU has undertaken mediation efforts include Guinea-Bissau, Kenya, Somalia, Cote

d'Ivoire, and Burundi. Furthermore, in Africa alone, sub-regional bodies such as the

Economic Community Of West African States (ECOWAS) and the Southern African

[81] Cooperation Between the United Nations and Regional Organizations/Arrangements In A Peacekeeping Environment: Suggested Principles And Mechanism 9
[82] Adebajo 14
[83] Adebajo 13

Development Community (SADC) have acted "independently in undertaking peace

initiatives."[84] ECOWAS specifically has coordinated the efforts in Liberia and Sierra

Leone. ASEAN, NATO, and OAS each led peace operations with the Security Council's

approval after conflicts erupted in Cambodia, Bosnia, and Haiti, respectively. For the

Haiti operation specifically, the UN chose to "delegate responsibility" because of

financial considerations and due to a "difficulty locating the required man power. "[85]

> Many examples like those above suggest that

> "[D]espite the difficulties, there are many advantages that emanate from cooperation between the UN and regional, sub-regional organizations and arrangements in peacekeeping and peace support operations. Through such cooperation, the international community can mount effective strategies for preventing crises, for peacekeeping and peace support, as well as for humanitarian assistance and peace-building. Cooperation between the UN and regional and sub-regional organizations/arrangements enables the sharing of responsibilities, based on the comparative strengths of each, leading to complementarity and the avoidance of cooperation."[86]

> Indeed, now it is "'widely accepted that global organizations, such as the UN and

regional institutions can and should work together in promoting international peace and

security."[87] By decentralizing peacekeeping through the greater use of regional bodies,

the "overburdened" United Nations may be somewhat relieved. Thus, successive UN

Secretary-Generals, Boutros Boutros-Ghali and Annan "stressed the importance of

strengthen regional organizations during their tenures."[88] In fact, in 2006, Annan wrote,

"it has long been recognized that the UN is not equipped to handle every crisis in the

world on its own. A partnership between the United Nations and regional and other

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[84] Adebajo 13
[85] Barnett 428
[86] Cooperation Between the United Nations and Regional Organizations/Arrangements In A Peacekeeping Environment: Suggested Principles And Mechanism 10
[87] Bergenas 17
[88] Bergenas 19

intergovernmental organizations should be developed if peace and security are to be

maintained."[89] Moreover, in 2007, Secretary-General Moon said that,

> "[The] United Nations partnerships with regional and sub-regional
> organizations are strong and more active ever and [it] is committed to
> helping build up the capacity of regional and sub-regional organizations.
> They provide us with a better understanding of our respective strengths
> and advantages. They have made it possible to respond more quickly at
> the outset of a crisis, and more effectively in post-conflict peace-building.
> We need to build on these strengths together and find better and more
> efficient ways of tackling global challenges."[90]

As a result, the United Nations has made a concerted effort to harmonize its own

action with the actions of regional and sub-regional bodies that have shown the ability to

be effective forces of conflict-management and peacekeeping. Since current Secretary-

General Ban Ki-Moon assumed office in 2007, rather than simply working as partners

with the United Nations to help sustain a majority of UN efforts, "some regional, sub-

regional organizations and arrangements have taken major steps towards the devilment of

effective mechanisms for peacekeeping operations on their own."[91]

This behavior marks a shift from the norm: "the long-standing prevailing view of

the global regional relationship in security matters has posited that a dominant UN would

delegate tasks to subordinate regional institutions. In this conception, the region is simply

an intermediate actor that undertakes tasks determined at the multilateral level."[92]

Regional arrangements were expected to simply contribute to, rather than lead,

multilateral efforts that were directed by the Security Council. However, with the rise of

so-called "new regionalism," in recent decades, regional organizations "have become

actors in their own right. A number of them have acquired some kind of institutionalized

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[89] Scheinman 153
[90] Cooperation Between the United Nations and Regional Organizations/Arrangements In A Peacekeeping Environment: Suggested Principles And Mechanism 11
[91] Cooperation Between the United Nations and Regional Organizations/Arrangements In A Peacekeeping Environment: Suggested Principles And Mechanism 11
[92] Hettne 227

mechanism for conflict management."[93] As a result, the Security Council has authorized these bodies to assume greater responsibilities, changing the nature of United Nations peacekeeping operations.

Therefore, hypothetically, United Nations intervention solely stems from the lack of an effective regional option. Arguably, one reason for the UN's involvement in various civil conflicts is "the very absence of effective regional organizations. In other words, there is something of an inverse relationship between where the security problems are located and the strength of these regional organizations; it is the absence of effective regional organization's that creates a need for the UN."[94]

Most often, the United Nations will act if the appropriate regional organization appears to have a significant interest in the conflict and therefore, is less likely to be neutral. For example, during the Yemeni Civil War in 1993, it was widely believed that many Gulf States, led by Saudi Arabia, were backing the secessionist movement. Consequently, any action proposed by the League of Arab States, which encompassed some of the same states involved in the Yemeni affairs, was undermined.

Furthermore, some states look to the United Nations to internationalize the conflict; "in other words, they use the UN as something of a balancing mechanism against regional aspirations."[95] This is most evident in nations of the former Soviet Union which use the UN as a way to circumvent the Russian-dominated, regional institution Commonwealth of Independent States (CIS). Examples like these highlight the fact that "regional organizations are not always ideally suited to peacemaking. The UN, in this

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[93] Hettne 227
[94] Barnett 431
[95] Barnett 431

regard, possesses the decided advantage of distance and neutrality,"[96] at least theoretically.

Therefore, through the evolution of regionalism, the relationship between the regional organizations and the United Nations has developed into a partnership of sorts. In the past, regional peacekeeping was used to supplement UN efforts; however, now, due to the necessity of burden-sharing, the regional and UN peacekeeping complement each other per the guidelines set forth in Boutros-Ghali's *Agenda for Peace*. When a regional arrangement is not a viable option, the United Nations will take the lead and deploy a peacekeeping body to conflict zone.

Effectiveness of Pertinent Regional Peacekeeping Arrangement:

Another theory that explains the possible connection between the United Nations and regional organizations is one which contends that because both the UN and regional peacekeeping missions succeed and fail for the very same reasons, the ultimate peacekeeping operation is dependent upon whether the pertinent regional institution is capable of independently defusing the conflict. The final outcome is often related to available resources and the relationship between the regional institution and the combatants, specifically how the latter perceives and reacts to the former. If the regional option is viewed with legitimacy, the appropriate regional institution will deploy a peacekeeping force, however if it is incapable or unwilling to act, the UN will generally intervene as a last resort. Thus, as this theory contends, it is perceived effectiveness of the applicable regional organization that affects the ultimate response of the international community.

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[96] Barnett 431

In this conception, the peacekeeping capabilities of both the UN and regional institutions are similar; "in an overview of the differences between regional and UN forces, the chasm separating the two can be quite small."[97] For one, regional arrangements "are better able to obtain authorization, supply and organize troops in a pre-established pattern, and have fewer financial worries. These benefits make regional peacekeeping operations more efficient in many ways than their UN counterparts."[98] However, they still face the same geographical obstacles as peacekeeping forces organized under any other mode and are not necessarily more likely to enhance conflict resolution. Moreover, the troops dispatched by the UN are more likely to be neutral and trained in the principles and practices of peacekeeping. Therefore, each type of peacekeeping operation has advantages and drawbacks and consequently, the effectiveness of the regional institution is assessed through three dimensions: cultural, political and legal factors. At the bottom "lies the cultural dimension: the need to understand the cultural factors that drive political perceptions and decision-making from region-to-region."[99] Next is the political dimension to regional security, specifically the behaviors of the major powers within a regional organization. Lastly, the United Nations Security Council must address whether an action undertaken by a regional organization is legal and permitted by the UN Charter.

The cultural aspect is considered by the UNSC because "the debate over human rights is highly attuned to the issue of culture. The balance between universality and particularity was explicitly captured for the first time in the 1993 Vienna Declaration, which accorded special recognition to the societal context of human rights."[100] As a result,

[97] Diehl 226
[98] Diehl 226
[99] Graham 22
[100] Graham 23

most regions have created their own human rights charters. Moreover, regional

institutions are able to deal with the concept of democracy within their regional contexts.

Recently, these bodies have adopted regional declarations or charters that are more

catered to the conditions in the regions and that focus on a regional promotion of

democracy. These Charters are important to maintaining international peace because

regional and sub-regional arrangements are better equipped in determining whether a

particular nation is failing its human rights or democratic obligations. Additionally, often

times, warring parties view one institution more favorably. Generally, people and

governments in a region "have a natural affinity with those in that region and an inherent

suspicion of what is perceived as outside intervention."[101] Therefore, regional

organizations may be better received, with greater legitimacy, by the warring parties

compared to the United Nations.

Moreover, as stated earlier, states closest to the conflict may willingly assume

greater responsibility because they naturally would be most interested in a positive

outcome. Regional organizations are more likely to "give greater attention and more

urgent consideration to these conflicts than global institutions that have 'broader agenda,

competing priorities, and numerous distractions.'"[102] Additionally, regional bodies "may

know more than the UN about the root causes of a conflict in their respective regions and

may have a better knowledge of the parties and personalities involved in the conflict."[103]

They also may have greater flexibility in the apportionment of their resources and

therefore, are able to deploy assets faster than the UN within their own regions.

Consequently, the mission is more likely to run smoothly and with less controversy. For

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[101] Diehl 213
[102] Barnett 423
[103] Cooperation Between the United Nations and Regional Organizations/Arrangements In A Peacekeeping Environment: Suggested Principles And Mechanism 10

example, the UN Congo operation in the early 1960s "soured those countries on global peacekeeping operations [because] they believed that the organization was not sensitive to their situation."[104] In the 1990s, Arab nations tried to formulate a regional response to the Iraqi invasion of Kuwait rather than let Western interests dictate the course of action. Indeed, states have a preference for localizing conflict rather inviting outside influences.

Furthermore, "the political dimension of regional-global security increasingly takes into account the broader factors of 'hard' and 'soft' power, more than has been the case in the past."[105] With many nations, especially the United States, assuming the "responsibility to intervene if circumstances in a conflict situation strike at what they perceive to be their vital interests, [often] national political interests and regional security interests are closely related."[106] A shift towards "security regionalism" has transformed the composition and function of the UN Security Council, giving them an increasingly passive role in strictly regional issues for the purpose of not aggravating a situation by sending "outsiders" into a regional conflict. By keeping the response strictly regional, legitimacy can be preserved.

The legitimacy borne from regional organizations, then, naturally affects the prospects for success. Regional organizations are thought to have an advantage over global ones because their membership is more homogenous. States in a regional institution "are more likely to be at the same development level, have similar historical roots, share some ethnic or tribal roots, and have similar political outlooks due to common problems."[107] Thus, it is believed that a consensus will be reached quicker and

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[104] Diehl 213
[105] Graham 24
[106] Graham 24
[107] Diehl 212

make the authorization of peacekeeping operation easier. Consequently, this means more peacekeeping missions with fewer restrictions that are authorized faster.

Additionally, "the inability to extract the required resources from its members represents the motor force behind the UN's interest in establishing a partnership with regional organizations."[108] In the 1990s, the size and cost of an individual UN operation skyrocketed and thus, "has severely overextended [the UN's] organizational and financial resources, suggesting the UN is involved in its own version of 'imperial overstretch.'"[109] Therefore, regional peacekeeping forces with the strong support of the disputants have a high likelihood of success and are viable alternatives to the traditional UN operation. Consequently, this likelihood of success was a factor in delegating the task of peacekeeping to regional arrangements.

Currently, a strengthened "regional-global security mechanism, in which regional agencies have more direct input into Security Council deliberations, has had an effect on the Council's policy on intervention."[110] As a result, the Security Council is becoming a less exclusive entity and no longer retains its title as the sole instrument for maintaining international peace and security. This trend is being led by the major powers themselves – even the United States has publicly supported a greater role in global peacekeeping for regional bodies. Collectively, most states have gradually become more partial to this arrangement because the "regionalization of international politics, the inability of any one state or organization to manage the resulting world order and the growth of regional powers has contributed to their desire to seek greater control over their strategic environment."[111] Not only are these organizations able to intervene perhaps faster and

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[108] Barnett 427
[109] Barnett 427
[110] Graham 26
[111] Bergenas 19

more effectively than the United Nations, they may have a greater ability to monitor, facilitate, and maintain "post-conflict reconstruction."

However, Kofi Annan warned in a 1999 speech at Georgetown University that regional organizations may not always be an effective replacement. In fact, he advised against shifting the entire burden from the United Nations to regional arrangements, expressing concern that

> "The increasing reliance of the Security Council on regional, sub-regional organizations and arrangements in maintaining international peace and security. He stated: 'It is unfortunate that in recent years the Security Council has been reluctant to authorize new United Nations peacekeeping operations, and has often left regional or sub-regional organizations to struggle with local conflicts on their own. --- That puts an unfair burden on the organization in question. It is also a waste of the expertise in peacekeeping which the United Nations has developed over the years.' He stressed that this capacity of the United Nations must not be dismantled."[112]

With the mounting questions that remain about a regional peacekeeping mission's ability to be effective, it is important to remember that the same questions continue to exist regarding the efficiency and worthwhileness of UN peacekeeping. This theory suggests that the partnership between the United Nations and regional organizations is formed through an assessment of ability to diffuse the conflict based upon the specific circumstances of the conflict. From there, the two organizations formulate the most effective strategy, usually allowing the regional institution to lead the operation because their response tends to be faster, met with greater openness and therefore, are better equipped to reduce the level of violence as they are more familiar with the disputants.

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[112] Cooperation Between the United Nations and Regional Organizations/Arrangements In A Peacekeeping Environment: Suggested Principles And Mechanism 12

Regionalism as an "end run:"

Despite the instances of consensuses and the "superficial appearance of an emerging division of labor and the expectation of overcoming the traditional regional/global divide, there is considerable tension between the [two] over peace operations in general and peacekeeping particular."[113] As mentioned earlier, the Security Council undergoes an extensive analysis of the conflict and bases its decision on a number of factors. However, since the end of the Cold War,

> "The quantity and quality of crisis settings widened and, for a certain time, overstrained the role of the UN Security Council leading to a problem of overload. This has been often accompanied by a sheer lack of interest or disagreement on the part of the P5 on what action should be taken. The UN and its member states have been constantly facing hard choices regarding which conflicts to address. In addition to problems of overload and reluctance by the P-5 to become engaged, the structural conditions of the Council constitute a serious constraint in the development of consistent policies and standards."[114]

This often leads to stagnancy within the Security Council, because the members are disengaged or cannot agree on an appropriate response. When this is occurs, a regional arrangement becomes a way to circumvent UN inaction. In the post-bipolar international system, "they proliferated the period responding to a set of external and internal factors that have led to a crisis in Council decision-making, effectiveness, and representativeness."[115] Some of these factors include varying degrees of capacity and resources committed to any effort, the biannual rotation of non-permanent members, lack of political will and lack of support from the P5 to follow through of policies they once implemented. Therefore, a key institutional alternative to current UN peacekeeping operations involves the substitution of regional peacekeeping arrangements.

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[113] Barnett 426
[114] Prantl 566
[115] Prantl 566

Consequently, despite the efforts of the United Nations to retain its supremacy, regional or sub-regional organizations do not necessary have to cooperate or coordinate with the institution. Certainly evading the UN can negatively affect regional efforts because the world body may provide added legitimacy and a stronger base for political support domestically in individual countries. Despite the potential consequences, there have been instances where regional and sub-regional arrangements are compelled to act the UNSC, which, at times, chose inaction over action in the past and allowed human rights violations to go unaddressed due to their own interests, material or political. Therefore, when "the Security Council is dysfunctional or paralyzed by the exercise of the veto, the case for implied authorization is stronger."[116] Unlike in the United Nations, regional action "can only be blocked by those states that would be most directly affected by the peacekeeping force."[117] Thus, regional responses emerge as the best alternative when a UN operation may not be possible.

In some circumstances, members force a deadlock within the Security Council as a way to compel the United Nations into deferring to a regional organization for their own national interests, material or political. In this scenario, the potential deployment of a regional body is an apparatus to influence bargaining within the Security Council.

This is seen most frequently in deliberations on conflict on the African continent. Since the 1990s, various regional African organizations such as the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), the Intergovernmental Authority on Development (IGAD) and the African Union (AU) (formerly the Organization of African Unity, OAU) have intervened in security crises on the continent through mediation, peacekeeping and peace

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[116] Lobel 135
[117] Diehl 221

enforcement. During this same time frame, Africa has quickly gained importance on China's foreign-policy agenda. The more ideological relations of the past have now been substituted for a 'new type of strategic partnership, marked by vibrant economic cooperation'"[118] China has been inclined to cooperate with all African countries regardless of domestic conditions and has been disinclined to get involved in the internal affairs of the African because it supports a greater role from African institutions in conflict resolution and considers them more equipped to make judgments on issues of sovereignty and the internal affairs of member states. This position has emerged as a key factor influencing China's position in the Security Council on African crises.

> "China is particularly likely to consider the views of key regional players when the Council is considering domestic crises in African countries or the imposition of Chapter VII measures, such as sanctions and the non-consensual use of force. When China is assured that a proposed measure is in keeping with the wishes of relevant regional organizations, it is more likely to be favorably disposed to it. In principle, China maintains that international measures invoking the use of force are only legitimate if the host nation's consent can be obtained. However, lacking such consent, the support of regional organizations emerges as a critical factor in swaying China to take a cooperative stance. According to one Western diplomat, an effective way of getting China on board when a Chapter VII resolution is tabled pertaining to an African issue is to first forge a consensus among key African stakeholders and African members of the UNSC."[119]

Otherwise, China will exercise its veto. For example, in 1997, China was hesitant in supporting proposed economic sanctions on Sierra Leone, voted in favor of a UNSC resolution once it made "clear [its] support for the measures of ECOWAS, which had already imposed its own sanctions."[120] When a proposed resolution clearly lacks African support, China is likely to oppose it. For example, in July 2008, China and Russia cast a rare double veto because the proposed UNSC resolution sought to sanction the Zimbabwe

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[118] Van Hoeymissen 92
[119] Van Hoeymissen 95
[120] Van Hoeymissen 95

government. Instead, China argued that AU mediation initiatives should be used and given more time to succeed. Furthermore, due to China's favorable economic partnership with the Sudanese government,

> "When the UNSC held its first discussion on Darfur in 2004, it quickly became clear that China did not wish to see the imposition of sanctions on Sudan and sympathized with the Sudanese government's aversion to international involvement in Darfur. In the Council, China referred to ongoing AU mediation and peacekeeping initiatives as a valuable and sufficient alternative for UN action. China stated that AU mediation in Darfur had to be given priority and could only be negatively affected by UN sanctions on Sudan."[121]

In response to the proposed UN action, China, along with Russia, threatened to use their veto and as a result, blocked direct UN intervention. However, China is not the only P5 member to use the veto to prevent UN peacekeeping. Perhaps the most preeminent example is when the Security Council considered the possibly of intervention in the 1994 Rwandan genocide to halt the savage violence. Despite widespread agreement that the action must be taken and international outcry, France and the United States blocked the establishment of a robust intervention force. They also weakened the definition of a "crisis" under international law, deliberately avoiding the use of the term "genocide." According to Human Rights Watch, "'the Americans were interested in saving money, the Belgians were interested in saving face, and the French were interested in saving their ally, the genocidal government.'"[122] In the end, the United Nations ultimately intervened due to a lack of a viable regional arrangement and international pressure, but there is a general consensus that it was too little, too late.

Collectively, in instances when regional institutions circumvent the UN either because Security Council cannot agree or is unwilling to act, these regional arrangements,

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[121] Van Hoeymissen 105
[122] Wouters 16

"do not get their mandate 'from above' (i.e. from the UN), but 'from below and within'
(i.e. from the cooperating states and emergent regional civil societies. [As a result,]
regions are becoming the most relevant actors in the global security architecture."[123]
Under this notion, regionalism becomes a replacement for the United Nations because a
partnership that has the potential to be forged either from supplementary or
complementary efforts is impossible due to United Nations inaction, either from a lack of
willpower or a deadlock within the Security Council. By virtue of this indecision,
regional organizations are essentially forced into acting as substitutes for the United
Nations because of inherent burdens of the "responsibility to protect" principle. In this
scenario, "silence by the Security Council and the legal requirement for its authorization
can give way to the moral imperative."[124]

Hypotheses:

The three theories discussed present possible explanations for the connection
between the United Nations and regional organizations and either institution's subsequent
action when a civil conflict erupts. However, while all three are viable, the two that
seems most valuable for understanding the relationship between regional organizations
and the United Nations are the latter two. Certainly the first theory is worthwhile, but it
alone cannot differentiate between instances when the United Nations defers to regional
arrangements or when the United Nations acts alone. Burden-sharing certainly affects
who intervenes, but under that theory, one could logically assume that the United Nations
will always to defer to a regional institution, however as history has shown, this is not the
case. Therefore, the hypotheses are:

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[123] Hettne and Söderbaum 229
[124] Lobel 136

Hypothesis 1: Whenever the pertinent regional organization is capable of successfully ending the conflict, it will lead the peacekeeping mission.

Hypothesis 2: Regionalism is a means to circumvent the Security Council when it cannot or is unwilling to respond to severe humanitarian concerns within a conflict.

Under these hypotheses, there are two explanatory variables: 1) the effectiveness of the appropriate regional institution and 2) the degree of agreement within the Security Council. With both variables, a clear distinction can be made between situations when the United Nations will intervene or when a regional institution will deploy a peacekeeping unit. Generally, whenever the pertinent regional arrangement possesses an advantage in resources, legitimacy, willingness, etc., it will lead the mission because of the burden-sharing framework created in the 1990s. In this sense, regional institutions and the United Nations are compliments of one another in international peacekeeping. However, if the Security Council is unwilling or unable to act because of an internal deadlock, the regional institution will circumvent it, regardless of whether they are violating the UN Charter, on humanitarian grounds. In this scenario, it is possible to understand the United Nations and regional arrangements as competing structures. Thus, both of these variables can independently explain the relationship between the United Nations and regional institutions in peacekeeping.

Furthermore, together the proposed variables (regional competency and Security Council readiness) create a dynamic that can predict behavior in international peacekeeping. The perceived effectiveness of a regional body together with the willingness of the Security Council to act ultimately dictates the final action taken by both the United Nations and the applicable regional institution. The following table posits

what the response will be of the international community given the factors posed in the two hypotheses:

	Regional arrangement is effective	*Regional arrangement is not effective*
Gridlock within the Security Council	Regional response, without UN approval	No multilateral (regional or UN) response, possible unilateral response
Agreement within the Security Council	Regional response, with UN approval	No regional response, UN response

The subsequent chapter will test these hypotheses using case studies of different civil conflicts that have occurred since 1990: the Somali Civil War, the Sri Lankan Civil War, the First Liberian Civil War and the Kosovo Conflict.

IV.   Case Studies

In order to test the hypotheses and develop a useful theory that explains the connection between regional institutions and the United Nations, it is necessary to analyze how this relationship has manifested in practice, specifically by looking at the international community's response to different civil conflicts over the past two decades. This undertaking will examine whether the variables posed in the previous chapter – the existences of an effective regional organization and the extent in which the UN Security Council agrees - are viable explanatory variables. The four civil conflicts that will be examined are the Somali Civil War (1991-present), the Sri Lankan Civil War (1983-2009), the First Liberian Civil War (1989-1996) and the Kosovo Conflict (1998-1999).

The case studies were chosen because they demonstrate a variation in the explanatory variables – the effectiveness of the pertinent regional institution and the degree of agreement within the Security Council. There was no effective regional body available to mediate the Somali and Sri Lankan conflicts in East Africa and South Asia correspondingly, whereas the Economic Community of West African States (ECOWAS) and the North Atlantic Trade Organization were each capable of successfully intervening in the Liberian Conflict and Kosovo War respectively. Furthermore, all four conflicts highlight a variation in UN Security Council deliberations. In both the Sri Lankan and Kosovo Conflicts, the UNSC was at a gridlock because it could not agree on the appropriate action to take in either conflict. In discussions regarding Kosovo, two of the five veto-holding members, Russia and China, refused to agree to any strategy that involved military action. As for the Sri Lankan conflict, the UNSC was at an impasse in the sense that they collectively were hesitant towards taking action. However, in the

Somali and Liberian conflicts, the Security Council was able to reach an agreement, although they ultimately approved different strategies to address the conflicts.

Thus, all four conflicts collectively confirm that association between the United Nations and regional organizations is ultimately dependent upon the effectiveness of the relevant regional institution and the degree of agreement within the Security Council. Specifically, if there is an effective regional arrangement, it will deploy a peacekeeping operation with or without a UN approval, although there is a preference for UN support because of legitimacy and resource concerns. If there is not an effective regional arrangement, the UN will intervene if there is a consensus within the UNSC on a diplomatic or military strategy. However, if it cannot or will not, an individual country in the region, usually the regional power, will act.

Somalia and Sri Lanka:

At the height of both conflicts, there was no viable regional solution available to intervene in either country. However, due to varying degrees of agreement between members of the UNSC, the international community's eventual response to both conflicts differed. In the Somali conflict, the UNSC determined that the conditions were increasingly dire and warranted an immediate response. In contrast, the Sri Lankan conflict by most standards was relatively mild with occasional periods of extreme violence, and thus, there was never a clear moment that demanded immediate action. As a result, the UNSC was hesitant to deploy a peacekeeping mission and was gridlocked in the sense that it was passive. Therefore, as these case studies show, the extent to which the UNSC agrees, in the absence of an effective regional solution, determines whether the UN deploys a peacekeeping mission or a regional hegemon intervenes unilaterally.

Somalia:

The basis of Somali society and the roots of the Somali conflict "lie in the family, sub-clan and clan system."[125] In 1969, Siad Barre assumed power in a bloodless coup as the leader of the Supreme Revolutionary Council, following the assassination of Somalia's second president, Abdirashid Ali Shermarke. In the first two decades of his rule, Barre tried to undermine the traditional clan structure of the country despite implementing policies to enhance his own power and the power of his family at the expense of other clans. He "courted the Soviet Union and tried to construct a socialist state on this foundation through a concerted assault on nepotistic clan politics. This weakened the traditional authority of clan elders, but failed to replace it with an effective substitute."[126] As a result, Barre, a member of the Marehan clan, faced opposition from other Somali clans, including the Hawiye, the Ogadeni and the Issaq, all of which formed resistance movements due to growing disillusion of life under a military dictatorship that was increasingly totalitarian. The rise of resistance movements, coupled with the diminishing strategic importance of Somalia as the Cold War ended, encouraged various resistance groups to unite to overthrow Barre and restore clan power.

In the early 1990s, Barre and the Supreme Revolutionary Council were forced from power by a coalition of the opposition clans, which "degenerated the country into a chaotic situation in which no faction had control of the state, nor the power to regain control."[127] In 1991, Barre fled the capital, Mogadishu. This was followed by a prolonged period of violent anarchy and warfare as armed conflict raged across the Southern part of the state, essentially dividing the country into 12 zones of conflict. The Manifesto Group,

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[125] Ramsbotham 193
[126] Ramsbotham 195
[127] Shaw 4

which was primarily made of the Hawiye clan, set up an interim government with Ali Mahdi Mohamed as interim president, "but this was almost immediately followed by a split between and within various rebel groups. What followed was an extraordinarily messy civil war, featuring extensive inter-clan fighting and sheer banditry."[128] Thus, what started as a struggle for control of government turned into a war, which produced a powerful array of interests that blocked reconciliation. The agricultural communities and coastal minority groups were mostly greatly affected because of a massive famine. This "prompted large international relief effort [from individual nations,] but the food aid quickly became part of the war economy, a commodity over which militias fought and that warlords diverted to fund the wars."[129]

As the violence escalated, full-scale civil war erupted. However, during 1991, not only was there no military humanitarian intervention, there was effectively no UN humanitarian intervention. The general sentiment within the UN was that "'Somalia is a food problem, not a security problem.' However, relentless badgering from [Secretary-General] Boutros-Ghali, the CNN effect - CNN discovered Somalia and filled the tube almost daily with pictures of starving mothers and dying children"[130] – and a growing public outcry finally forced the UN Security Council to become involved politically in early 1992.

The initial aim of the United Nations intervention in Somalia was to protect the food relief and end the famine in southern Somalia through a United States-led, United Nations-sanctioned multilateral operation encompassing 30,000 troops. The Security Council passed two Resolutions (UNSCR 733 and 746) without much operational content

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[128] Moller 8
[129] Wam 11
[130] Wam 11

and in April 1992, passed UNSCR 751, which mandated the dispatch of a small peacekeeping force. The latter Resolution affirmed the previous two, which denounced the loss of life and encouraged Somalis to abide by a ceasefire agreement, and established United Nations Operation in Somalia I that immediately deployed 50 observers in Mogadishu to monitor the ceasefire. In December 1992, the UN Security Council adopted UNSCR 794, which stated that "the situation constituted a 'threat to international peace and security' and this alone would permit the Security Council to intervene in the internal affairs of a state and explicitly allowed for the use of force."[131] Therefore, it authorized the creation of the Unified Task Force (UNITAF) for the purposes of creating a 'secure environment' in order to provide humanitarian assistance to civilians. The deployment of the force was led by the US who contributed over three-quarters of the troops.

The United States-led operation was formally handed over to the United Nations in May 1993, who expanded the mandate "to assist Somalis in promoting national reconciliation, rebuilding the central government and reviving the economy."[132] The effort – UNOSOM II - was successful in freezing armed conflicts within the country and "provided an opportunity for the main 15 Somali factions to meet and negotiate the framework for a transitional national government and the terms of a national reconciliation."[133] Despite the strides the operation made, the ambitious UNOSOM mandate of rebuilding a Somali government through locally-selected district councils directly threatened various clan interests who saw the UNOSOM program as a move to "disenfranchise them. A confrontation was inevitable and a four-month battle erupted between the Hawiye clan and the UN. The paralysis that the fighting imposed on

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[131] Moller 9
[132] Wam 12
[133] Wam 12

peacekeeping efforts sealed the fate of the operation, which departed in March 1995, leaving Somalia still in a state of violence and anarchy."[134] Today, because the Somali conflict is still ongoing, the United Nations maintains a presence in the country, but its "involvement has been rather low-key, focusing mainly on humanitarian issues in which the organization's various subsidiaries and agencies have been the main actors."[135]

The United Nations' intervention in Somalia is indicative of lack of a legitimate regional institution in the East Africa. Beyond "taking in refugees, neighboring countries did little, while the OAU did nothing."[136] Consequently, the UN eventually concluded that the deployment of a peacekeeping mission was necessary when a February 1992 negotiation session failed to reduce the violence. Therefore, despite the outbreak of the conflict coinciding with the normative shift in UN peacekeeping, the United Nations acted unilaterally.

Initially, the United Nations looked for a regional option because then-Secretary-General Boutros Boutros-Ghali believed that "regional action as a matter of decentralization, delegation and cooperation with United Nations efforts could not only lighten the burden on the Council but also contribute to a deeper sense of participation, consensus and democratization in international affairs."[137] Therefore, it "waited for the OAU to move first. But the OAU turned a blind eye for years to civil wars in Uganda and Ethiopia, citing its charter against involvement in internal affairs."[138] According to then-UN Undersecretary-General James Jonah, "if you talk with the OAU, the Islamic Conference, Arab League or other regional organizations, they will tell you: 'Well, this is

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[134] Wam 12
[135] Moller 31
[136] Ramsbotham 201
[137] Lewis
[138] Press

purely internal strife.'"[139] Moreover, East African bodies showed little interest in formulating a solution for Somalia. The lack of regional initiatives was a result of the paucity of fund and again, an inherent reluctance to become involved in the internal politics of another African country. The only willing East African nation was Ethiopia, which was the single most important foreign actor in Somali affairs, because of its security interests in Somalia. However, although at times the country positively supported reconciliation and state-building efforts, often its engagement was deeply divisive and undermined security objectives. As a result, Ethiopia was "extremely unpopular with many Somalis, who believed it feared the reemergence of a strong, united Somalia and so sought to perpetuate instability and division."[140] Therefore, although the United Nations asked the region to help create a strategy for Somalia, the significant influence Ethiopia had in the OAU compromised the institution's legitimacy due to Ethiopia's involvement.

Similarly, neighboring countries assisted different opposition groups at various points during the Barre regime. This role of outsiders created distrust between different Somali factions and foreign actors, making it almost impossible from the OAU to reach some sort of consensus. In Ethiopia, "a number of militarily successful Somali opposition groups were being supported and the countries in the Gulf region played a far more important role in Somali affairs than has generally been recognized,"[141] especially Saudi Arabia. It is "likely that some members of the Saudi royal family also had a regional agenda and one can only assume that a number of other local leaders were similarly engaged."[142] Libya and Eretria also supported opposition groups. Despite this,

[139] Press
[140] International Crisis Group 755
[141] Keller 80
[142] Keller 78

none of these opposition movements ever merged because regional actors deliberately kept the Somali opposition splintered enough to be nonthreatening as a supra-Somali force.

Furthermore, the African states "dispatched no delegation of respected African elders to attempt a dialogue between conflicting factions nor did they launch a concerted campaign to place or keep Somalia on the Security Council agenda."[143] Instead, they enjoyed the instability with the nation. Meanwhile, throughout his presidency, Barre established relationships with Saudi Arabia, Kuwait, and South Africa that allowed them to become intricately involved in the domestic politics of Somalia. Consequently, the culmination of many African nations' involvement in Somali affairs, caused tribes to resist regional interference in their civil conflict because there was immense distrust between factions and factions and other African states.

The combination of an ineffective regional arrangement along with agreement within the UNSC resulted in the deployment of a UN peacekeeping mission. At the time the Somali conflict erupted, "the United Nations was suffering from 'conflict fatigue.' It was running a dozen peacekeeping operations on five continents. The system was saturated [and] its peacekeeping budget had ballooned."[144] Despite this, due to the intimate involvement neighboring countries had in Somali affairs and their role in exacerbating the conflict gave the United Nations but little choice. The Organization of African Unity as well as various East African peacekeeping bodies were at the behest of the same perpetuators of the Somali conflict and thus their political viability and prospects for success were essentially nonexistent, leaving the United Nations as the only practical option. This not only suggests that the theory of burden-sharing is an

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[143] Ramsbotham 201
[144] Cohen 206

insufficient explanation to describe the relationship between the United Nations and regional organizations, but that the effectiveness of the pertinent regional institution and the degree of agreement within the UNSC are viable explanatory variables.

Sri Lanka:

Since 1983, the Liberation Tigers of Tamil Eelam (LTTE) has waged a war of separation against the Sinhalese-dominated, Sri Lankan government. The Sri Lankan population is divided into a Buddhist Sinhalese majority (74%), Hindu Tamils (19%) and Tamil-speaking Muslims (7%).[145] In 1948, Sri Lanka gained its independence from the United Kingdom, and a Sinhalese majority assumed power which, over time, "implemented discriminatory laws against the Tamils."[146] Consequently, by the 1970s, militant ethnic nationalist groups emerged, demanding autonomy in the Tamil-dominated northern and eastern regions of the island. The most prominent group was the LTTE which launched an attack on the military in northern Sri Lanka in July 1983 that "sparked anti-Tamil riots across the country and is generally viewed as the beginning of the civil war."[147] In a two-day rampage, Sinhalese mobs killed several thousand Tamils and burned and looted property. Over the course of 25 years, until the conclusion of the war in 2009, the UN estimates that 80,000 to 100,000 lives were lost.[148]

Despite often genuine efforts on both sides, peace talks repeatedly broke down for over two decades as neither side was willing to concede anything substantial. As a result, foreign nations attempted to negotiate peace between the combatants many times since the war's inception. The actor most heavily and consistently entangled in the Sri Lankan Civil War was India, the 'regional power' in South Asia due to the influx of Tamil

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[145] World Movement for Democracy
[146] World Movement for Democracy
[147] World Movement for Democracy
[148] CBC News

refugees into the country, the creation of an LTTE network in the southern portion of India, and involvement by the state of Tamil Nadu in Sri Lankan affairs. India's willingness to act as a mediator, coupled with the fact that South Asia lacked a viable interventionist body, the United Nations delegated competence to India. Indeed,

> "In the case of South Asia, which lacks any kind of multilateral security arrangement because the South Asian Association for Regional Cooperation (SAARC) explicitly excludes contentious and political issues from its areas of activity, 'conflict management is essentially a bilateral possibility.' Under these conditions, in the absence of multilateral initiatives involving regional states, [one] would expect a 'solo actor' to undertake some initiatives to deal with a conflict taking place in the region."[149]

Therefore, India, "as the predominant country – the regional power – in South Asia and a state directly affected by spill-over effects from the civil war in Sri Lanka attempted to play a prominent and active role in managing the Sri Lankan conflict according to its preferences."[150] India's initial involvement centered on supporting Tamil rebel groups by providing them with military assistance and training, however when Rajiv Gandhi became Prime Minister after the assassination of his mother, Indira Gandhi, in 1984, India "took a more neutral stance on the issue and officially interrupted military support for Sri Lankan Tamil rebels. It assumed a conflict-management role and repeatedly attempted to mediate between the conflict parties in the 1980s."[151]

On July 29, 1987, secret negotiations between the Indian and Sri Lankan governments led to the Indo-Sri Lanka Agreement and the deployment of the Indian Peace Keeping Force in the North and the East of the island with the task of supervising a ceasefire and disarming the LTTE. However, although "the Indian intervention is always referred to as a 'peacekeeping operation,' this is a misnomer. The operation was not

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[149] Destradi 7
[150] Destradi 8
[151] Destradi 9

endorsed by the United Nations; on the contrary it was the result of an uneven bilateral agreement between the Indian and Sri Lanka governments."[152] Instead of diffusing the conflict, "the operation created the political conditions for the LTTE to strengthen the resolve of the Tamil population, which would almost certainly have interpreted the Indian intervention as a Hindu nation intervening against a Hindu separatist movement."[153] In this sense, India was not a legitimate actor and should not have been allowed to mediate the Sri Lankan conflict alone. Due to its political and cultural ties to the Sri Lankan government and LTTE, it was too intimately involved with the domestic affairs of Sri Lanka to be a neutral actor. Although it was willing to act and had the capacity to act in terms of resources, it was not an effective regional arrangement because it could not remain impartial.

Consequently, the Indian "peacekeeping" operation culminated in the retaliation by the LTTE. The militia assassinated Rajiv Gandhi, thereby making,

> "[A]ny kind of Indian involvement from then on politically impossible. From 1991 onwards, India was forced to pursue a 'hands-off approach towards the civil war in Sri Lanka. In the context of its more regional cooperative regional policy under the Gujral Doctrine, the Indian government accepted the involvement of external actors in Sri Lankan affairs. Starting in 2000, Norway acted as a mediator between the LTTE and the Sri Lankan government. Eventually this mediation led to the signing of a ceasefire in 2002 and provided for the establishment of the Sri Lanka Monitoring Mission (SLMM), composed of "Nordic" states charged with monitoring the ceasefire."[154]

Over the course of 12 years, Norway worked diligently to broker a peace agreement between successive Sri Lankan governments and the LTTE. Moreover, Norway sent troops to monitor a ceasefire monitor in 2002 until 2006 and continued to supply an aid to the country until the war concluded in 2009, when the Sri Lankan

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[152] Rothberg 19
[153] Rothberg 19
[154] Destradi 10

government took control of the entire region that was previously under Tamil control, forcing the LTTE to admit defeat in May 2009.

Towards the end of the prolonged war, the United Nations continually assessed the possibility of intervention. The United Nations Human Rights "monitoring machinery" was activated to evaluate alleged human rights violations by the Sri Lankan government just as they "did before UN interventions in Rwanda, Darfur etc."[155] Moreover, various UN personnel visited Sri Lanka, including Allen Rock, Special Advisor to the UN Special Representative for Children and Armed Conflict and John Holmes, the U.N. Undersecretary-General for Humanitarian Affairs. Both presented reports that detailed the kidnapping of children from refugee camps by paramilitaries with the Sri Lanka government's knowledge and on the mistreatment of the war displaced Tamils in the East respectively. Also, the UN High Commissioner for Human Rights Louise Arbour visited Sri Lanka and "reiterated the importance of the deployment of a field-based UNHRMM in Sri Lanka."[156] However, despite laying the framework for a possible intervention, the United Nations abstained from intervening in Sri Lanka "because of India."[157] The United Nations intended on replicating what it did in Darfur: "although the US wanted a NATO-led UN intervention is Darfur, it compromised on an AU-dominated UN peacekeeping force there. Similarly, the UN planned on working alongside India in making compromises to use an Indian-dominated UN peacekeeping force in Sri Lanka."[158] Yet, all plans were abandoned in 2009 when the renewal of hostilities between the LTTE and Sri Lankan government resulted in the defeat of the LTTE for good.

[155] Rajakulendran
[156] Rajakulendran
[157] Rajakulendran
[158] Rajakulendran

Although ultimately India proved to be an ineffective actor, it was the only intervention option in Sri Lanka due to an absence of an effective regional institution and inaction by the UNSC because, at minimum, India was willing and fully prepared to intervene. Thus, regardless of its actual effectiveness, it remains the primary peacekeeping force in South Asia. On a broader scale, the Sri Lankan case study suggests that unilateral action is dependent on both the nonexistence of a viable regional peacekeeping institution and indecision by the UNSC.

Liberia and Kosovo:

The Liberian and Kosovar case studies illustrate that the relationship between the United Nations and regional institutions, when the latter can function as an effective peacekeeping body, is dependent on the UN Security Council. When the Kosovo and Liberian conflicts erupted, in Europe and West Africa, there were viable regional peacekeeping options. However, the UNSC only authorized the ECOWAS mission in Liberia, thus creating an acrimonious relationship between itself and NATO, the body that intervened in Kosovo. Together the two case studies demonstrate that in the face of UN inaction, the relevant regional institution will intervene, however under a UN mandate, it is perceived as more credible.

Liberia:

The conflict in Liberia can be characterized as an ultimate struggle for political power:

> "The contest for state power has taken various forms, including violence and the manipulation of primordial loyalties. Those that hold political power struggle to maintain their control and to use their power for their personal benefit and/or to benefit their clients or ethnic groups. Social elements that are being deprived of political participation seek to gain some measure of political power from the state."[159]

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[159] Shaw 3

In April 1980, Master Sergeant Samuel K. Doe overthrew the sitting president, William Tolbert. Although he made promises of ending government corruption and redistributing wealth, it soon became evident that the Doe regime was even more repressive than Tolbert's. Doe suspended the Constitution, declared martial law, banned all political activity, dissolved the legislative and branches of the government, and usurped the judiciary. A coup was staged in 1985, but Doe violently and mercilessly crushed the attempt. "The aborted coup and its violent aftermath inflamed ethnic tension"[160] because Doe responded by reallocating wealth and resources along ethnic lines.

By 1990, the National Patriotic Front of Liberia, led by Charles Taylor, had mobilized widespread resentment and with the Independent National Patriotic Front of Liberia, fought Doe's army for control of the Monrovia, the capital. In a four month period, between January 1990 and April 1990, the battle for the city spread throughout Liberia and the country descended into a full-scale civil war. Soon, "an invasion that in January looked containable became in April a major insurgency threatening the regime's existence,"[161] with widespread ethnic cleansing by both the government, under the direction of Doe, and rebels and the rapid buildup of refugees and displaced persons. When the conflict deteriorated to such a degree, the international community decided to act, the result: an ECOWAS-UN partnership which was "the first time ever, 'the United Nations would undertake a major peacekeeping operation with another organization, in this case a sub-regional organization.'"[162] From the outset of the war,

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[160] Noble
[161] Cohen 132
[162] Adibe 471

The "US was expected to intervene, as the patron of the Liberian state. Many observers expected that early reports emerging from West Africa in the middle of spring 1990 alleging that NPFL rebels were trained and equipped by Libya would trigger strong US reaction, culminating in the direct military intervention. Initially, the US soon began consultations with its African 'allies' to orchestrate a regional response to the Libyan threat. However, the dynamics of the war changed quite sharply by the end of spring 1990 due to a series of massacres targeting foreign nationals in Liberia, by government and rebel forces alike. Washington's response to this development was to deploy forces to evacuate US citizens and privileged foreigners residing in Liberia. Vocal Liberians, pan-Africanists and the African press saw this action as a clear indication of the growing trend towards the marginalization of Africa by the West in general. In particular, the action was seen as proof of US insensitivity to the plight of Africans. If the world had abandoned Africa because the Cold War had ended, the prescription was clear: Africa must act in the spirit of pan-Africanism to save one of its own from self-destruction."[163]

In the absence of the expected US action, the UN sought a regional solution. In deliberations, Boutros-Ghali told the Security Council that "Liberia is a regional problem, best resolved by the neighboring states."[164] Although he conceded that "'there is a general consensus that the United Nations should assume a larger role in the search for peace in Liberia,' [he stated that] 'it would be more appropriate if ECOWAS, the West African regional power, were to consider the situation in Liberia, preferably at summit level.'"[165] The subsequent result was a partnership between the United Nations and ECOWAS. ECOWAS' "tactic was to approach Nigeria, the dominant West African state, to lead a regional force into Liberia within [its] framework."[166]

ECOWAS was initially designed in 1975 by a joint initiative of Nigeria and Togo to promote economic and social cooperation within the West African region and its initial mandate did not include peacekeeping responsibilities. However, "in Africa, the dominance of security issues and concerns in regional politics make it more imperative

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[163] Adibe 472
[164] Dowden
[165] Dowden
[166] Brockman 715

that economic relations be harnessed on a sound political and security foundation as the collapse of law and order render the pursuit of the objectives of economic integration difficult, if not impossible."[167] Therefore, "Liberia was high on the agenda when the ECOWAS heads of state gathered in Banjul, Gambia, in May 1990, for their annual summit. Normally, Africans did not discuss such strictly internal problems [but,] in the Liberia case they determined the state had effectively collapsed."[168] As a result, although the UN Charter explicitly prohibited the unilateral use of force by states or regional organizations, the loopholes embedded in Articles 51 and 52 permitted ECOWAS to invoke the right to collective self-defense and authorize regional involvement. In August 1990, ECOWAS cited humanitarian abuses and regional instability as the reasons for its intervention in Liberia. Boutros-Ghali presented a report to the Security Council, which stated that "the role of the Security Council in the Liberian crisis is one of support for the initiatives and endeavors of ECOWAS. It is the wish off the Council to continue and expand as appropriately as possible the cooperative relationship between the UN and ECOWAS."[169] Furthermore, he urged the international community to contribute financial, logistical and other assistance to support ECOWAS.

As a result of the UNSC mandate, in September 1990, an ECOWAS Ceasefire Monitoring Group (ECOMOG) was established after it was agreed that an external military force was needed to rescue West African citizens, restore stability, and assure a democratic transition. Thus, the UN-backed ECOMOG force, which included 2500 troops from six different countries, was deployed to monitor the observance of the ceasefire by all sides to the conflict. Moreover, a peace plan was created to establish an

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[167] Ero
[168] Cohen 147
[169] Dowden

Interim Administration in Monrovia to oversee an agreement by the parties that would create a substantive government through nation-wide elections. The mission was to be strictly a monitoring operation as the member states refused to take military action until the violence reach a level that threatened regional stability. However, "the factions [including the party of the sitting president] vowed to oppose the peace plan. This set the stage for a military showdown between ECOWAS and the Liberian factions."[170]

After both the Liberian government and the various rebel factions declared war on the ECOMOG, member states started planning their withdrawal as it became apparent that ECOMOG needed to be much stronger to sustain the attacks. Therefore, due to heavy lobbying by the three African nations on the Security Council, the United Nations ended its deferral to ECOWAS in November 1992. In response to the escalating violence, the Security Council passed Resolution 866, creating a UN Observer Mission in Liberia (UNOMIL), which imposed an arms embargo on rebel factions and authorized a "fact-finding" mission to assess the crisis. To this day, the United Nations continues to maintain a presence in the nation through successive missions.

During its two-year mission, ECOMOG's intervention helped to stop the fighting to a certain degree and was relatively successful until it could no longer resist persistent rebel attacks. Throughout its mission, "the Security Council never drew attention to or criticized ECOMOG. Rather it praised ECOMOG's performance."[171] Similarly, "the ECOWAS was almost universally applauded."[172] The United Nations was only "invited to step into the Liberian quagmire because of the politico-military stalemate encountered by ECOWAS,"[173] but through its initial support of the ECOWAS mission, the UN

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[170] Adibe 475
[171] Ero
[172] Pham 135
[173] Adibe 477

created a precedent for regional action. By deferring to ECOMOG for just over two years, "it ascribed to the notion that regional organizations can better mediate internal conflicts."[174]

The Liberian example affirms that when there is a viable regional peacekeeping option and the UNSC can agree on a mandate the UN will partner with the regional organization to give the regional arrangement legitimacy and support through the allocation of resources. In the case of Liberia, the United Nations empowered ECOWAS to lead the conflict because it was "a credible African initiative to maintain regional peace and uphold various peace accords at a time when some of the African countries engulfed in conflict no longer enjoy their 'Cold War privileges.'"[175] However, as the Kosovar example will show, regional institutions will act without a UNSC mandate, forgoing international legitimacy in the process.

Kosovo:

For a large part of the 20th century, "the Albanians of Kosovo, a largely ethnically Albanian province of the Federal Republic of Yugoslavia, lived under Serbian rule, and for most of that time Serbia ruled them with a heavy hand."[176] As a result, although the province was granted full autonomy in 1974, which gave it almost the same rights as Yugoslavia's six republics, Albanians demanded the status of a full republic for the province after the death of Yugoslav President Josip Borz Tito. Protests erupted in the early 1980s and the federal government responded by encouraging violence against Albanians. In 1989, Slobodan Milosevic, head of the Serbian Communist Party, rose to power by harnessing resentment over Kosovar influence within the Yugoslav federation.

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[174] Brockman 720
[175] Pham 135
[176] Caplan 747

That year he stripped Kosovo of its autonomy after claiming that the provincial government was oppressing the Serbs in Kosovo. His actions "precipitated a crisis across the rest of the former Yugoslavia which was to end its bloody collapse."[177] Under the leadership of Ibrahim Rugova, Albanians in Kosovo resisted Serbian rule peacefully by declaring their independence and running a parallel state. However, the passive resistance movement failed to secure independence or restore autonomy and by the mid-1990s, the Kosovo Liberation Army (KLA) started attacking Serbian targets. By the summer of 1998, Albanians were mounting mass protests against Serbian rule so Milosevic ordered the police and army to crush the any Albanian resistance. Despite this, prior to the breakup of Yugoslavia, the international community "generally took little interest in Kosovo."[178]

Until the intervention of NATO, the international community maintained an "'outer wall' of sanctions, in part to induce Milosevic to assume a more conciliatory stance towards Kosovo. As a result, Yugoslavia was barred from membership in major international organizations, including IMF and the World Bank."[179] However, Milosevic managed to offset many of the effects of these measures. Similarly, the international community, including the United States, issued warnings to Milosevic, most notably in December 1992 when US President George Bush threatened to take military action if Serbia engaged in aggression against Kosovo. However, "the equivocal conduct of the international community on the eve of the current crisis hardly conveyed the impression of unyielding determination."[180] Rather, the United States, the United Kingdom, and

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[177] "History, Bloody History."
[178] Caplan 747
[179] Caplan 753
[180] Caplan 753

France, among others, declared the KLA a terrorist organization essentially "providing Serbian authorities with a legitimate pretext for brutally unlawful measures."[181]

An upsurge in violence in February 1998, however, marked a shift in the position of the Western world. For "classified reasons," the United States de-listed the KLA as a terrorist organization and convinced the United Kingdom and France to do the same. Moreover, the six-nation Contact Group, comprised of the US, UK, France, Germany, Italy, and Russia, met in March and threatened new sanctions against Milosevic unless Belgrade withdrew its special forces from Kosovo and began an unconditional dialogue with Rugova. Over the next three months, Milosevic managed to maintain his "campaign of violence while offering half-measures that would win him a partial suspension of sanctions and a further extension of deadlines."[182] As a result, in March 1998, the United Nations Security Council passed Resolution 1160 which condemned the Yugoslavia's excessive use of force, imposed economic sanctions and banned arms sales to Serbia.

However, the following month, in a national referendum, 95% of Serbs rejected a foreign mediation to solve the Kosovo crisis and the situation within Kosovo deteriorated further. As a result, Rugova went to New York City to meet with Secretary-General Annan and request UN intervention. In response, the UNSC issued Resolution 1199 in September 1998

> "[W]hich demanded an immediate end to hostilities, spoke of an 'impending humanitarian catastrophe' and characterized the developments as 'a threat to peace and security in the region.' But since the Security Council could not agree on a military response, the chances for inducing change from outside remained slim. Thus NATO faced the prospect of either witnessing a deliberately engineered mass expulsion of people in a region bordering NATO and the EU or addressing the Kosovo crisis in full."[183]

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[181] Caplan 754
[182] Caplan 754
[183] Solana 116

In the summer of 1998, NATO diplomats had said that the Western alliance would not take unilateral military action and instead would wait for a mandate from the UN Security Council. The Alliance publicly stated that "we would prefer to use a military option if necessary…but this is hardly possible without a mandate. We require a solid legal basis and that is possibly only with a mandate."[184] However, over the course of nine months, that stance would slowly shift as the UNSC refused to act.

The impasse within the Security Council stemmed from division among the major powers. Russia refused to support many sanctions and other states in the UNSC wished to "temper punitive measures with positive incentives."[185] China threatened a veto for any action that went beyond UNSCR 119. Moreover, the Russian foreign minister, Igor Ivanov, specifically said the Russians would veto any Chapter VII mandate that included military intervention. According to the Russians, a military strategy was outside the scope of international law. In October 1998, Russian foreign ministry spokesman Vladimir Rakhmanin said a NATO military action not sanctioned by the U.N. Security Council "could dramatically exacerbate the situation in the region and deliver a serious blow to the United Nations, the U.N. Security Council and to the entire system of international relations."[186]

Therefore, in the absence of UNSC agreement, towards the end of 1998, NATO began discussing the legality of using force. However, while the British wanted a Security Council Resolution that would mandate the use of force, the US position "was that NATO could do what it liked. The Americans were outraged because they said that if you always had to go to the Security Council that gave the Russians a veto on US foreign

[184] "NATO awaiting U.N. resolution on Kosovo as Contact Group convenes."
[185] Caplan 754
[186] "Official: NATO action in Serbia would undermine ties with Russia."

policy"[187] and vehemently argued that the alliance should not be held hostage to the veto

by one country or another than opposed a specific operation, unlike the Security Council.

Initially, the Europeans resisted this argument although their opposition began to wane.

While "many argued that there was still no case in international law to use force,

the atrocity stories, particularly the picture of the towns of thousands of people in the hills,

had been changing minds."[188] Gerhard Schroder, the new Germany chancellor, told

President Clinton his country would support a military intervention. Moreover, a meeting

between American Secretary of State Madeline Albright, French President Jacques

Chirac and British Prime Minister Tony Blair in London in October 1998 began to shift

sentiments in NATO's favor, after it became apparent that Russia would not acquiesce to

the wishes of the West.

> "By the end of the month NATO also accepted that position, relying on the reasoning of the French President, Jacques Chirac, who argued that a humanitarian emergency allowed it. The matter was clinched on 8 October, when Contact Group leaders meeting at London's Heathrow airport got a backhanded go-ahead from Igor Ivanov, Russia's foreign minister. He told the group that should intervention in Serbia be proposed to the United Nations, Russia (China, too) would veto it; however, if NATO intervened, Russia would protest, but, naturally, would have no recourse."[189]

This provided NATO with the implicit approval to authorize military force if

Milosevic ignored the demands made in UNSCR 1199. The Alliance "chose the option of

employing NATO because the SC was or appeared to be deadlocked."[190] In March 1999,

a campaign of ethnic cleansings against Kosovo Albanians was initiated by Serbian

forces, forcing hundreds of thousands of refugees to flee to Albania, Macedonia, and

Montenegro. In response, NATO began air strikes against targets in Kosovo and Serbia.

A Russian resolution condemning the action, cosponsored by India and Belarus, was

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[187] Judah 182
[188] Judah 182
[189] Rogel 176
[190] Prantl 577

voted down at the Security Council. After 11 weeks of NATO bombing, Milosevic was forced to withdraw his troops and police, some 750,000 Albanian refugees came home and about 100,000 Serbs fled. Via UNSC Resolution 1244, the United Nations was put administratively in charge, pending agreement on whether Kosovo should become independent or revert to Serbian rule. In May 1999, the International War Crimes Tribunal in The Hague indicted Milosevic for crimes against humanity. In 2001, a year after he resigned the Yugoslav presidency due to demonstrations, he was arrested and sent to The Hague to stand trial for war crimes. Following the Kosovo War, Yugoslavia relinquished governance of the region, whose governance was then taken over by the United Nations following the conclusion of the war. Today, Kosovo is a partially recognized, self-declared independent state with *de facto* control over the territory despite monitoring by the United Nations.

The Kosovo Conflict demonstrates that in the face of potential inaction by the United Nations due to a gridlock with the UNSC, regional action is dependent on whether the pertinent regional organization is effective. When it possesses the capacity to effectively intervene, it will regardless of a UN mandate. In this sense, regional institutions should be understood as independent of the United Nations because although UNSC approval is desired, it is not a requirement for regional peacekeeping.

Discussion:

The aforementioned conflicts illustrate that the relationship between the United Nations and the regional and sub-regional organizations is multifaceted and therefore, cannot be described through one explanatory variable. Since the 1990s, due to the United Nations' desire to reduce its own diplomatic burden, regionalism has assumed an expanded and increasingly powerful role in international peacekeeping and thus, the

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relationship between the two institutions have evolved accordingly. In the previous

chapter, two hypotheses were presented to explain this relationship.

Hypothesis 1: Whenever the pertinent regional organization is capable of successfully ending the conflict, it will lead the peacekeeping mission.

Hypothesis 2: Regionalism is a means to circumvent the Security Council when it cannot or is unwilling to respond to severe humanitarian concerns within a conflict.

These hypotheses contend that the two variables – the effectiveness of the

regional arrangement and the degree of agreement within the Security Council – describe

the connection between international and regional peacekeeping. The variables predict

specific factors affect the eventual peacekeeping action taken by either the United

Nations or the appropriate regional body. The interaction between these independent

variables results in four different peacekeeping scenarios posed in the following chart:

	Regional arrangement is effective	*Regional arrangement is not effective*
Gridlock within the Security Council	Regional response, without UN approval	No multilateral (regional or UN) response, possible unilateral response
Agreement within the Security Council	Regional response, with UN approval	No regional response, UN response

The case studies demonstrated that the two variables posed in the hypotheses

interact to create four distinct peacekeeping missions. The UN mission in Somalia was a

result of an inadequate regional option and agreement within the Security Council. The

Indian intervention in Sri Lanka stemmed from indifference on the part of the UNSC and

the lack of regional interventionist force. The ECOWAS operation in Liberia was borne

out of agreement by the UNSC that ECOWAS was a viable regional peacekeeping institution. Lastly, the independent NATO mission in Kosovo was an outcome of both the presence of an effective regional body and disagreement with the Security Council.

The Somali conflict illustrated that when the pertinent regional organization, in this case the Organization of African Unity, is incapable of intervening within a war-torn nation, the United Nations will intervene if the Security Council is able to reach an agreement on the intervention strategy. From the start of the conflict, the UN possessed considerable more resources than the OAU. Moreover, "the military forces were also more 'professional' in the sense that they had more training in peacekeeping tactics and did not have direct interests in the conflict that would affect their response to a direct attack."[191] Therefore, lack of an ineffective regional organization and agreement within the Security Council over a strategy for Somalia created appropriate conditions for the UN to act.

The ECOWAS mission in Liberia was the outcome of agreement by the Security Council members that ECOWAS was capable of "restoring law and order, negotiating a ceasefire agreement, and establishing an interim government through a free and fair election"[192] because it was able to enter the country with "a greater consensus and greater support."[193] Moreover, UNSC determined that "the ECOMOG members could successfully conduct significant negotiation sessions because they were familiar with the circumstances surrounding the conflict and understood the political culture of Liberia and the motivations of various faction leaders."[194] The UNSC agreement, coupled with the

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[191] Shaw 13
[192] Shaw 9
[193] Shaw 10
[194] Shaw 10

viability of ECOWAS, produced the first instance in the United Nations' history that the institution partnered with a regional organization in a peacekeeping operation.

The Kosovar operation led by NATO was a direct result of a gridlock within the UNSC and the ability of NATO to effectively intervene without UN support. Indeed, the NATO mission in Kosovo was conducted with the tacit disapproval from the Security Council as a collective voting bloc. However, the UNSC had no recourse, because while the

> "[S]ecurity provisions of Article 53 gives clear authority to the Security Council to delegate enforcement action to regional organizations so no enforcement action could be take by regional organizations in the absence of the prior authorization of the Security Council, in reality, this model was never realized because of the Cold War-inducing veto paralysis in the Security Council and to some degree a reversion to balance of power politics."[195]

Similarly, due to loopholes in the UN Charter, NATO was able to circumvent the Security Council. Specifically, Article 51 of the UN Charter preserves "the 'inherent' right of individual and collective self-defense in the event of an armed attack. Originally intended as a short term emergency response to invasion, the Article has functioned as the basic underpinning for the mission concept of organizations such as NATO."[196] This interaction between the explanatory variables – regional effectiveness and gridlock with the UNSC - produced a completely independent regional peacekeeping mission.

While this paper focused on select civil conflicts, there are many more examples that will support the idea that the interaction between the independent variables influences the ultimate peacekeeping operation. UN peacekeeping missions in Rwanda (UNAMIR), the Democratic Republic of Congo (MONUSCO), and Haiti (UNMIH) are a few examples that confirm that UNSC agreement coupled with a lack of a viable regional

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[195] Morris 134
[196] Morris 134

arrangement will yield UN action. Similarly, when the Security Council reaches a consensus, the presence of a capable regional peacekeeping body will result in an UN-regional partnership. Some examples are the peacekeeping missions in Georgia (CIS Peacekeeping Force), Albania (Multinational Protection Force) Bosnia (NATO), Macedonia (NATO), among many others.

Furthermore, examples like the Darfur conflict affirm that the existence of an effective regional organization and the lack of agreement within the Security Council can explain the deployment of a regional peacekeeping force. Although a hybrid United Nations-African Union force was finally approved in 2007, the initial stages of the conflict were marred by "hesitant, timid, and equivocal action on the part of the UN Security Council and Western states"[197] despite assessments from various NGOs such as Amnesty International and the International Crisis Group and officials from the United Nations itself that Darfur was home to the "world's greatest humanitarian crisis and possibly the world's greatest humanitarian catastrophe."[198] Therefore, due to "the just cause threshold that was proclaimed at the time of the intervention in Kosovo, 'regional organizations were entitled to intervene to protect Darfur's civilians without either Security Council authorization of the Sudanese government's consent.'"[199]

The international community's response to the Sri Lankan conflict, which did not consist of an institutional response at either the regional or international level, was a result of the absence of an effective regional peacekeeping option and apathy on the part of the Security Council. In this instance because of regional and UN inaction, India's "experience and expertise in peacekeeping, in counter-insurgency, and in mountain

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[197] Hehir 258
[198] New York Times
[199] Hehir 258

warfare"[200] made it the most viable peacekeeping option to mediate the conflict. Although the state ultimately proved to be ineffective because of its close relationship to both the insurgents and the Sri Lankan government, what the case demonstrates is that when a viable regional arrangement is nonexistent and the UNSC is passive or at an impasse, a unilateral peacekeeping effort by a country within the region is the most likely scenario.

Through the four case studies, the proposed variables – the effectiveness of the pertinent regional arrangement and the degree of agreement within the Security Council – produced viable theories to explain the relationship between regional institutions and the United Nations in international peacekeeping. Furthermore, the interactions between the two variables predicted conceivable variation in unilateral, regional and supranational action. Specifically, when there is an effective regional institution in existence, it will intervene in a civil conflict with or without the United Nations' approval, which is dependent upon a consensus among the Permanent 5. However, if there is a viable regional solution, either the United Nations or a regional power will act, again depending on degree of agreement within the Security Council.

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[200] Bullion 108

V. Conclusion

Following the end of the Cold War, due to fundamental changes taking place in international relations, specifically the collapse of authoritarian regimes, there was a rapid decline in traditional interstate conflicts and a comparable rise in intrastate ones. Thus, the major threat to international stability and peace now comes from internal conflicts. When these civil conflicts occur,

> "It would be natural to assume that the parties should settle their own conflict, since this is their concern, their business. But most of the time, because of uncontrolled escalation, as well as the psychological components of conflict (e.g., the tension of hostility, the lack of trust, the mutual suspicion, the impulse to secrecy, the biased communication, and so on), conflicting parties are the least equipped to stop fighting and design a solution by themselves. Thus, third-party intervention often becomes a necessity in the process of conflict resolution and peacemaking."[201]

Among third parties, the "United Nations has a special place due to its mission of being the grand guardian of international peace and security."[202] Until the 1990s, due to a relatively small peacekeeping load, the UN was able to unilaterally manage its peacekeeping responsibilities. However, over the course of the decade, it became evident that there was "a growing disparity between the capacity of the UN and demands of international peace and security."[203] As a result, the United Nations sought to bridge a partnership with different regional organizations to share the peacekeeping burden. In this new framework, which was developed over a number of years, regional institutions were expected to carry the brunt of international peacekeeping in accordance with UN norms and under the direction of the Security Council. However in the past two decades, this relationship has not turned out as expected; although there are instances when the United

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[201] Yilmaz 14
[202] Yilmaz 14
[203] Yilmaz 20

Nations partners with the pertinent regional body, the UN is still considered

overburdened because of its expansive peacekeeping mandate. Moreover, regional

organizations have bypassed the United Nations Security Council and authorized

independent peacekeeping missions in defiance of the UN Charter. Both scenarios were

not envisioned in this regional-global peacekeeping framework. Certainly the United

Nations was expected to retain its role as the preeminent peacekeeping body; however the

increased reliance of regional organizations intended that the United Nations, in 2012,

would not still be considered "overburdened, undefended and overstretched."

Furthermore, "under this new system, without the imprimatur of a UN Security Council

resolution, intervention by regional organizations is considered a mere invasion however

honorably motivated."[204]

However, in the post-Cold War era, regional institutions have demonstrated the

ability to successfully intervene in a civil conflict perhaps as effectively as the United

Nations because they succeed and fail for many of the same reasons that UN operations

do. As a result, they have gained strength in international peacekeeping and have become

actors in their own right. The increased role of regional organizations has resulted in a

somewhat contentious relationship between the two organizations, which in turn has

created inconsistencies in international peacekeeping. Depending on the conflict, the

United Nations and the regional institution will assume a complementary, supplementary,

or adversarial relationship. This paper theorized what factors influence the relationship

between both institutions how that ultimately influences their response to a civil conflict.

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[204] Hirsh 5

To restate, the hypotheses are:

Hypothesis 1: Whichever institution is most capable of successfully ending the conflict, as assessed by objective criteria, will lead the mission.

Hypothesis 2: Regionalism is a means to circumvent the Security Council when it cannot or is unwilling to respond to severe humanitarian concerns within a conflict.

In each hypothesis, a specific factor was isolated as the primary determinant that impacts the connection between the United Nations and the regional organization. The two explanatory variables were effectiveness of the relevant regional institution and the degree of agreement within the Security Council. The former postulates that the effectiveness, which is based upon willingness of member states, available resources and legitimacy among other factors, of the pertinent regional force determines whether that organization ultimately deploys a peacekeeping operations. The other independent variable contends that the United Nations Security Council, through either its authorization of a mission by consensus between the P5, inaction due to a gridlock, or a veto, determines the course of action taken by either institution. Specifically, when the Security Council cannot reach a compromise or remains passive, a regional organization will bypass the UNSC and intervene in the conflict without a UN mandate. The paper also theorizes that the interaction between these variables results in four distinct scenarios:

	Regional arrangement is effective	*Regional arrangement is not effective*
Gridlock within the Security Council	Regional response, without UN approval	No multilateral (regional or UN) response, possible unilateral response
Agreement within the Security Council	Regional response, with UN approval	No regional response, UN response

Through the use of case studies, these explanatory variables were tested. In general, the case studies affirmed that these two variables explain variations in relationship between the United Nations and regional institutions. When a viable regional peacekeeping option exists, it will intervene regardless, although it first seeks approval from the United Nations Security Council. If there is no adequate regional solution and there is agreement within the Security Council, the United Nations will intervene in the civil conflict. However, if the UNSC is at an impasse, due to either reluctance or inability to act because of a P5 veto, the most likely response will be intervention by a single regional actor, usually the regional power.

Therefore, the two primary variables – effectiveness (of a regional institution) and willingness (on the part of the Security Council) – can individually and collectively explain different outcomes in terms of UN and regional responses. Overall, this paper concludes that regional-level factors – the potential effectiveness of the pertinent regional organization in terms of available resources and perceived neutrality – and international-level factors - the willingness of the Security Council - influence the establishment of a third-party peacekeeping mission in a civil conflict.

While the theories regarding the relationship between the United Nations and regional institutions in international peacekeeping were developed in greater detail in the previous chapters, the predicted outcome when there is not an effective regional arrangement and lack of agreement within the Security Council was only postulated but not evaluated. Thus, it requires further examination. The theory that a unilateral response will be the result of a specific interaction between the two explanatory variables suggests that regional powers are concerned with the spillover effects of conflicts in neighboring

countries and thus will intervene if an institutional response cannot for humanitarian reasons. In the post-Cold War period, humanitarian invention "'cannot be understood apart from the changing normative context in which it occurs.' Specifically, the extent of 'humanitarian norms' existing at the level of the international system influences the extent of humanitarian military intervention by states."[205] In the past two decades, unilateral interventions by states were more likely in civil conflicts when there were concerns about an impending humanitarian crisis. However, individual states often have underlying motives. States "tend to support insurgences in rival neighboring states as means of increasing their influence within a region and weakening the influence of their rivals."[206]

Furthermore, religion also plays a key role in intervention as states often intervene on the behalf of disputants with whom they share a religious affinity. This contrast, strategic or power motivations versus non-strategic or affective motivations of unilateral state interventions, is one that invites additional research because it appears that seemingly polar motivations influence the decision of an individual state to establish peacekeeping mission. Much of the current research analyzes whether these options are effective, but does not extensively analyze their origins. Thus, future research should focus on factors that influence individual states to choose to intervene militarily or diplomatically in some civil conflicts and not others and which of these factors – power motivations or affective motivations – is more dominant. Moreover, the idea that a unilateral mission may be more desirable when dealing with "small states in the region"[207] must also be examined. In doing so, a greater understanding of unilateral

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[205] Mullenbach 535
[206] Mullenbach 535
[207] Diehl 228

peacekeeping missions may be unearthed. Additionally, the dynamic between the three types of peacekeeping forces – supranational, regional, and unilateral – may be explained, specifically what factors influence the relationship between all three.

Moreover, further research should look at international-level, regional-level and state-level factors that influence the establishment of a peacekeeping force beyond the ones discussed in this paper and whether these factors have different effects on the decisions of the United Nations, regional institutions and individual states. The varying effects each factor has may influence the ultimate response of each peacekeeping arrangement. Additionally, future research should look at the factors that motivate either institution to choose one method of intervention over another. Specifically, this research should look at what factors influence the UN, regional institutions or individual actors to use diplomacy or a military strategy in civil conflicts.

In the past two decades, "new peace operations have been justified on the basis of humanitarian intervention, the notion that the international community, in order to insure the delivery of essential lifesaving assistance, has the right to use force or the threat of force against those attempting to prevent the distribution of assistance."[208] Consequently, this has expanded the United Nations peacekeeping mandate and compelled them to rely increasingly on the regional organizations to handle some of the peacekeeping burden. Under this conception, "it is hard to conceive how the UN can maintain primacy if regionalism continues to deepen and strengthen around the world. A UN based on nation-states is not well suited to control strong regions. With increasing regional actor-ness, regions will to an increasing extent be able to manage their own conflicts."[209]

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[208] Bowen 5
[209] Hettne 231

Nevertheless, regardless of the expanding role of regional institutions in international peacekeeping, there will be instances when the United Nations will have to intervene in a civil conflict when the pertinent regional institution or regional power is unable or unwilling. Therefore, it will remain a key fixture in international peacekeeping, even if it does not retain its supremacy. However, in the future, it appears that regional and unilateral arrangements will become the most oft-used peacekeeping mechanisms as the United Nations moves into a participatory and supportive role.

VI. Appendix: Relevant UN Security Council Resolutions

United Nations Security Resolutions regarding the Somali Civil War

UNSCR 733: adopted January 23, 1992. Expressed concern at the severity of the Somali conflict, called upon the Secretary-General to increase its humanitarian assistance, urged disputants to cease hostilities and take the necessary measures to protect aid workers, and imposed an arms embargo against Somalia

UNSCR 746: adopted March 17, 1992. Reaffirmed Resolution 733, encouraged the disputants to honor their commitment to the cease-fire, supported the Secretary-General's decision to dispatch a technical team and encouraged cooperation between regional organizations.

UNSCR 751: adopted April 24, 1992. Reaffirmed Resolutions 733 and 746, established a United Nations Operation in Somalia, proposed a United Nations security force, established a Committee of the Security Council to oversee the arms embargo against Somalia, and called upon the international community and all Somali parties to support and cooperate with the United Nations.

UNSCR 794: adopted December 3, 1992. Reaffirmed Resolutions 733, 746, 751, 767, and 775, expressed concern about the deteriorating humanitarian situation in Somalia, authorized the creation of the Unified Task Force (UNITAF) to create a secure environment in Somalia to administer humanitarian aid, strongly condemned all violations of international humanitarian aid, authorized the further deployment of 3500 personnel of the United Nations Operation in Somalia II (UNISOM II) created in Resolution 775, and called on all member states to contribute militarily or otherwise to the UN mission.

United Nations Security Resolutions regarding the Liberian Civil War

UNSCR 866: adopted September 22, 1993. Called on the United Nations and ECOMOG to assist in the implementation of the Peace Agreement in Liberia, emphasized that ECOMOG was the primary body responsible for implementing the Agreement and that the UN role was simply to monitor and verify the process, established the United Nations Observer Mission in Liberia (UNOMIL) with a specific mandate, decided that UNOMIL shall comprise of military, medical and technical components and established a partnership between ECOWAS and the UN.

United Nations Security Resolutions regarding the Kosovo War

UNSCR 1160: adopted March 31, 1998. Condemned the excessive use of force by Serbian forces and the acts of terrorism committed by the Kosovo Liberation Army, called on the Federal Republic of Yugoslavia to take immediate steps to achieve a political solution to Kosovo in accordance with the standards of the Organization for Security and Cooperation, and imposed an arms embargo of the Federal Republic of Yugoslavia.

UNSCR 1199: adopted September 23, 1998. Reaffirmed Resolution 1160, expressed grave concerned the excessive and indiscriminate use of force by Serbian and Yugoslav forces and the rapidly deteriorating humanitarian situation in Kosovo, demanded all parties cease hostilities, and endorsed the establishment of the Kosovo Diplomatic Observer Mission.

UNSCR 1244: adopted June 10, 1999. Reaffirmed Resolutions 1160, 1199, 1203, and 1239, reaffirmed the call for substantial autonomy and meaningful self-administration for Kosovo, authorized an international civil and military presence in Kosovo and established the United Nations Interim Administration Mission in Kosovo (UNMIK).

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