



## Peace Operations Partnerships: The UN Security Council and (Sub-)Regional Organizations

*Mauricio Artigano*

Since the end of the Cold War, the UN Security Council<sup>1</sup> has consistently partnered with regional and subregional organizations around the world within the framework of Chapter VIII of the UN Charter, including through the authorization of peace operations by these organizations. Enhanced consultation and more fluid interaction between the Council and regional organizations can have an immediate impact on the successful conduct of peace operations on the ground and would also improve long-term trust and cooperation between the Council and its partners. This policy brief sets out several recommendations for the Council and regional partners to consider in order to improve cooperation at the strategic and political level on the planning, management and oversight of peace operations. The recommendations aim to strike a realistic balance between the demands of certain regional organizations for a more horizontal relationship with the Council, and the wariness of some permanent members of the Council towards such proposals.

At present, regional organizations participating in peace operations under a specific Security Council mandate include NATO and the European Union (EU) in Kosovo and Bosnia and Herzegovina, the African Union (AU) in Darfur and Somalia, and NATO in Afghanistan. For reasons such as geographic proximity, expediency, burden-sharing and others, as well as existing commitments in current operations, the Council's partnership with regional and subregional organizations on peace operations is likely to continue and possibly expand.

Cooperation between the Council and its regional partners, including on peace operations, has been the subject of intense discussion for

the last few years. The relationship between the Council and the African Union has received particular attention as African countries have pushed for a more structured relationship between the Council and the AU Peace and Security Council (PSC). On 12 January 2012, South African President Jacob Zuma presided over a high-level Security Council debate on UN-AU cooperation in peace and security after which the Council adopted Resolution 2033 (2012) (see box on page 3).

Council members' statements at that debate demonstrate that while in principle there is an agreement on the need to improve cooperation between the Council and the AU PSC, the permanent

<sup>1</sup> Below, the United Nations Security Council is referred to as the "Council".

members of the Council do not believe this should in any way impinge upon the Council's primary responsibility for the maintenance of international peace and security according to the UN Charter (see S/PV.6702 and S/PV.6702 (Resumption 1)). Steps to improve cooperation between the Council and regional partners should thus focus on making consultation and communication more timely, practical and effective while respecting the Council's decision-making authority and flexibility to respond to situations.

### Council-to-Council Exchanges?

The only regional political body that meets regularly with the members of the Council is the AU Peace and Security Council. Since June 2007, the AU PSC and the members of the Council have met once a year either in New York or Addis Ababa. The UN Secretary-General, in his 7 April 2008 report on the relationship between the UN and regional organizations, in particular the African Union (S/2008/186), suggested that the Council may wish to put in place similar arrangements with its other regional partners.

However, for more regular interactions between the Council and regional bodies, especially on such practical matters as the planning and management of peace operations, organizing joint meetings between the Council and the regional political bodies is not a feasible or realistic option. Besides the logistical challenges and the reluctance some permanent members would almost certainly have about setting a new precedent, there is no indication that any of the other regional organs, such as the European Council or the North Atlantic Council, have an interest in meeting directly with the Council. Even the meetings with the AU PSC occur only once a year. Thus, efforts to improve strategic cooperation should emphasize ways in which the Council can have more regular and substantive interactions with executive representatives of those organizations such as the Chairperson, President or Commissioners of the AU, the NATO Secretary-General or the EU High Representative, or with those organizations' representatives in New York.

### Formats and Mechanisms for Consultation

The Security Council's current means of interacting with regional and subregional organizations are routine and formal, with very little dynamic substantive discussion. Communication is generally conducted through exchanges of letters, written reports and formal statements by the executive officials of those organizations in the Council's public meetings.

It has become a practice for the Council to invite representatives of regional organizations, such as the Head of the EU Delegation to the UN and the Chairperson and Commissioners of the AU, to participate in the Council's public meetings on specific agenda items under Rule 39 of the Council's Provisional Rules of Procedure.<sup>2</sup> There are also cases in which the representatives of regional organizations meet with the Council to discuss more general issues. For example, the OSCE Chairperson-in-Office briefs the Council once a year on the priorities of their chairmanship. Also, after the entry into force of the Lisbon Treaty, EU High Representative Catherine Ashton met with the Council to discuss EU-UN cooperation (S/PV.6306). The Council should consider extending this practice to other regional organizations and hold periodic meetings with their representatives for discussions on areas of common interest.

Such a practice would be an important step forward, but the Council should also explore other innovative formats more suitable for genuine discussion. The Council's public meetings consist mostly of prepared statements in a formal setting that is not conducive to real consultation or interaction. Most of the Council's actual discussions are carried out in the format of informal consultations, which only Council members and Secretariat officials may attend.

The lack of a format for inviting non-members of the Council in a private, informal context led the Council to innovate in March 2009 when the members of the Council held their first "informal interactive dialogue" on the situation in Sri

<sup>2</sup> Rule 39 states that "The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence." Also, in the Note by the President of the Council S/2010/507 on the Council's working methods, "the members of the Security Council agree to continue to expand consultation and cooperation with regional and subregional organizations, including by inviting relevant organizations to participate in the Council's public and private meetings, when appropriate."



Lanka. The meeting was held in one of the meeting rooms in the UN basement, did not appear in the Council's agenda, was not publicized in the UN Journal, and was attended by members of the Council and the Permanent Representative of Sri Lanka. This format has since been used several times in cases where, for different reasons, the members of the Council have wanted to meet in private with Member States, including with Kenya on its request for a deferral of International Criminal Court (ICC) investigations and with the Republic of Korea and the Democratic People's Republic of Korea, separately, to discuss the sinking of the South Korean ship *Cheonan*.

Following the 13 January 2010 debate on cooperation between the UN and regional and subregional organizations in maintaining international peace and security, organized by the Chinese presidency, the Council issued a Presidential Statement (S/PRST/2010/1) that said "The Council expresses its intention to hold in the future informal interactive dialogues with regional and subregional organizations." Nonetheless, no informal interactive dialogues have been held with regional and subregional organizations to date.

Given the formality of the Council's public meetings and the restrictive nature of its informal consultations, informal interactive dialogues could be a viable format for the Council to have a more serious substantive engagement with regional and subregional organizations. In his 29 December 2011 report on UN-AU cooperation (S/2011/805), the Secretary-General recalls the Council's commitment in S/PRST/2010/1 to hold informal interactive dialogues with regional organizations and recommends such informal communication as critical for "developing a common vision and coordinating action prior to the finalization of respective decisions." The Council should act on the intention expressed in the 13 January 2010 PRST and experiment with this format by having discussions with some of its regional partners on the peace operations currently deployed.

The Council could also go a step further and invite troop- and police-contributing countries (TCCs

#### Security Council Resolution 2033 (2012)

On 12 January 2012, the Council unanimously adopted Resolution 2033, its latest resolution concerning cooperation with regional and subregional organizations, with particular emphasis on the AU. The resolution encourages the improvement of regular interaction, consultation and coordination, as appropriate, between the Council and the AU PSC. Among the specific steps outlined in the resolution, the Council expressed support for ongoing briefings by senior AU officials to the UN as an important contribution to strengthen consultation, information sharing and communication, and decided "in consultation with the AU PSC to elaborate further ways of strengthening relations between the two Councils including through achieving more effective annual consultative meetings, the holding of timely consultations, and collaborative field missions of the two Councils, as appropriate..."

and PCCs) to these informal interactive dialogues. Although the Council holds periodic private meetings with TCCs and PCCs for UN peacekeeping operations, in line with Resolution 1353 (2001), the Council does not hold such meetings for peace operations carried out by regional organizations such as the AU Mission in Somalia (AMISOM). In the interest of interacting with countries with the unique perspective of having troops on the ground, the Council could consider putting in place mechanisms to meet with troop- and police-contributors to peace operations that are not carried out by the UN, but are authorized by the Council.

#### Timing

The Security Council should show consideration to its partners by ensuring that its decisions on joint peace operations or those carried out by regional organizations are not taken until after any relevant decisions or meetings of the regional bodies. This would allow the Council to reach more informed conclusions and would send an important signal of respect to regional actors.

The Council's engagement with regional organizations on peace operations, whether through public meetings or perhaps through informal interactive dialogues, should occur in advance of major Council decisions on those operations.



The interaction with regional organizations can thus follow the Council's practice since 2009 of holding meetings with TCCs and PCCs preferably one week before the Council considers mandate renewals or modifications in order to consider their inputs thoroughly before making important decisions on those operations. The Council should also engage with regional organizations during crisis situations involving peace operations in which those organizations are participating.

## Reporting

Article 54 of the UN Charter states that "The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security." Indeed most resolutions authorizing peace operations by regional or sub-regional actors contain a reporting requirement. However, in many cases these reports are limited to brief factual descriptions of the security situation and operational updates. In some cases, this occurs because these reports must be adopted by consensus within those organizations. Regional organizations could use their reports to the Council more strategically by including concrete recommendations for the Council to take into consideration, particularly for mandate renewals and other key decisions. The Council should also ask for the same level of analysis and accountability that it often demands of the Secretariat in its reports on UN operations.

Besides more regular and substantive written reports to the Council, regional organizations should also consider formally transmitting the relevant decisions of their political bodies to the Secretary-General for circulation as official documents of the Council. For example, the AU Chairperson has begun to transmit more consistently the communiqués of the AU PSC regarding situations on the Council's agenda to the Secretary-General who then submits these to the Council's President for circulation among Council members. This helps ensure that all Council members are aware of the decisions and perspectives of the specific regional organization.

## Joint Missions to the Field

Finally, another way in which the Council can innovate in its relationship with regional organizations is to dispatch joint field missions to visit peace operations or possible future areas of deployment. In August 2002, the Council's Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, which is composed of all Council members and makes its decisions by consensus, recommended that "The Security Council may consider, where possible or desirable, the dispatch of joint Security Council/African Union missions to the field." The AU has indicated its interest in having members of the PSC accompany the Security Council during its annual mission to Africa but some Council members apparently resist this. This possibility of joint field missions may be worth exploring, as it could have the effect of helping the Council and the regional organizations have a common understanding of circumstances of the ground and also promote more collegial relations by traveling together to the field.

Mutual respect and fluid communication are the foundation for any successful, productive partnership, especially a complex joint endeavor such as peacekeeping. The members of the Council may not agree with regional organizations on specific issues but they should make a constant effort to engage with them regularly and substantively. The Council should thus consider implementing innovative practices to improve and enhance its interaction with regional organizations within a framework of mutual respect recognizing the Council's primary responsibility according to the Charter. Any concrete steps in that direction would help fortify the international peacekeeping partnership, the success and sustainability of which is in the common interest of all in promoting international peace and security.

*Mauricio Artiñano was Political Coordinator for the Permanent Mission of Costa Rica to the United Nations during Costa Rica's term on the Security Council from 2008-2009.*