

Peter Dahl Thruelsen (ed.)

International Organisations: Their Role in Conflict Management



ROYAL DANISH DEFENCE COLLEGE

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Preface

The idea for this book stems from the belief that there needs to be an increased focus on the 'tool boxes' of international organisations in the peace and security realm. Progress in conflict management shows that more disputes than ever are being settled by negotiation and not on the battlefield, and that international organisations are playing an increasingly important role in settling these disputes. At the same time, the complexity of contemporary conflicts and conflict management is posing great challenges for the structures, resources and roles of most international organisations.

This book deals with a wide range of different international organisations, which operate in different regions of the world and have different histories, legal foundations, security partners and resources. It is our hope that the book will provide readers with a deeper understanding of these international organisations, their establishment, how they have evolved and the tools of conflict management they use.

The book is primarily directed towards students of international relations, conflict management and war studies, and appeals to both theorists and practitioners. It is therefore hoped that policy makers, scholars, students and government officials will find it a valuable source of information in organising lectures, conducting research and using the book as an encyclopedia of the differing roles in conflict management of seven selected international organisations.

I greatly acknowledge the work of the authors of the book, who have contributed with their sound knowledge of the various international organisations they deal with. They have succeeded in providing a solid understanding of the toolboxes of these international organisations in the peace and security realm, while at the same time remaining critical of their workings, successes and failures. I would also like to thank the reviewers, who provided thoughtful and insightful comments of the earlier drafts of the individual chapters, as well as Jens Ringsmose (University of Southern Denmark) and Nicolai Stahlfest Møller (Defence Command Denmark) for helping develop the idea of the book. Lastly, I would especially like to thank my research assistant, Maja Meilby Pedersen for her hard work, academic understanding and patience during the course of writing the book.

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Chapter 1

International Organisations: Their Role in Conflict Management

By Peter Dahl Thruelsen

There are many ways of looking at international organisations and their role in the international system. Those with a distinct state-centric view of the world would argue that international organisations only are as strong as states allow them to be, while others would argue that states are not the only important actors, and that international organisations indeed have an important role in international relations. Nonetheless most scholars and politicians would agree that international organisations have increasingly become important within the areas of peace and security. Today international organisations such as the United Nations (UN) and the European Union (EU) have developed an increasing arsenal of instruments – political, military, economic and civilian – to act within these areas, and their role is only becoming bigger. Of the 43 recorded conflicts between 2000 and 2005, five were terminated with one party victorious, while 17 or 40% ended as a result of a negotiated settlement. This development, which began in the 1990s, should be seen in light of the sharp increase in international efforts and interests in confining and ending conflicts on the negotiating table rather than on the battlefield. Many of these negotiated settlements are being facilitated by international organisations.¹

Today's presence of international organisations within the spheres of peace and security stems to a large extent from the experiences of the great powers in the twentieth century. In particular, the frequent meetings, conferences and cooperation during the Second World War had a profound impact on the formation of international organisations in the late 1940s and early 1950s, when the foundation of international organisations such as the UN, the North Atlantic Treaty Organisation (NATO), the predecessors of the EU, the Bretton Woods system and the General Agreement on Tariffs and Trade (GATT) were laid down.² In 2007/2008, 242 in-

(1) Human Security Brief, 2008, pp. 35-36.

(2) Archer, 2001, p. 21.

ternational organisations were listed as active in the database of the *Yearbook of International Organizations*. This figure includes federations of international organisations, universal membership organisations, intercontinental organisations and regionally oriented membership organisations.³ This book will examine seven of these organisations by focusing on their specific tasks within the areas of peace and security, namely the United Nations (UN), European Union (EU), North Atlantic Treaty Organisation (NATO), African Union (AU), Organisation for Security and Cooperation in Europe (OSCE), Shanghai Cooperation Organisation (SCO) and Collective Security Treaty Organisation (CSTO). The seven organisations have been chosen because of their role in international and regional peace and security and because of the significant need to understand especially these organisations within the growing realm of increasingly complex international engagement in conflict management. Thus, the book will offer an in-depth introduction to the security elements, tools and decision-making procedures of some of the world's largest international organisations. However, before doing so the realm of conflict will be described to clearly show the mechanisms of conflict resolution and conflict management, as well as the role of international organisations within the areas of peace and security.

The Conflict Cycle

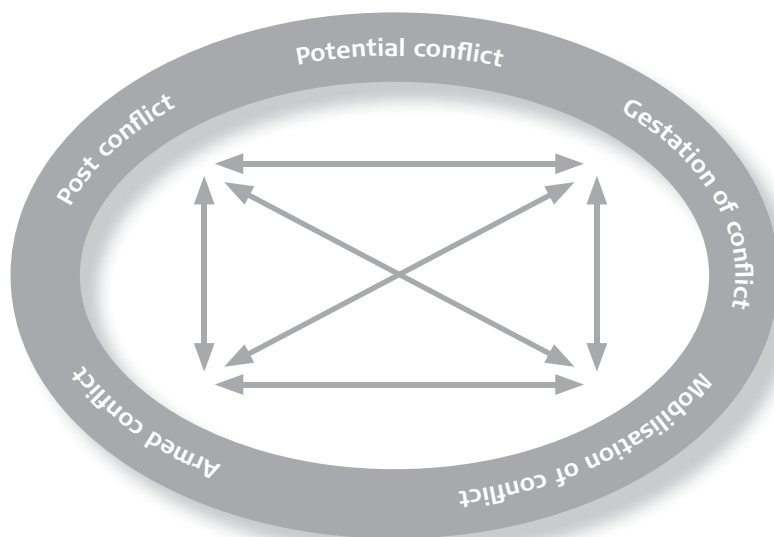
One way to structure research within the field of conflict management is to subdivide the area of conflict into different phases, each with its own characteristics. When these phases are put together, they can be seen as forming a complete conflict cycle, which most conflicts go through in one way or another. Conflicts are not to be seen as a single phenomenon with identical features. All conflicts are unique, and each conflict exists within its own overall context and local framework. Moreover, not all conflicts necessarily go through all the phases, nor do they have all the same characteristics within each phase. As a point of departure, it can be said that all countries that are prone to conflict – some more obvious or likely than others – have some of the underlying structural causes or root causes that, if mobilised and triggered, can evolve into a unifying objective that has the potential for igniting a conflict.

The conflict cycle is an 'ideal type' that does not necessarily mirror the 'perfect' image of reality to be found in its complete form in real life. The model should be seen as representing common characteristics and ele-

(3) Yearbook of International Organizations, 2008, Appendix 3, Table 1A.

ments within the given phenomenon – here, conflict – to be used for scientific analysis and holistic understanding. The conflict cycle and its phases begin with structural instability before leading to manifest social unrest and violence, and finally to sustainable peace and conflict resolution. This segregation of a conflict into phases should enable the researcher to understand its individual elements better, thus apprehending what causes conflicts to escalate into new and more violent phases. Thus, the conflict cycle can be viewed as a tool for conflict management, resolution and prevention. A key feature of the conflict cycle is to demonstrate that conflicts can easily escalate into new fighting even after peace has been agreed and post-conflict peace-building initiated. Statistically, according to a World Bank study conducted by Paul Collier (2003), there is a 44 percent chance of new fighting breaking out within five years of conflict settlement.⁴ Yet, as Hugh Miall has pointed out, the conflict cycle does not follow a sequential course, and not all armed conflicts outlive every individual phase, but are solved early on in the conflict cycle, as when conflicts ‘jump’ from the gestation of conflict directly to the post-conflict phase (see Fig. 1.1 below).⁵

Figure 1.1: The Conflict Cycle



(4) Collier, 2003, p. 83.

(5) Miall, 1999, p. 15.

Within each phase of the conflict cycle, different conflict-prevention measures can be activated to resolve the conflict. In the Carnegie Commission's report entitled *Preventing Deadly Conflict* (Carnegie Commission 1997), these measures are divided into structural and operational conflict-prevention measures. Prevention within this context refers to activities or programmes that aim to avoid the escalation of conflict into other, more violent phases – for example, from the mobilisation phase into the armed conflict phase – or that aspire to minimise violence by facilitating the transition from the armed conflict phase to the post-conflict phase.

Structural conflict-prevention measures comprise strategies that concentrate on the root causes of a given conflict. Root causes are referred to as strategies that aim to meet basic human needs, such as economic, social, cultural or developmental needs.⁶ Structural conflict-prevention implies long-term sustainable and locally anchored measures both before and after the eruption of conflict – in the conflict cycle, primarily in the potential conflict phase and the post-conflict phase. In the post-conflict phase, structural conflict-prevention measures are normally implemented in close cooperation with major national or international state actors and organisations, among other things with the aim of strengthening nation-building activities and preventing renewed fighting (for examples of such measures, see Figure 1.2 below).

Operational conflict-prevention measures are undertaken when violence seems imminent or has broken out. They can be implemented in most of the five phases of the conflict cycle. Due to their technical character and quick impact, their implementation is highly sensitive and implies careful planning and understanding of the conflict dynamics in a given context in order to avoid the escalation of dangerous situations or the creation of unintended negative spill-over effects on other preventive initiatives. Operational conflict-prevention is normally undertaken by a variety of international and local actors, from civil-society organisations and NGOs to international organisations and governments.⁷

In the following, the five phases of conflict and the affiliated structural and operational conflict-prevention measures are presented as interlinked elements in the conflict cycle.

(6) Carnegie Commission, 1997, p. 69.

(7) Carnegie Commission 1997, pp. 39-43.

Potential Conflict

This phase is characterised by the presence of the underlying conditions or mobilising factors that lead to a conflict emerging. These conditions include poverty, religious cleavages, political fragmentation and deprivation of resources based on religion, culture or ethnicity, as well as the inability of weak states to manage tensions based on inequalities between ethnic groups or cultures: for example, the lack of horizontal legitimacy, where no single community has 'signed' a social contract with the government, and where a variety of communities exists within the same territory. Furthermore, the lack of vertical legitimacy is explicit where one or more of the different communities do not perceive the state as their legitimate ruler.⁸ Conditions like these might exist in many societies, but, without the mobilising factor, conflict might not erupt. It is in the phase of potential conflict that structural conflict-prevention measures can be initiated to discourage negative developments. Here, the aim is to address the root causes of conflict, such as poverty alleviation and horizontal inequality, by promoting good governance, education and civil society.

Gestation of Conflict

This phase is characterised by some actors being mobilised towards conflict and by the occurrence of low-intensity repression. Conflict has not yet emerged, but mobilisation is increasing around one or more of the above-mentioned factors. Antagonisms constructed by communities around religion, culture or ethnicity will emerge, often with the state as an actor on one side of the emerging divergence.⁹ In this phase, operational conflict-prevention measures can be implemented in addition to structural ones. The operational measures, characterised as conflict management and prevention, should focus on low-level strategies, such as preventive disarmament, preventive peacekeeping, deterrence, promoting freedom of the press, human rights advocacy, risk assessments, promoting dialogue and cooperation.¹⁰

Mobilisation of Conflict

This phase – often referred to as the 'trigger phase' – is characterised by a high degree of tension and confrontation between the parties having become manifest in the earlier phases. These tensions may materialise in election fraud, governmental repression, ethnic clashes and the threat or use of force by external actors. Increased polarisation will be seen in the population, and groups will unify on single demands and slogans.

(8) Holsti, 1996, p. 104-106; Sriram and Wermester (eds.), 2003, pp. 21-22.

(9) Sriram and Wermester (eds.), 2003, p. 23.

(10) Sriram and Wermester (eds.), 2003, pp. 27-28.

The international community will centre its attention on the circumstances that have led to this situation, with the aim of enhancing focused crisis management and preventive diplomacy to prevent an armed conflict from emerging.¹¹

Crisis management and conflict-prevention measures initiated by international actors in this phase will mainly be operational and will aim to prevent the conflict from escalating. Such measures include preventive diplomacy, condemnation by regional and global organisations, international mediation, mediation through informal channels, security agreements, targeted sanctions and the deployment of observers.¹²

Armed Conflict

In this phase, violence escalates into full-scale armed conflict, resulting in human rights violations, a humanitarian crisis, refugees and warring factions. The international community condemns the fighting and pleads for it to stop. The parties to the conflict are now entirely separated by hardened positions, and no direct negotiations take place without international mediators. The international actors now consider the use of peacemaking or peace-enforcing instruments to end the conflict. Non-coercive peacemaking is preferably used in mediation but is dependent on a voluntarily peace agreement being reached by all the warring fractions. Peace enforcement will be used when no other means are available and when a strong third party is willing to use force, most often a country, regional or international organisation acting to resolve the conflict.¹³ Mainly operational conflict-prevention measures will be used in this phase in order to terminate or contain the fighting, including mediation, conciliation, the appointment of a special envoy by a regional or international organisation, sanctions, an arms embargo, demilitarised zones, peace enforcement, closure of market access and political condemnation.¹⁴

Post-Conflict

The post-conflict phase is a very fragile phase, with the constant possibility of the conflict re-emerging. In this stage, the international community will have to incorporate both structural and operational preventive measures to make successful sustainable peace building. *'When the cessation of hostilities is achieved, the task of securing peace despite distrust and hatred usually proves to be long, frustrating, and expensive,*

(11) Sriram and Wermester (eds.), 2003, p. 24.

(12) Sriram and Wermester (eds.), 2003, pp. 27-28.

(13) Miall, 1999, pp. 21-22.

(14) Sriram and Wermester (eds.), 2003, p. 25.

*but it is essential in order to break the cycle of violence.*¹⁵ In this phase, structural conflict-prevention measures will need to address the conditions that gave rise to the conflict and the new conditions that have unravelled during the course of the conflict – the conflict-prolonging factors. In many situations, the root causes of the conflict will have changed and new conflict-prolonging factors emerged. Both elements will need to be addressed to ensure sustainable peace. Operational measures need to confront a variety of challenges that have arisen as a result of the conflict. Conflicts create a vast number of military structures and soldiers that threaten to reignite the conflict if they are not taken care of. In this phase, elements such as demobilisation, disarmament and reintegration (DDR) programmes are implemented, as well as support for political institution-building, peacekeeping and peace-enforcing troops, democratisation processes, security-sector reform (SSR), economic reconstruction, social reconciliation, institutional capacity-building, promoting human rights, demining and mine awareness.¹⁶

Below, the seven international organisations dealt with have been put into the different phases of the conflict cycle, according to the role they have been seen to undertake. Importantly, they do not play the same role within the same phases, nor do they have the same amount of resources. However, to some extent they all have the potential to play an active part within most of the phases.

Figure 1.2: Classification of International Organisations

Phase	Measures		Actors (IO)
Potential Conflict Root factors emerging	Structural Early Warning	Poverty alleviation, Mitigating horizontal inequality, Promoting good governance, Strengthening civil society, Education.	UN, EU, OSCE
Gestation of Conflict Low-intensity violence	Structural and Operational Conflict Management and Prevention	Preventive disarmament, Preventive peacekeeping, Deterrence, Promoting freedom of press, Human rights advocacy, Risk assessments, Promoting dialogue and cooperation.	UN, EU, OSCE, AU, SCO, CSTO

(15) Carnegie Commission, 1997, p. 36.

(16) Sriram and Wermester (eds.), 2003, pp. 26-29; Miall, 1999, p. 22.

Phase	Measures		Actors (IO)
Mobilisation of Conflict High-intensity violence	Operational Crisis Management and Preventive Diplomacy	Condemnation by regional and global organisations, International mediation, Mediation through informal channels, Security agreements, Targeted sanctions, Deployment of observers.	UN, EU, NATO, OSCE, AU, SCO, CSTO
Armed Conflict Armed violence/war	Operational Conflict Management and Termination of Conflict	Mediation, Peace enforcement, Conciliation, Appointment of a SRSG, Sanctions, Arms embargo, Demilitarised zones, Peace enforcement, Promote closure of market access, Condemnation.	UN, EU, NATO
Post Conflict Gestation of hostilities	Structural and Operational Post-Conflict Peace-Building	Address root causes like in the Potential conflict phase, DDR, Political institution building, Democratisation processes, Peace-keeping troops, Security-sector reform, Economic reconstruction, Social reconciliation, Institutional capacity-building, Promoting human rights, De-mining and mine awareness.	UN, EU, NATO, OSCE, AU, CSTO

The following chapters will highlight many different aspects of these international organisations in order to provide a sound understanding of their historical contexts, legal foundations, organisational set-ups and security cooperation with other organisations, missions and operations which they have been and are engaged in. A further focus will be their 'toolboxes' or resources, in order to establish which, if any, military, political, economic and civilian tools they have at their disposal and how efficient they are. Finally, each chapter will evaluate the international organisations' role in the world, today and in the future.

Presentation of the Chapters

The United Nations (UN), the world's leading conflict manager, is constantly engaged in a high number of missions across the globe, deploying a greater number of personnel than any other organisation. That said, more so than ever before the UN is sharing the international scene with many different regional actors, who all require or prefer a UN mandate for their missions and operations. The UN's main problem is the mismatch between its resources and its mission mandates, seen, for example, in Bosnia in the 1990s and today in Darfur. Its missions, which have always

come in waves, were given a new lease on life by the launch of four new operations in 1999. Pessimists have warned that this positive spell is soon going to break, but so far they have been proved wrong. Despite its inherent problems, there is no denying that the UN is an indispensable organisation on the international scene.

The European Union's (EU) Security and Defence Policy (ESDP) is one of the most dynamic and high-profile policy areas of the Union. In the last decade, a common security and defence policy has developed from a distant dream to joint action. The EU has conducted over 23 military missions on three different continents and is gradually emerging as a security provider on the international scene, contributing with strategic visions and soft conflict-management instruments. However, despite these rapid developments, many still regard the EU as weak and inefficient when it comes to security and defence, as the Union struggles internally with national disagreements and institutional rivalry, and externally with a troubled relationship with NATO. Notwithstanding these weaknesses, the ESDP has made it possible for the EU member states to take over various security functions from other international organisations, especially in the Balkans. In a multipolar world, the EU will have to take on even more responsibility for its own security, not only in its own geographical neighbourhood, but also globally. In order for this to succeed, however, its member states will need to cooperate more efficiently.

North Atlantic Treaty Organisation (NATO) is a military alliance of unprecedented scope. It has 28 members spanning two continents and is currently engaged in operations on two continents. Celebrating its 60th anniversary in 2009, NATO has not only managed to survive after the Cold War, but has actively sought to adapt its *raison d'être*. However, due to it being an intricate security organisation and having a complex history, adapting its *raison d'être* has not been easy. Nevertheless, through its rapid pace of enlargement, France's return to NATO's integrated structure and its transformation into a more flexible organisation, NATO is more active than ever. Yet, the Organisation is facing key issues, which it will have to deal with in order to be a viable security actor: developing a new strategic concept, further developing its instruments so that they can elaborate on its comprehensive approach, further developing its relationship with the EU, and lastly, but most importantly, its engagement in Afghanistan, which will be the most pressing challenge for the Alliance in the years to come.

Ever since the founding of the African Union (AU), there has been a significant gap between its declarations of intent and its actual activities and

accomplishments. Africa is one of the most conflict-ridden regions of the world, with many African states having little or no control over their own territories. It can therefore be seen as somewhat bizarre that something like the AU exists at all. The AU is also plagued by profound disagreement between those who favour a more 'realist' outlook for Africa and those who are more idealistic, which is frequently concealed by the AU's consensus decision-making. The AU is heavily dependent on the rest of the world (UN, the EU and G8) for financial contributions, and such funding will probably continue in the future to support AU missions, such as those in Somalia and Darfur, as this is cheaper for the world's paymasters than UN missions. However, it is important for the AU not to be perceived as supporting the 'wrong side', as when it opposed the International Court of Justice's (ICJ) indictment of Omar-al-Bashir, President of Sudan.

Organisation for Security and Cooperation in Europe (OSCE), the regional security organisation for Europe and most of the northern hemisphere, comprises 55 participating states. Despite its large membership, it is not as well known as other international organisations and has not been as significant either, due to the fact that other organisations and their member states prefer other institutional settings for their multilateral activities. However, during the Cold War, its predecessor, the CSCE, was an important actor in stabilising East-West rivalry by adding elements of joint commitment and collaboration to a conflict-ridden relationship. Nowadays, organisations such as NATO and the EU appear to have taken over some CSCE's and OSCE's agendas, including their broad concepts of security. The main problem plaguing OSCE is the lack of political will on the part of the major powers, both East and West, to provide OSCE with authority and resources in order for it genuinely to live up to its mandate of being the supreme regional security organisation in and for Europe.

Shanghai Cooperation Organisation (SCO) originates from negotiations in the mid-1990s between China, Russia and Central Asian states on border disputes. Devised by China as a forum to prevent separatism and to confront terrorism and religious extremism, it is at the same time expanding economic relations. However, its dominant issue for the future is its viability as an institutional forum for devising rules of conduct in Central Asia. China is keen to consolidate SCO as the leading regional governance institution in Central Asia, propagating the Cold War interpretation of UN principles of state conduct to crowd out US attempts to promote liberal definitions of democracy and human rights. While Russia supports this, it is at the same time afraid that China is using SCO to establish a Sino-centric order in Central Asia and would much rather prefer CSTO (below)

to be the leading regional organisation in Central Asia. SCO and CSTO have some of the same members, and it will be interesting to see in the future how Moscow and Beijing will play their rivalry out on the Central Asian scene.

Collective Security Treaty Organisation (CSTO) is a political and military alliance comprised of seven countries, its mission being to guarantee the security of each of its member states and the defence of their territorial integrity. CSTO is the product of a long and complicated process of creating a post-Soviet security architecture. The impetus behind CSTO is multiple: the threat of terrorism, extremism, western interference and fear of American intentions. Through CSTO, Russia has managed to institutionalize its influence, while, by participating in a multinational regional organisation, the smaller member states are able to preserve a considerable degree of independence. CSTO is clearly an instrument for Russian security and geopolitical interests, and the Russian-Georgian war of August 2008 sparked suspicion among the smaller member states of Russia's great power aspirations. It remains to be seen in the near future whether CSTO can raise its international status and get other regional security organisations to cooperate with it, but in order to for this happen the western world and other international organisations need to see CSTO as an actor in its own right and not as a Russian tool for its own great power domination.

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Chapter 2

The United Nations: The World's Leading Conflict Manager

By Peter Viggo Jakobsen and Peter Dahl Thruelsen

The UN remains the world's leading conflict manager, the spider in the web of conflict management that has been spun since the end of the Cold War. It is currently involved in conflict prevention, conflict management and post-conflict peace-building in eighteen operations across the globe, deploying a higher number of military and civilian personnel than any other organisation. Whereas the UN enjoyed a near monopoly of the authorisation and conduct of peace operations during the Cold War, many regional actors have now entered the fray (see the other chapters in this book). These actors all require or prefer a UN mandate to use force beyond self-defence for their missions to ensure that they are acting in accordance with international law, and many of them also require technical and financial assistance from the UN. This even applies to NATO, which has no capacity to carry out the many civilian tasks that contemporary conflict-management operations involve. Nonetheless the UN is dangerously overstretched. A massive mismatch between tasks and resources was central to the failures in Srebrenica, Somalia and Rwanda that scarred the organisation's reputation in the 1990s. The problem persists today in Darfur and the Democratic Republic of Congo (DRC), where the UN has again been asked to create peace without the necessary funds, equipment, personnel, political support or consent from the conflicting parties.

Historical Introduction

Following several conferences held during World War II by the allied powers, starting in the autumn of 1943 in Moscow and Teheran, the Charter of the UN was drawn up at a conference in San Francisco in 1945.¹⁷ On

(17) The term 'United Nations' was first used on 1 January 1942, when 26 Allied nations met in Washington DC to pledge their support for the fight against the Axis powers by signing the document 'Declaration by United Nations' (<http://www.ibiblio.org/pha/policy/1942/420101a.html>).

26 June, at the conclusion of the conference, the 111-article Charter was signed by fifty countries, and on 24 October, when the Charter had been ratified by a majority of these countries, the UN officially came into existence. Since then, the number of member states has grown steadily as a result of the process of decolonisation and the fragmentation of large states into mini-states. From 51 members in the founding year of 1945, its membership had grown to 104 by 1961 and 159 by 1990, and the current total of 192 members was reached in 2006. Its functional reach has also expanded so that today the UN consists of some thirty affiliated organisations working on various global challenges.

Although the UN was tasked to solve a wide range of international problems – economic, social, cultural and humanitarian – its primary purpose is to maintain international peace and security as defined in Article 1 of its Charter. The League of Nations, which had been established in the wake of World War One with the same objective in mind, had failed conspicuously to do so, and the lessons learned from this failure explain why the five major allied powers of World War Two (China, France, Russia, the United Kingdom and the United States) were given permanent membership and the power of veto on the Security Council of this new organisation, which was empowered to use economic sanctions and military force to counter threats to international peace and security. These innovations reflected two basic lessons learned from the League experience: that great-power cooperation and military teeth would both be required to meet threats to peace.¹⁸

The assumption that the five permanent members (P-5) would cooperate and use their military forces collectively to protect the status quo was undermined by the onset of the Cold War. The superpower rivalry between the Soviet Union and the United States highlighted the Achilles heel of the Security Council, namely that it was incapable of addressing armed conflicts in which the P-5 or their protégés were directly involved. The UN was thus confined to the sidelines in most of the high-profile conflicts and crises that occurred during the Cold War, such as Berlin (1948-1949, 1961), Hungary (1956), Cuba (1962), Czechoslovakia (1968), Vietnam (1946-75), the Sino-Vietnamese War (1979) and Afghanistan (1979).

At the same time, the veto was also a source of strength in that it enabled the UN to survive the Cold War. Because the great powers could (threaten to) veto UN involvement in conflicts they deemed vital to their interests, they did not vote with their feet and leave, as they had done the League

(18) Grove, 1993, pp. 172-182.

of Nations.¹⁹ Instead they stayed within the organisation, thus enabling the UN to make positive contributions to peace in areas and conflicts where the interests of the great powers did not collide.

Within the constraints imposed by the Cold War, the UN carved out a role for itself as a lightning conductor serving primarily to prevent local conflicts from escalating into armed confrontations between the two superpowers.²⁰ The UN Secretary-General (UNSG) used his good offices to mediate in armed conflicts if the P-5 did not object (peacemaking),²¹ and the UN also deployed military observers and lightly armed forces (peacekeeping) primarily to monitor ceasefires, as well as separate forces on thirteen occasions. These deployments were based on the principles of consent, impartiality and the non-use of force and were geared more towards diplomatic 'counselling than combat', as the troops involved were not expected to engage in actual combat, nor were they capable of doing so.²² Peacekeeping became the hallmark of UN activities in the fields of peace and security during the Cold War, and the 'blue helmets', as they were known from the colour of their headgear, were awarded the Nobel Peace Prize in 1988.

Two operations diverged from this pattern: the Korean War (1950-53), in which a US-led coalition was authorised by the UN Security Council (UNSC) to repel the North Korean attack upon South Korea,²³ and the UN-led operation in the Congo (1960-64), which evolved from peacekeeping to peace enforcement, with UN forces using force offensively to defeat an attempt at secession. During the Cold War, these operations came to be seen as mistakes not to be repeated because of the disagreements they gave rise to between the P-5. Today, they are seen as harbingers of the activities that the UN became involved in when the end of the Cold War increased the degree of consensus in the UNSC.

(19) The United States never joined the League of Nations, the Soviet Union did not join until 1934, and Italy, Japan and Germany all withdrew in the 1930s. The Soviet Union was expelled in 1939 following its attack on Finland.

(20) This function is underlined by the fact that P-5 personnel were barred from participation in UN peacekeeping operations during the Cold War. UK participation in UNFICYP in Cyprus and French participation in UNIFIL in Lebanon were the only exceptions to this rule.

(21) Franck and Nolte, 1993.

(22) James, 1995, p. 105.

(23) Authorised in UNSC Resolutions 83 and 84. This was only possible because the Soviet Union was absent from the meeting at which the UNSC authorised the operation. This was the kind of collective security operation envisaged by the founders of the UN. It was not a peacekeeping operation, which is why it does not appear on the list of UN peacekeeping operations.

The end of the Cold War triggered a dramatic increase in the number and size of UN operations, and the nature of the operations themselves was also transformed. No less than 23 new operations were authorised by the UNSC from 1988 to 1993, and several Cold War taboos were shattered. Soldiers from the P-5 were allowed to participate in UN-led operations, UN peacekeepers were mandated to use force beyond self-defence to enforce peace rather than just keep it, and great power-led coalitions and regional organisations were authorised by the UNSC to carry out peace enforcement on behalf of the UN.²⁴ The increased use of force was accompanied by a marked increase in the use of economic sanctions, and the UNSG Boutros-Boutros Ghali's influential report, '*An Agenda for Peace*', recommended the use of peace-enforcement units, as well as successfully putting conflict prevention and post-conflict peace-building on the UN agenda.²⁵ Taken together, these changes signified a major increase in the level of ambition, as success increasingly came to be defined in terms of sustainable peace involving the (re)building of civil society, state institutions and democracy. Peace forces now sought to create the conditions for sustainable peace so that their withdrawal did not result in renewed violence. These ambitions peaked with the peace operations launched in Kosovo and East Timor in 1999, where the UN assumed all government functions for a transitional period and sought to build democratic states virtually from scratch.

The UN failures in Somalia, Bosnia and Rwanda in the early 1990s demonstrated clear limits to what the UN was capable of doing in terms of peace enforcement and fighting wars. By 1995, Boutros-Boutros Ghali was forced to conclude, in his *Supplement to An Agenda for Peace*, that the UN did not have the capacity for peace enforcement, 'except perhaps on a very limited scale', and that such operations were better left to coalitions of the willing acting under a UN mandate.²⁶

Figure 2.1: *Peacekeeping Operations*²⁷

Peacekeeping operations since 1948.	63
Current peacekeeping operations.	16
Current peacekeeping operations directed and supported by the Department of Peacekeeping Operations (DKPO).	18

(24) Jakobsen, 2006, pp. 46-50.

(25) UN Doc. A/47/277-S/24111, 17 June 1992.

(26) UN Doc. A/50/60-S/1995/1, 3 January 1995, para. 77-80.

(27) UNDPKO, February, 2009.

The problems of enforcement induced the UN to focus more on conflict prevention and post-conflict peace-building that did not require the use of force, and the organisation has continued to expand its capacities and activities in these areas (dealt with in more detail in the section on UN tools below). The focus on peace-building and sustainable peace transformed the nature of UN peacekeeping. The multi-dimensional peacekeeping operations of today are a far cry from the uni-dimensional ceasefire-monitoring operations conducted during the Cold War. Thus, contemporary UN peacekeepers are typically called upon to provide security and the rule of law, promote national dialogue and reconciliation, protect civilians, assist in the disarmament, demobilisation and reintegration of combatants, assist in security-sector reform, resettle refugees, support the organisation of elections, protect and promote human rights, and secure the provision of humanitarian assistance. Since most of this is done by civilians, the civilian mission components of UN-led peacekeeping operations have grown tremendously since the early 1990s.

Figure 2.2: UN tasks and activities in the field of peace and security²⁸

Conflict prevention	Conflict prevention involves the application of structural or diplomatic measures to keep intra-state or inter-state tensions and disputes from escalating into violent conflict. Ideally, it should build on structured early warning, information-gathering and a careful analysis of the factors driving the conflict. Conflict-prevention activities may include the use of the Secretary-General's 'good offices,' preventive deployment or confidence-building measures.
Peacemaking	Peacemaking generally includes measures to address conflicts in progress and usually involves diplomatic action to bring hostile parties to a negotiated agreement. The United Nations Secretary-General, upon the request of the Security Council or the General Assembly or at his or her own initiative, may exercise his or her 'good offices' to facilitate the resolution of the conflict. Peacemakers may also be envoys, governments, groups of states, regional organisations or the United Nations. Peacemaking efforts may also be undertaken by unofficial and non-governmental groups, or by a prominent personality working independently.
Peacekeeping	Peacekeeping is a technique designed to preserve the peace, however fragile, where fighting has been halted, and to assist in implementing agreements achieved by the peacemakers. Over the years, peacekeeping has evolved from a primarily military model of observing cease fires and the separation of forces after inter-state wars to incorporate a complex model of many elements – military, police and civilian – working together to help lay the foundations for sustainable peace.

(28) Source: UNDPKO 2008, pp. 17-18.

Peace enforcement	Peace enforcement involves the application, with the authorisation of the Security Council, of a range of coercive measures, including the use of military force. Such actions are authorised to restore international peace and security in situations where the Security Council has determined the existence of a threat to the peace, a breach of the peace or an act of aggression. The Security Council may utilise, where appropriate, regional organisations and agencies for enforcement action under its authority.
Post-Conflict Peacebuilding	Peace-building involves a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundation for sustainable peace and development. Peace-building is a complex, long-term process of creating the necessary conditions for sustainable peace. It works by addressing the deep-rooted, structural causes of violent conflict in a comprehensive manner. Peace-building measures address core issues that effect the functioning of society and the state, and seek to enhance the capacity of the state to effectively and legitimately carry out its core functions.

Treaties and the Legal Foundations

The UN Charter provides the foundation for the entire organisation's work. The overall purpose of the UN as laid out in Article 1 is to maintain international peace and security by preventing or suppressing acts of aggression and promoting respect for international law and the peaceful resolution of conflicts. In Article 2, some of the more central elements are listed, together with a statement that all members shall act in accordance with seven principles. The first principle, stated in Article 2(1), is that the UN is based on the presumption of the '*sovereign equality of all its Members*', while Article 2(4) states that all member states shall refrain '*from the threat or use of force against the territorial integrity or political independence of any state....*' Lastly, in Article 2(7), it is said that nothing shall authorise the UN '*to intervene in matters which are essentially within the domestic jurisdiction of any state...*'. Here, the authors of the Charter are trying to guarantee the ability of member states to govern themselves without external interference.

However, there are exceptions to these principles in the Charter. In accordance with Articles 24 and 25 of Chapter V, the UN Security Council can vote to make exceptions to the above principles, thereby overriding the idea of state sovereignty and the ban on the use of force. Also, and without a decision having been taken by the Security Council, Article 51 of Chapter VII empowers any member state of the UN to exercise its inherent right of self-defence. The main chapters relating to international peace and security and UN peacekeeping missions are Chapters VI, VII and VIII, none of which explicitly uses the term peacekeeping, which is therefore

not to be found in the Charter. The term was introduced by the second UNSG, Dag Hammerskjöld, who placed the concept between Chapter VI missions, with their emphasis on peaceful conflict resolution, and Chapter VII missions, where the use of force may have been authorised. Today the term is an institutionalised part of UN vocabulary, being described together with peace enforcement and peace-building in the *Principles and Guidelines Capstone Doctrine* published by the Department of Peacekeeping Operations (DPKO) in early 2008.

Chapter VI of the charter, entitled '*Pacific Settlement of Disputes*', focuses on negotiation, mediation and conciliation. Peacekeeping operations based on Chapter VI mandates are therefore conducted on the basis of the principles of consent, impartiality and the use of force only in self-defence. Chapter VII, entitled '*Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression*', can come into effect if a '*threat to the peace*' is present and agreed upon by the Security Council. Thus, for the UN to act in accordance with Chapter VII in the recent conflicts as Darfur or to intervene in, for example, Zimbabwe, the Security Council has to vote in favour without any of the permanent members using their veto right. The use of Chapter VII in UN mandates always departs from Article 39 ('*threat to the peace*') and from there moves to Article 41 (non-military tools) and/or Article 42 (coercive and military tools).²⁹

However, as already noted, Article 51 of Chapter VII is an exception to the above rule, since it grants member states the right of self-defence by stating that '*Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations...*'. It therefore permits member states to react before the Security Council has agreed upon a resolution. Whether Article 51 also applies to attacks by non-state actors such as the terrorist attacks on 9/11 was decided by the following Security Council Resolutions 1368 and 1373, which recognise '*the inherent right of individual or collective self-defence in accordance with the Charter,*' and '*that such acts, like any act of international terrorism, constitute a threat to international peace and security*'. These resolutions give clear examples of Article 51 in use.

Chapter VIII of the Charter is entitled '*Regional Arrangements*'. It invites regional organisations to be involved in matters of peace and security at

(29) The General Assembly also has a role here in using the 'Uniting for Peace' Resolution 377 (V). More on this can be found in the section on 'Current Organisational Set-up and Security Cooperation'.

the regional level, and to encourage the regional settlement of disputes. Unlike Chapter VII, it does not authorise the use of force, but the Security Council can use Chapter VIII in order to deploy regional organisations to implement a Chapter VII mandate. Again, no clear references to Chapter VIII are to be found in the resolutions authorising regional organisations to implement the mandate, but such authorisations are based on Chapter VIII.

Current Organisational Setup

The UN is organised with six main or principal organs that are formally equal to each other: the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the Secretariat, and the International Court of Justice.

The General Assembly comprises all 192 members of the UN. The unique feature of this organ is that it is the only one where all the members are present and have equal votes. The General Assembly can be said to have two overall functions: to provide collective legitimisation of norms, rules and actions, and to provide administrative oversight of the UN system.³⁰ The General Assembly has a variety of roles: approving the UN budget, creating new UN bodies, electing the non-permanent members of the Security Council and appointing judges for special tribunals, while, in relation to peace and security, its role is to '*Consider and make recommendations on the general principles of cooperation for maintaining international peace and security*'. The General Assembly can adopt common non-binding resolutions by majority vote and contribute to customary law through declarations adopted in consensus.³¹ An example of the latter is Resolution 3314 of 1974 on the 'Definition of Aggression', which was adopted after extended governmental negotiations, offers a definition of aggression performed by states, and has since been used in discussions on defining individual crimes of aggression.³² The General Assembly can also make recommendations to the Security Council if the latter fails to address a question of interest to it.

In situations of stalemate, when one of the P-5 members of the UNSC is preventing an action to maintain international peace and security, the

(30) Peterson, 2007, p. 97.

(31) A simple majority for most resolutions and a two-thirds majority for those issues listed in Article 18 or what can be termed 'important questions' by its members (Peterson, 2007, p. 98).

(32) Wilmshurst, 2008.

'Uniting for Peace' resolution empowers a two-thirds majority in the General Assembly to authorise the use of armed force to address the problem.³³ This Resolution was introduced by the USA as a mean of circumventing Soviet vetoes during the course of the Korean War. It was also used to launch the UN peacekeeping operation (UNEF I) against the wishes of France and the United Kingdom in 1956. The Resolution has not been used to authorise larger missions since then, partly because the growing membership has made the required two-thirds majority harder to achieve, and partly because of an unwillingness to launch such operations without the full support of the UNSC. However, the General Assembly has used it to launch a small number of observer missions that do not appear on the list of official UN operations, such as MICIVIH in Haiti, MINUGUA in Guatemala and UNOVER in Eritrea.³⁴

The Security Council consists of fifteen members, of which five are permanent. The remaining ten members are elected every two years. As already mentioned, the P-5 are the USA, the UK, France, Russia and China. For the UNSC to adopt a resolution, none of the permanent members may use its veto, and a minimum of nine members have to vote in favour.³⁵ During the Cold War, the work of the Security Council was often hampered by different forms of great power rivalry, which often created situations in which the permanent members used their veto power to prevent new resolutions from being adopted. From 1946 to 1985, 597 resolutions were adopted and 237 vetoes cast, 114 by the Soviet Union and 46 by the United States. From 1986 to 2007, 1215 resolutions were adopted and only 38 vetoes cast, 3 by China, 4 by Russia and 36 by the United States.³⁶

Under Article 24, the UNSC is granted the '*primary responsibility for the maintenance of international peace and security*', and its decisions can, unlike those taken by the General Assembly, be binding on the member states. The relationship between the Security Council and the General Assembly has been characterised as contentious because the General Assembly cannot discuss peace and security issues that have been taken up by the UNSC, even though it has a responsibility for peace and security as well.³⁷ However, the General Assembly sometimes ignores this regulation.

(33) UN Doc. A/RES/377(V)A, 3 November 1950, para. 1.

(34) Eknes, 1995, p. 25.

(35) A permanent member can also refrain from voting, thereby making it possible to adopt a resolution.

(36) Roberts and Zaum, 2008, p. 13.

(37) Malone, 2007, p. 118.

Resolutions adopted by the UNSC can take two forms. The binding resolutions are those based on Chapter VII in accordance with Articles 24 and 25 (Chapter V), while non-binding or 'common' resolutions are not based on the above Chapters and Articles. The UNSC does not need to refer explicitly to a specific Chapter of the Charter when mandating UN missions. However, in recent years the UNSC has used the term Chapter VII when mandating missions of this character. Thus, the most important element when mandating missions is the tasks listed in the mandates that the mission is to undertake and support.³⁸ It is important to stress that UNSC resolutions should be viewed in the light of the contexts in which they are written. They are often a result of long negotiations and are meant to reflect the situation on the ground. This means that they are often based on a ceasefire agreement or a comprehensive peace agreement concluded by the warring parties. This often implies that UNSC resolutions result from political compromises that must reflect both the parties to the given conflict and the interests of the members of the UNSC.

Another principal organ of the UN is the Economic and Social Council (ECOSOC). This organ has often been described as quite ineffective and often comes in for massive criticism.³⁹ The Council is mandated to work within two areas: economic and social matters, and human rights. In this regard, it is supposed to work closely with non-governmental organisations, thus acting as an entry point to the UN for these. The Council has 54 member states elected by the General Assembly for a three-year term. The members of the Council elect their bureau each year, comprising one president and four vice-presidents.

Another principal organ is the Trusteeship Council. The Council is mandated under Chapters XII and XIII of the UN Charter and was established for the '*administration and supervision of such territories as may be placed thereunder by subsequent individual agreements*', meaning that its role was to promote self-government or independence for populations that have not achieved this. The work of the Trusteeship Council was suspended on 1 November 1994 with the quasi-independence of Palau, the last remaining UN trust territory.⁴⁰

The Secretary-General (UNSG) is the head of the Secretariat, which is another principal organ of the UN. The Secretariat is an international civil service of some 8,900 individuals working on most of the questions dealt

(38) UNDPKO, 2008, p. 14.

(39) Martens, 2006.

(40) For further details, see <http://www.un.org/documents/tc.htm>

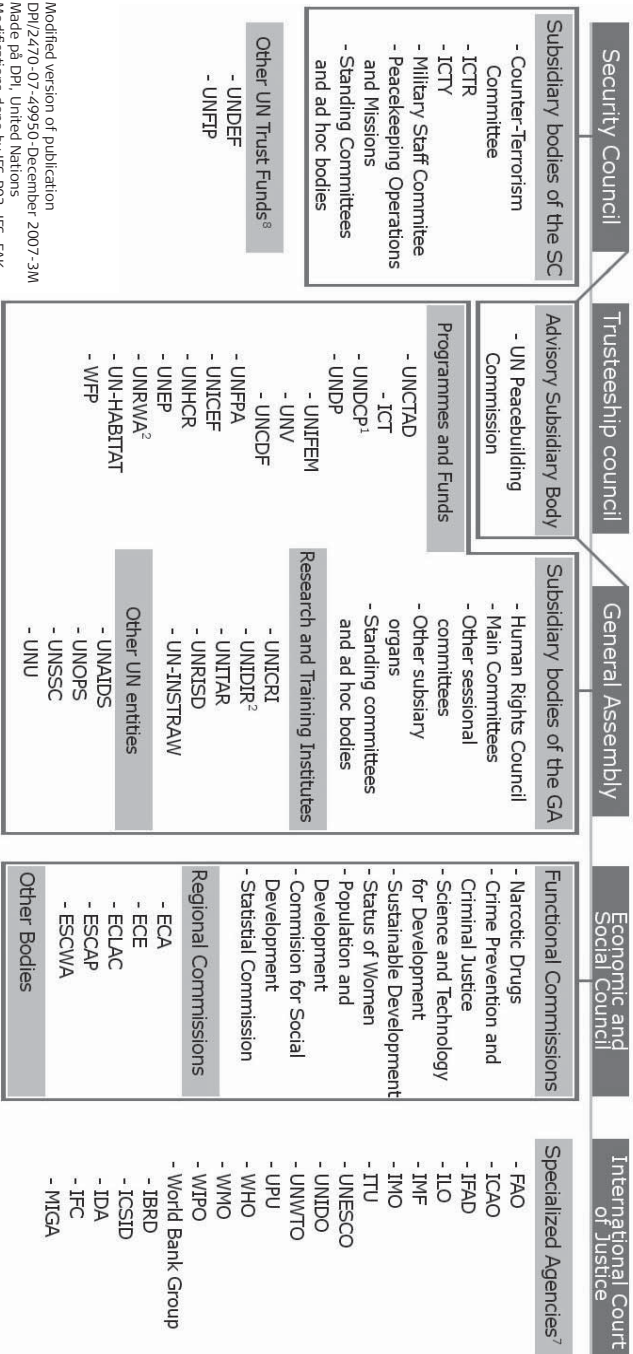
with by the UN, including mediation, peacekeeping operations, human rights and development, to name just a few. DPKO and the UN Office for the Coordination of Humanitarian Affairs (OCHA) are both placed under the Secretariat. The head of the Secretariat, the UNSG, is appointed by the General Assembly on the recommendation of the UNSC for a five-year term, with the possibility of renewal. The UNSG often has a profound and complex relationship with the UNSC. Several of the Secretary-Generals of the UN, especially Dag Hammarskjöld, Boutros Boutros-Ghali and Kofi Annan, were highly active and relatively independent actors within the areas of peace and security, and often came into conflict with the UNSC. One of the most vital roles of the UNSG is the use of his 'Good Offices'. In this regard, the UNSG can take steps, both public and private, to prevent international disputes and conflicts from developing in a negative direction. The UNSG can appoint an individual, a state or a regional organisation to mediate between parties engaged in a conflict or moving towards one.

The last principal organ of the UN is the International Court of Justice located in The Hague in the Netherlands. The Court is the principal judicial organ of the UN and acts as a world court, with fifteen judges representing different nationalities, regions and judicial traditions. The five permanent members of the Security Council are all represented among the judges. The Court has a dual jurisdiction: in accordance with international law, it decides disputes of a legal nature that are submitted to it by states, and it also gives advisory opinions on legal questions at the request of UN organs.⁴¹ The key provisions of the Court are Chapter XIV of the UN Charter and the Court Statute, which is annexed to the Charter. The cases brought before the Court relate to states, not individuals, and its decisions are binding, with no possibility of appeal. If a state does not comply with a decision, the UN Security Council can try to enforce it through a resolution. However, while the Court interprets existing laws and treaties, most states have protocols and reservations to the Court Statute. For example, in the case of nuclear testing, France allows the Court to pronounce on the merits of a case, but not to make a judgement.

(41) For further details, see <http://www.icj-cij.org/homepage/index.php?lang=en>



The UN System: Principal organs



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NOTES: Solid lines from a Principal Organ indicate a direct reporting relationship; non-direct subsidiary relationships not included.

1. The UN Drug Control Programme is part of the UN Office on Drugs and Crime.
2. UNRWA and UNDIR report only to the GA.
3. The United Nations Ethics Office, the United Nations Ombudsman's Office, and the Chief Information Technology Officer report directly to the Secretary-General.
4. In an exceptional arrangement, the Under-Secretary-General for Field Support reports directly to the Under-Secretary-General for Peacekeeping Operations.
5. IAEA reports to the Security Council and the General Assembly (GA).
6. The CTBTO Prep. Com and OPCW report to the GA.
7. Specialized agencies are autonomous organizations working with the UN and each other through the coordinating machinery of the ECOSOC at the inter-governmental level, and through the Chief Executives Board for coordination (CEB) at the inter-secretariat level.

Security Cooperation

The UN has enhanced its security cooperation with regional organisations and coalitions of the willing significantly at all levels since the end of the Cold War. At the operational level it has:

- increased the number of Chapter VII enforcement operations delegated to regional organisations and coalitions of the willing;
- included civilian elements within delegated operations;
- attached liaison officers to delegated operations;
- codeployed UN observers and other personnel in delegated operations;
- conducted joint operations with other regional operations; and
- deployed follow-on forces taking over from delegated operations as soon as the conditions for a consent-based Chapter VI operation have been created.⁴²

In addition to these operational activities, the UN has also established institutional frameworks for cooperation with the European Union (EU), the African Union (AU), the North Atlantic Treaty Organisation (NATO), the Organisation for Security Co-operation in Europe (OSCE) and the World Bank.⁴³ Practical outcomes of this work include information-sharing at the level of desk officers through the establishment of mechanisms such as the United Nations-European Union Desk-to-Desk Dialogue, the United Nations-European Union Steering Committee on Crisis Management, and the United Nations-OSCE Staff Level Meeting;⁴⁴ the development of guidelines for joint deployments with the EU; the conduct of a joint review by the DPKO and the World Bank of their efforts in the DRC; and substantial DPKO assistance to the AU, with capacity-building and operational support.⁴⁵

As a result of these efforts, the UN has established itself as the principal coordinator of the international community's efforts to provide humanitarian assistance in emergencies and to build peace in societies recovering from war.⁴⁶

(42) Bah and Jones, 2008, p. 21-30.

(43) UN doc. A/63/702, 3 February 09, Para. 12; Jakobsen, 2007, pp. 33-35.

(44) UN doc. S/2008/186, 7 April 2008, para. 16.

(45) UN doc. A/63/702, 3 February 2009, para. 51-53.

(46) More on this in the section 'The Toolbox'.

Current Missions and Operations

As of spring 2009, eighteen UN peacekeeping missions were active around the world. Approximately 78,000 soldiers, 11,000 police officers and 2,500 military observers were serving in these missions, together with 5,800 international civilian and 13,000 locally hired staff. 120 countries were contributing uniformed personnel, and the annual budget for the missions was about \$7.1 billion. Since the first mission in 1948 the concept of UN peacekeeping has developed markedly, and today's missions are of a magnitude and scope few would have thought possible sixty years ago.

DPKO describes three types of operation that the UN is currently involved in. The first two, more traditional types – observer missions and peacekeeping missions – are mainly implemented to stabilise a given conflict by peaceful means and with the consent of the warring parties. Both types are characterised by DPKO as including:

- observation, monitoring and reporting – using static posts, patrols, overflights or other technical means, with the agreement of the parties;
- supervision of ceasefires and support to verification mechanisms;
- interposition as a buffer and confidence-building measure.⁴⁷

Observer missions may be lightly armed, limited in mandate and in the use of force, with a limited number of observers monitoring ceasefire lines with the consent of the warring parties. UN observer missions mostly entail observing and monitoring ceasefire agreements, reporting breaches of them, facilitating meetings between the parties or simply extending the UN's 'good offices' and displaying the UN flag. By deploying observers, the UN and the international community can issue guarantees to the parties to the conflict, thereby getting them to come to the negotiating table, so that political solutions can lead to more permanent settlements.⁴⁸ UN Observers are often stationed at observation posts at ceasefire lines or in demobilised zones. Alternatively, they work as mobile observers to monitor the situation and report discrepancies to UN headquarters and thus the Security Council. An example of a typical UN observer mission is the United Nations Truce Supervision Organization (UNTSO), which has consistently numbered some 150 military observers and 200 international and local civilians. Observer missions are still used by the UN, for example, the United Nations Observer Mission in Georgia (UNOMIG) and the United Nations Military Observer Group in India and Pakistan (UNMOGIP).

(47) UNDPKO, 2008, p. 21.

(48) UNDPKO 2008, p. 20

The second type of mission – peacekeeping missions – are typically lightly armed missions that are often authorised to separate the parties when ceasefires are broken, and they are staffed with a greater number of soldiers than the observer missions. These missions are generally implemented with the consent of the parties, but the UN force can, thanks to an expansion of the Chapter VI mandate by the Security Council, use force beyond self-defence.

The third type – multi-dimensional and complex missions – is what DPKO describes as a new type of mission that is authorised to go beyond the traditional role of earlier peacekeeping and observer missions and is involved in the following core functions:

- creating a secure and stable environment while strengthening the state's ability to provide security, with full respect for the rule of law and human rights;
- facilitating the political process by promoting dialogue and reconciliation and supporting the establishment of legitimate and effective institutions of governance;
- providing a framework for ensuring that all United Nations and other international actors pursue their activities at the country-level in a coherent and coordinated manner.⁴⁹

These missions are increasingly mandated to provide support to a wide range of state-building tasks not traditionally undertaken in peacekeeping missions. A milestone in this development occurred with the *Report of the Panel on United Nations Peace Operations*, or the 'Brahimi report' as it has been called, published in 2000.⁵⁰ In the report, the panel analyses the lessons of the missions in the 1990s and translates them into recommendations for changes in the structures of UN peacekeeping and the gap especially in the relationship between mandates and missions. The report also identifies challenges and required changes to the external commitment to future missions.

Current missions of this type, such as MONUC in the DRC, have a Chapter VII mandate explicitly authorising '*MONUC to use all necessary means, within its capacity and in the areas where its armed units are deployed, to carry out the tasks*' (Resolution 1565 of 2004). However, the MONUC mission is not manned or equipped according to its mandate to carry out

(49) UNDPKO, 2008, p. 23.

(50) See http://www.un.org/peace/reports/peace_operations/

tasks such as supporting disarmament, facilitating the voluntary repatriation of disarmed foreign combatants, contributing to election processes or assisting in the promotion of human rights. Another example is the UN Hybrid Operation in Darfur (UNAMID), which also acts under Chapter VII and is implemented by the African Union, where the relationship between the mandate and its associated resources is not mutually supportive.

Map 2.1: *Peacekeeping Missions*

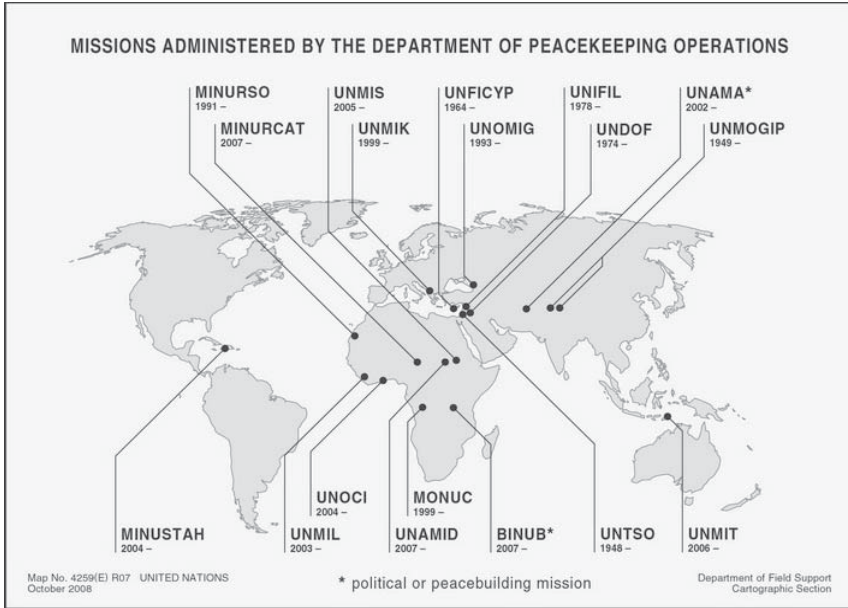


Figure 2.4: *Peacekeeping Missions*

Continent	Number
Africa	8
Europe	3
Middle East	4
Asia/Pacific	2
Americas	1

The Toolbox

The UN toolbox covers most of the conflict cycle. While the UN does not have the capacity to use force against spoilers opposing its forces with military means beyond the tactical level, it has tools for preventing the outbreak of armed conflict, managing armed conflict and rebuilding, and if need be running countries recovering from war in a transitional period.

Coordination Tools

Coordination is a prerequisite for effective action in all stages of the conflict cycle, and for the past two decades the UN has been engaged in a continuous effort to enhance its capacity to coordinate its own tools and organisations, as well the other key actors involved in conflict management, such as the International Financial Institutions (IFIs, i.e. the International Monetary Fund, the World Bank and various development banks), regional organisations, major donors and non-governmental organisations. These efforts complement the security cooperation undertaken with other the international organisations discussed above.

At the strategic level, the UN has sought to enhance internal coordination through its four Executive Committees covering Peace and Security, Economic and Social Affairs, Development Operations, and Humanitarian Affairs. These Executive Committees are designed as instruments of policy development, decision-making and management, and they function primarily as consultative bodies seeking to identify and exploit ways of pooling resources, avoiding duplication, and more generally facilitating joint strategic planning and decision-making. The Executive Committees are supplemented by bodies that involve relevant non-UN actors as well. In the field of humanitarian affairs, the Inter-Agency Standing Committee (IASC) established in 1992 brings together the relevant UN agencies, as well as their principal partners outside the UN family.

In the fields of peace and security, the Peace-Building Commission (PBC) was set up in 2005 to help mobilise resources, facilitate dialogue, enhance coordination and propose integrated peace-building strategies for war-torn countries referred to it. The PBC consists of a 31-member Organisational Committee, as well as country-specific configurations to address specific country cases on its agenda. It is composed of seven member states from the UNSC, seven from ECOSOC, seven from the General Assembly, and five each from a list of the ten largest troop contributors and financial donors. The IFIs and the UNSG are invited to all PBC meetings, and all the relevant actors, including regional organisations, neighbouring countries, donors, personnel-contributing countries and NGOs, are invited on an ad hoc basis to meetings dealing with countries on the PBC agenda. A Peace-Building Support Office (PBSO) was created simultaneously with the PBC to assist its activities and to advise the UNSG and conduct analysis of peace-building best practice. A Peace-building Fund was also established to finance peace-building projects in the countries on the PBC agenda, projects in countries designated by the UNSG, and emergency projects.

At the operational level, the UN has adopted two distinct approaches to enhance coordination: the integrated mission approach in the field of peace operations, and the cluster approach in the humanitarian field. The integrated mission approach is employed on multi-dimensional UN peace operations involving both civilian and military components. It is intended to develop a shared understanding of the mandates and functions of the political, security, development, human rights and, where appropriate, humanitarian UN actors in a particular mission. To this end, the UN has adopted an Integrated Mission Planning Process (IMPP) involving all the relevant parts of the United Nations system. Once deployed, a multidimensional UN operation is usually headed by a Special Representative of the Secretary General (SRSG), with overall responsibility for coordinating the activities of all the UN actors involved. In addition to coordinating the members of the UN family, the SRSG is also responsible for coordinating and cooperating with non-UN actors present in the mission area.⁵¹

In the humanitarian field, in 2005 the IASC adopted the cluster approach to enhance the coordination of the international responses to major humanitarian emergencies that do not involve the deployment of military forces. At the strategic level, different UN agencies have been appointed as 'leads' in nine clusters of activity according to their areas of specialisation. Each cluster lead will work with partners to set standards and policies for the cluster, build stand-by response capacity and provide operational support to organisations working in the field. At the outset of an emergency, lead agencies will be designed for priority clusters, each cluster then becoming responsible for facilitating a collaborative and inclusive process that ensures well-coordinated and effective humanitarian responses in its sector. Clusters are also expected to be a 'port of first call' for the UN Humanitarian/Resident Coordinator⁵² and a 'provider of last resort' if no one else can provide the assistance required.⁵³ A simple solution has been found to make the integrated mission approach and the cluster approach compatible when peacekeeping and humanitarian operations are conducted simultaneously in the same area. The UN Humanitarian/Resident Coordinator is appointed as Deputy Special Representative to the UNSG and serves as the principal interface between the United Na-

(51) UNDPKO, 2008, p. 25.

(52) UN Resident Coordinators lead UN country teams in more than 130 countries and are the designated representatives of the Secretary-General for development operations. The resident coordinator is usually, but not always, assigned the functions of Humanitarian Coordinator at the outset of an emergency. See OCHA, *Terms of Reference for the Humanitarian Coordinator Appointment*, 11 December 2003.

(53) IASC, *Guidance Note on Using the Cluster Approach*, 24 November 2006.

tions peacekeeping operation and the UN development and humanitarian operations.⁵⁴

Assessments of the UN's capacity to coordinate its own family and the other relevant actors at both the strategic and operational levels present a mixed picture. On the one hand, there is general agreement that significant progress has been achieved in recent years. On the other hand, there is a consensus that there is ample room for improvement, and the humanitarian community is resisting recent moves towards integrated and comprehensive approaches. While continued reform efforts are likely to improve the UN's coordination tools, two constraints will continue to limit its overall effectiveness. The first is the sheer number of actors involved. To give an example, the UN system alone has 31 different entities involved in peace-building activities across 25 different sectors, from security-sector governance to constitution-making, and from financial transparency and accountability to employment generation.⁵⁵ The second constraint is that the UN only can coordinate by consensus: it cannot coordinate actors, not even inside the UN family, that do not want to be coordinated. Since most (UN) actors have their own mandates, constituencies and budgets, they have little incentive to accept UN coordination unless they perceive it to be in their interests. The scale of the challenge, divergent bureaucratic and national interests, turf wars and personal animosities will therefore continue to hamper (UN) coordination at all levels.⁵⁶

Tools for Peaceful Conflict Prevention and Peace-Making

The concept of conflict prevention can be broken down into structural and operational conflict prevention, where the first category refers to early efforts aimed at addressing the root causes of a conflict before they create a risk of violence, while the second refers to last-minute efforts to prevent disputes turning violent. The UN is well equipped to engage in structural conflict prevention. Under the supervision of the ECOSOC,

(54) This arrangement has given rise to concern among humanitarian actors both inside and outside the UN system because of the perceived loss of humanitarian independence that occurs when the Humanitarian Coordinator becomes deputy to the SRSG heading the integrated mission. See Jacques Forster, *An ICRC perspective on integrated missions*, Speech by the ICRC's Vice-President at the Conference on Integrated Missions, Oslo, 30-31 May 2005; OXFAM International, *OI Policy Compendium Note on United Nations Integrated Missions and Humanitarian Assistance*, January 2008.

(55) UN, *Inventory United Nations Capacity in Peacebuilding*, September 2006, p. 2: http://www.undp.org/cpr/iasc/content/docs/Oct_Links/doc_4.pdf

(56) See also Paris, R. 'Understanding the Coordination Problem in Postwar Statebuilding,' in Paris, R. and Sisk, T. D. (eds.), *The dilemmas of statebuilding: confronting the contradictions of postwar peace operations* (New York, NY: Routledge, 2008), pp. 53-78.

specialised programmes and agencies, such as the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the United Nations Environment Programme (UNEP), the United Nations High Commissioner for Human Rights (UNHCHR) and the United Nations Institute for Disarmament Research (UNIDIR), engage in a variety of structural conflict-prevention activities aimed at attacking root causes, such as the efforts to promote peaceful conflict resolution, democracy, good governance, human rights, higher standards of living and economic and social progress, to address social and health problems, and to facilitate international cultural and educational cooperation and respect for international law.⁵⁷

The UN toolbox for operational conflict prevention is small in comparison. Since the UN continues to rely on intelligence and information from member states for early warning, its toolbox is essentially limited to mediation in the form of the good offices of the UNSG and the special representatives who can be appointed with this task in mind, as well as to the deployment of military observers and peacekeepers. While the UNSG has used his good offices and his special envoys in efforts to prevent the outbreak of violent conflicts on several occasions, UN mediation generally takes place after hostilities have been initiated. The same is true with respect to UN observer and peacekeeping missions, as to date only one preventive mission has been launched, namely the United Nations Preventive Deployment Force (UNPREDEP) to Macedonia established in 1995.⁵⁸

Peacekeeping and Peace Enforcement

The UN toolbox is limited in the conflict phase. Lacking its own military forces, it does not have the capacity to wage war, stop ongoing conflicts or roll back aggression. It can impose economic sanctions on aggressors and parties to a conflict in an effort to coerce them to stop, or it can give regional organisations or coalitions of the willing a mandate to fight on its behalf, as was the case when US-led coalitions were authorised to restore the status quo ante following North Korea's attack on South Korea in 1950 and Iraq's annexation of Kuwait in 1990.

Today, UN forces are usually mandated and equipped to use force beyond self-defence to protect civilians and to enforce compliance with peace

(57) For a comprehensive list of conflict prevention tools, see: http://www.caii.com/CAIISTaff/Dashboard_GIROAdminCAIISTaff/Dashboard_CAIIAdminDatabase/resources/ghai/toolbox.htm

(58) It replaced the Macedonian part of the United Nations Protection Force (UNPROFOR) established in 1992.

agreements; over eighty percent of the troops and police deployed in UN-led operations now have enforcement mandates.⁵⁹ However, the capacity of the UN to enforce compliance upon spoilers is limited to the tactical level, which is why such operations are referred to in UN doctrine as 'robust peacekeeping'.⁶⁰ UN forces may even be incapable of enforcement compliance at the tactical level due to a lack of personnel, equipment or will on the part of the troop-contributing countries. This lack of enforcement capacity makes the UN very vulnerable to challenges from spoilers with the capacity to escalate conflict above the tactical level. The inability of the MONUC force in the DRC to respond to the outbreak of fighting in North Kivu in September-December 2008, which triggered a humanitarian disaster, illustrates the problem. Deploying UN forces into conflicts where there is no peace to keep or where consent from the parties is limited is therefore a recipe for failure.

Post-Conflict Peace-Building

It is difficult to provide an overview of all the UN activities in this field, because virtually everything the UN does in the post-conflict phase can be defined as related to peace-building and because so many UN entities are involved. As mentioned above, an inventory made in 2006 counted 31 different entities involved in peace-building activities across 25 different sectors – and that was prior to the establishment of the PBC. In addition to the strategic coordination and planning capacity that the PBC provides to the handful of countries on its agenda, the UN has developed substantial capacities and expertise in the six areas that have been included in the mandates of most major UN multidimensional peacekeeping operations since the early 1990s: the disarmament, demobilisation and reintegration (DDR) of combatants; mine action; Security Sector Reform (SSR) and other rule of law-related activities; protection and promotion of human rights; electoral assistance; and support to the restoration and extension of state authority. These areas have all become growth industries, and the UN has established itself as the central player in most of these areas by developing standards, training manuals and programmes, web resources and information for practitioners, as well as by deploying a large number of personnel in the field.⁶¹

(59) Durch and England, 2009, p. 3.

(60) UNDPKO, 2008, p. 34.

(61) For further details on the UN roles in these areas, see E-Mine - Electronic Mine Information Network (<http://www.mineaction.org/>); UN DDR resource centre (<http://www.unddr.org/index.php>); Electoral Assistance Division (<http://www.un.org/Depts/dpa/ead/>); UN Doc. A/62/659-S/2008/39, 23 January 2008.

In addition to its multidimensional peacekeeping operations with peace-building mandates, the UN also runs a small number of Peace-building Support Offices and Integrated Peace-building Offices. Such offices are usually, but not always, set up following the termination of UN peacekeeping operations in order to help nations consolidate peace through comprehensive peace-building strategies developed and carried out in coordination with national actors and UN development and humanitarian entities on the ground. Since the first was established in Liberia in (1997-2003), peace-building offices have been opened in Guinea-Bissau (1999-), the Central African Republic (2000-), Tajikistan (2000-2007), Sierra Leone (2006-) and Burundi (2007-). The four African countries that currently have peace-building offices on their territories are all on the PBC agenda, and the Peace-building Fund also provides support for projects in a number of other countries.⁶²

The Current Debate and the Future Security Role

UN peace operations have always come in waves. The first wave starting in 1948, when the first UN operation was launched, ended in the mid-1960s, when the problems triggered by the operation in the Congo were generally interpreted to herald the end of UN peacekeeping. The launch of two new missions in the wake of the 1973 Yom Kippur War consequently took the UN completely by surprise.⁶³ The second wave triggered by the end of the Cold War ended as a result of the failures in Somalia, Rwanda and Bosnia. UN peacekeeping was condemned to death for the second time, and serious thought was given to the idea of dismantling the UN DPKO altogether within the UN Secretariat.⁶⁴ Yet the launch of four new operations in 1999 gave UN peacekeeping a new lease of life, and the new wave started by these operations is still rising. The number of UN personnel (both military and civilian) deployed has broken the 100,000 mark, and the 2009 UN peacekeeping budget is at an all-time high, exceeding \$7 billion.

Warnings that the latest wave will also end have been issued repeatedly since 2006, and France and the UK have recently begun to apply the brakes. In December 2008, they opposed a US proposal to launch a major

(62) United Nations Peacebuilding Fund, Bulletin No. 5, January 2009: <http://www.un.org/peace/peacebuilding/PBCFastFacts/PBFBulletinJanuary2009.pdf>

(63) Ensio, 1992, pp. 150, 153.

(64) Brahimi, 2006, p. 14.

rapid UN peacekeeping operation in Somalia,⁶⁵ and in early 2009 they circulated a non-paper to the UNSC calling for a major overhaul of UN peacekeeping and proposing six ways to address the problems of overstretch that UN peacekeeping currently suffers from.⁶⁶ It is also clear that increased problems of force generation and shortages of especially civilian personnel will make the current level of activity and spending difficult to sustain, especially in the context of the financial crisis.

That said, UN peacekeeping is not heading for a third near-death experience. Major disagreements over UN peacekeeping among the P-5 similar to those that triggered the first deep crisis in the 1960s do not seem likely in the foreseeable future, and the abrupt withdrawal of Western personnel that created the plunge in the number of UN peacekeepers in the mid-1990s cannot be repeated because Western countries are no longer major contributors of personnel. The current top personnel contributors to UN peacekeeping are far less vulnerable to public disquiet over casualties than the Western powers and less likely to react to operational setbacks by withdrawing their personnel. Many third-world contributors participate in UN operations to make money and to obtain the goodwill of the permanent members, and they can therefore be expected to continue to provide personnel as long as the US, the major Western states and Japan are willing to pay them to do so. Although the financial crisis will put pressure on these countries to cut costs, major reductions are unlikely for the simple reason that UN peacekeeping represents a bargain for all of them. The assessed US financial contribution to UN peacekeeping of some \$1.5 billion in 2007 is insignificant when compared to the \$11 billion a month that the Pentagon spent on its operations in Iraq and Afghanistan and on other activities related to the war on terror that year.⁶⁷ Similarly the UK and France were only asked to pay \$431,176.1 and \$410,077.1 respectively in 2007.⁶⁸ UN peacekeeping consequently represents a very cheap way for the Western permanent members to show international solidarity and to defuse unwelcome domestic pressures for military inventions to mitigate the humanitarian disasters in Darfur, the DRC and Somalia.

(65) Louis Charbonneau, 'U.S. Somalia peacekeeping idea hits resistance at U.N.', *Reuters*, 18 December 2008.

(66) *UK-France non-paper on peacekeeping*, New York, 23 February 2009.

(67) Congressional Budget Office, *Estimated Costs of U.S. Operations in Iraq and Afghanistan and of Other Activities Related to the War on Terrorism*, Statement before the Committee on the Budget U.S. House of Representatives, October 24, 2007, p. 2.

(68) *Annual Review of Global Peacekeeping Operations 2008* (Lynne Rienner Publishers, Inc., Boulder, CO: USA, 2008), p. 164.

Milestones of the UN

Figure 2.5: Milestones of the UN⁶⁹

1 January 1942	Representatives of 26 Allied nations fighting against the Axis Powers met in Washington, D.C. to pledge their support for the Atlantic Charter by signing the 'Declaration by United Nations'. The Atlantic Charter contains a set of principles for international collaboration on peace and security.
1 December 1943	The Governments of the Soviet Union, the United Kingdom, the United States and China called for the establishment of an international organisation to maintain peace and security. That goal was reaffirmed at the meeting of the leaders of the United States, the USSR, and the United Kingdom in Teheran.
11 February 1945	Following meetings at Yalta, President Roosevelt, Prime Minister Churchill and Premier Joseph Stalin declared it their intention to establish 'a general international organization to maintain peace and security'.
25 June 1945	At the San Francisco Conference on 25 April 1945, delegates of fifty nations drew up a 111-article Charter, which was adopted unanimously on 25 June 1945 in San Francisco.
24 October 1945	The United Nations is created as its Charter is ratified by the five permanent members of the Security Council and the majority of other signatories, and enters into force.
10 January 1946	The first General Assembly, representing 51 nations, opens in London.
17 January 1946	The Security Council meets for the first time in London to adopt its rules of procedure.
24 January 1946	The General Assembly adopts its first resolution. Its main focus: peaceful use of atomic energy and the elimination of atomic and other weapons of mass destruction.
1 February 1946	Trygve Halvdan Lie of Norway becomes the first Secretary-General.
June 1948	The first UN observer mission is established in Palestine: the UN Truce Supervision Organization (UNTSO).
10 December 1948	The General Assembly adopts the Universal Declaration of Human Rights.
12 June 1968	The General Assembly approves the Treaty on the Non-Proliferation of Nuclear Weapons and calls for its ratification.

(69) Important milestones have been taken from: <http://www.un.org/aboutun/milestones.htm> and www.un.org/Pubs/chronicle/2005/issue3/0305p20.pdf

31 January 1992	The first ever Security Council Summit with leaders from all fifteen members in attendance was held in New York, which led to Secretary-General Boutros Boutros-Ghali's report, An Agenda for Peace, on preventive diplomacy, peacemaking, peace-keeping and peace-building.
1995	A world-wide and year-long programme of activities and celebrations marking the 50th Anniversary of the United Nations were held.
10 September 1996	The General Assembly adopted the Comprehensive Nuclear Test-Ban Treaty. This was a turning point in the history of efforts towards nuclear disarmament and non-proliferation. The treaty was opened for signature on 24 September. So far, 180 states have signed the treaty, and 148 have ratified it. ⁷⁰
September 2005	More than 150 Heads of State and Government meet at UN Headquarters in New York for the 2005 World Summit, the largest-ever gathering of world leaders in history, to take bold decisions in the areas of development, security, human rights, UN reform and the Millennium Development Goals.
7 October 2005	The Nobel Peace Prize is awarded for the ninth time to the UN system. The International Atomic Energy Agency (IAEA) and its Director-General, Mohamed El Baradei, are cited for their efforts to ensure that nuclear energy is used for peaceful purposes.

Past Operations

Due to the extensive list of past operations, it would have been beyond the scope of this handbook to provide a thorough account of all UN-led past operations. Therefore, for an extensive and comprehensive list of UN-led past operations, see the UN's Department of Peacekeeping Operations homepage: <http://www.un.org/Depts/dpko/dpko/pastops.shtml>

Documents of Special Importance

The Charter of the United Nations 1945:
<http://www.un.org/en/documents/charter/>

The Universal Declaration of Human Rights 1948:
<http://www.un.org/en/documents/udhr/>

Brahimi Report: Report of the Panel of the United Nations Peace Operations 2000:
http://www.un.org/peace/reports/peace_operations/

(70) For more, see: <http://www.ctbto.org/the-treaty/status-of-signature-and-ratification/>

United Nations Peacekeeping Operations: Principles and Guidelines 2008:

http://pbpu.unlb.org/pbps/Library/Capstone_Doctrine_ENG.pdf

Further Reading

There are many books on the functioning of the UN. For further reading on the UN, its functioning, its institutions and its place in the world, see: Roberts, A., and Kingsbury, B. (eds.) (1993) *United Nations, Divided World* 2nd edition, Clarendon Press: Oxford.

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Weblinks

For up-to-date documents and resources on UN reform from the UN, governments and civil society, and for the latest on the various UN institutions such as the Security Council, the General Assembly, the Peace-Building Commission and UN Peacekeeping, see:

<http://www.reformtheun.org/index.php>

For factual information, official UN documents and 'lessons learnt reports', see:

UN Department of Peacekeeping: <http://www.un.org/Depts/dpko/dpko/index.asp>

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Chapter 3

The European Security and Defence Policy: From Distant Dream to Joint Action

By Rebecca Adler-Nissen⁷¹

The European Security and Defence Policy (ESDP), which is the operational military and civilian dimension of the Common Foreign and Security Policy (CFSP), is today one of the most dynamic areas of the European Union. However, it is only recently that the EU has acquired explicit military decision-making capacities and capabilities. For many years, a genuine European defence policy remained a distant dream for an exclusive group of political leaders from federally oriented states such as Belgium and Luxembourg. Yet since 1999, the EU has carried out 23 military missions in the Balkans, Africa and Asia. The Union is thus gradually emerging as an important player on the international scene, with a strategic vision, as well as diplomatic, civilian and military crisis-management instruments that complement the existing economic, commercial, humanitarian and development policies on which the EU has hitherto built its reputation as a 'soft power'. Despite its rapid development, many still regard the EU as weak and inefficient when it comes to security and defence policy. Moreover, the EU struggles with internal divisions and has a strained relationship with NATO. Nonetheless, there are good reasons to believe that its capacities and capabilities within the fields of security and defence will only be strengthened in the future.⁷²

Historical Introduction

The Cold War Period from 1948 to 1989

Contrary to popular belief, the EU has always been occupied with security

(71) Special thanks to Maja Pedersen, who, as research assistant at the Royal Danish Defence College, has contributed substantially with her skilled and enthusiastic research assistance in the process of writing this chapter.

(72) Due to the rapid development of the ESDP, empirical as well as theoretical literature quickly becomes outdated. The factual information in this chapter draws heavily on the 'Guide to the European Security and Defence Policy' (ESDP) written by the French Delegation to the EU Political and Security Committee.

and defence matters. In fact, security preceded any other type of post-World War II cooperation in Europe, beginning with the creation of the Western European Union (WEU) in 1948. WEU was established by the Treaty of Brussels and signed by the Benelux countries, the United Kingdom and France. Its origin lay in the fear of the Soviet Union imposing control over Central European countries, and it functioned as a forum for defence policy coordination.

The European Coal and Steel Community (ECSC), signed by France, West Germany, Italy and the Benelux countries in 1951, also has its origins in security. Its goal was to ensure that a war such as World War II would never destroy the European continent again. Coal and steel represented products of vital importance, as the steel industry produced the most important articles of war. By placing German and French production of coal and steel under a common authority, the aim was to prevent future military conflicts between the two countries. Later, in 1957, the ECSC was merged with the European Economic Community (EEC), which developed into the organisation we now know as the EU. However, beyond assuring peace between its member states through trade and legally binding rules, the EU refrained from engaging in the fields of security and defence during the Cold War. The reason for this was quite simply: NATO, the prime collective defence alliance for the European states, which guaranteed the security of its member states. With the United States leading the alliance and providing security for its European allies with its significant presence on the continent, the stimulus for Europe to provide for its own security was limited.⁷³

Another factor which meant that security cooperation never developed further was the different points of view of France and the United Kingdom. For many years, the two dominant military powers in Europe have clashed over institutional arrangements within the EU, including agreements on security and defence policy. Their differences of opinion regarding security and defence-related matters can be summed up in what has been termed "*the Euro-Atlantic security dilemma*".⁷⁴ The dilemma consists in the fact that the two states cannot develop a European security policy without one another, yet where transatlantic policy is concerned, they have enormous difficulties in cooperating. This situation is unhelpful both to the intra-European security project and to NATO. The UK and France have quarrelled over the extent to which the EU ought to create a

(73) McCalla, 1996, p. 448.

(74) Howorth, 2007, p. 36.

security and defence branch independently from NATO. Changing British governments have argued that, if the EU were ever to achieve this, the US would pull out of the European continent. On the other hand, France has argued that, in order for the EU to be taken seriously as the most important ally of the US, it has to show it can defend itself.

A number of European states made an attempt to develop a security and defence policy with the European Defence Community (EDC) in 1952, the most ambitious project of the era.⁷⁵ The EDC was intended to integrate the defence systems of the Benelux countries, France, Italy and the Federal Republic of Germany. This was to lead to the creation of a supranational army, which was to protect Western Europe from the Soviet Union.

On 30 August 1954, the French Parliament refused to ratify the EDC due to the UK's hesitations, fears that it would threaten France's national sovereignty and fears about Germany's remilitarisation. This rejection implied that the attempt to form a European defence community had failed. Meanwhile, it was evident that the US would remain involved in European security. Western Germany formed the *Bundeswehr* (German armed forces) and became a member of NATO, thereby making the need for the EDC less evident.⁷⁶

In sum, the Cold War era did not lead to independent European security and defence cooperation, but the situation was to change dramatically after the fall of the Berlin Wall in 1989.

Post-Cold War: Exploiting the Niche of Crisis Management

Fundamental changes brought about by the end of the Cold War steered the EU in the direction of more extensive cooperation in the areas of security and defence. The break-up of the Soviet Union, the reunification of Germany, Europe's loss of strategic relevance to the US and the idea that intra- and interstate conflicts cannot be solved by military means alone helped provide incentives for the European states to rethink their security and defence policies. Furthermore, towards the end of the Cold War, a debate concerning burden-sharing arose: during the Cold War, the EU was dependent on the US presence on the continent to provide a security guarantee against the Soviet Union.⁷⁷ Towards the end of the Cold War, however, several members of the US Congress argued that it was time for

(75) Other noteworthy attempts include the Fouchet Plan (1962) and European Political Cooperation (EPC) in the 1970s; see Howorth, 2007, and Jones, 2007.

(76) Jones, 2007.

(77) Howorth, 2007.

the EU to stand on its own feet. Europe was starting to become too costly for the US.⁷⁸

Notwithstanding these developments, the most important factor in the creation of the ESDP was possibly the break-up of Yugoslavia and the resulting war in the Balkans. In 1991 Slovenia and Croatia declared their independence from Yugoslavia, and a war broke out in Bosnia and Herzegovina, which engulfed the region for three years. The European governments initially wanted to resolve the conflict by using the EU's instruments. As Luxembourg's then foreign minister Jacques Poos confidently stated, "*The hour of Europe has come*". However, developments were to prove him wrong.

The member states disagreed on whether or not to recognise Slovenia and Croatia and on how to deal with Serbia and the war in Bosnia and Herzegovina. Each member state seemed to have its own favourites in the regions. Moreover, the Europeans were not prepared to back their diplomatic engagement by putting troops on the ground. All European initiatives in the region, from the so-called Brioni agreement in the summer of 1991 and onwards, failed. The dramatic display of ineffectiveness revealed that the EU was not capable of securing the European continent and exposed its heavy reliance on NATO and the US. It was only with the active involvement of the US that atrocities were finally brought to an end with the Dayton Peace Accord in 1995.

Meanwhile, negotiations on the EU's ambitious Treaty of Maastricht reflected not only the reunification of Germany, but also the rising concern with Europe's security. Germany agreed to give up its economic sovereignty and D-mark for a single currency (the euro) in exchange for reunification and its involvement in the development of a European foreign and security policy. Thus, the Treaty of Maastricht contained a commitment to '*implement a common foreign and security policy including the eventual framing of a common defence policy, which might in time lead to common defence*'.⁷⁹ Following the rejection of the Maastricht Treaty by Danish voters in a referendum in 1992, Denmark negotiated four opt-outs, including an opt-out from defence matters, making it the only EU member state that does not participate in the European Security and Defence Policy.⁸⁰

(78) Toje, 2008, p. 35.

(79) Treaty Establishing the European Union, 1992.

(80) Ireland is currently scheduled to hold a second referendum on the Lisbon Treaty, which will grant it an opt-out from the EU's defence policy and will consolidate its position as a neutral country.

To address the new types of conflict in the post-Cold War era, the EU had to focus on its military capacities. Moreover, it needed to engage effectively in civilian crisis management.⁸¹ On 19 June 1992, the Council of Ministers of the WEU met at the Petersberg guesthouse of the German government near Bonn and adopted the so-called Petersberg declaration, with a list of possible types of missions under the authority of the WEU. These became known as the 'Petersberg Tasks' (see Figure 3.1).

Figure 3.1: The Petersberg Tasks (1992)

The Petersberg Tasks comprise three kinds of missions:

1. **Humanitarian and rescue tasks** focus on the protection of individuals. Humanitarian tasks refer to missions for the supply or protection of the local population in emergency situations where the use of armed force is no more than a reserve option. Rescue tasks comprise missions to liberate and evacuate individuals of any nationality from trouble spots.
2. **Peacekeeping tasks** are concerned with both classic and second-generation peacekeeping as this has been developed by the UN, including complex peace-building missions.
3. **Combat forces in crisis management, including peacemaking**, are engaged in a 'crisis management' task, which comprises military interventions in any conflict that constitutes a threat to the peace or a breach of the peace, as long as it is outside the scope of the mutual defence clauses of NATO and the WEU. The term 'peacekeeping' describes a specific aspect of crisis management: the forcible pacification of an acute conflict between third parties.

The Petersberg Tasks required a radical transformation of the EU's militaries, which would take time. Meanwhile conflicts in the Balkans and elsewhere in the world continued. The Treaty of Amsterdam, signed in 1997, strengthened the common defence policy, as the Petersberg Tasks were incorporated into the EU system, and the position of High Representative for the CFSP was created.⁸²

The year 1998, however, marks the main turning point in the development of the EU's security and defence policy. At a meeting in St Malo, France's President Jacques Chirac and the UK's Prime Minister Tony Blair announced that the EU was to create a European Security and Defence Policy (ESDP). For the first time in fifty years, France and the UK could agree on a security and defence policy. The EU was to acquire *'the capacity for autonomous action, backed up by credible military forces ... in order to respond to in-*

(81) Civilian crisis management relates to pre-conflict as well as post-conflict situations. It refers among other things to the use of state-building instruments, security-sector reform instruments, judges and lawyers, and civil protection officers. See Howorth, 2007.

(82) See section on 'Current Organisational Setup'.

ternational crises'.⁸³ European leaders moved fast: only a year later WEU functions were transferred to the EU, and Javier Solana was appointed High Representative for CFSP at the Cologne European Council.

The first concrete step to improve military capabilities was made in 1999, when EU member states signed the Helsinki Headline Goals (HGG). These goals are military capability targets for ESDP missions.⁸⁴ The HHGs represent important statements regarding the military goal of acquiring appropriate resources for possible ESDP missions. They include the creation of a catalogue of forces, the 'Helsinki Force Catalogue', to be able to carry out the so-called 'Petersberg Tasks'. The HHGs were updated in 2004 and commit the EU, by 2010, to be able to respond to a crisis with rapid and decisive action by applying a fully coherent approach to the whole spectrum of crisis-management missions. At the beginning of 2003, the first ESDP police mission was launched in Bosnia and Herzegovina. With thirteen current missions and nine completed missions, the ESDP is now a fully developed European policy.

As should be clear from the above, unlike other international players, the EU did not start off with a clear security doctrine. However, this has changed.⁸⁵ The clearest statement yet of how the ESDP fits into the EU's general strategic thinking comes from the *European Security Strategy* document adopted by the EU leaders in December 2004. Created under the shadow of 'pre-emptive' US actions and the rift in the EU's own ranks, this paper states that the EU seeks to:

- Confront threats by conducting a policy of conflict prevention using a combination of civilian and military capabilities.
- Build security in the European neighbourhood by acting in the Middle East, the Balkans and the Caucasus.
- Promote effective multilateralism by defending and developing international law in line with the United Nations Charter.

The *European Security Strategy* is not just a political framework for the ESDP; it also serves as a reference for developing practical actions.⁸⁶

(83) Franco-British Summit: Joint Declaration on European Defense, St. Malo, 4 December 1998: <http://www.atlanticcommunity.org/Saint-Malo%20Declaration%20Text.html>

(84) See section on 'Military Instruments'.

(85) Bailes, 2008.

(86) See Wivel, 2008, p. 300.

In 2008, the European Council (the Heads of State and Government) adopted a revised strategy which defines the new threats and challenges facing the EU's security policy. Along with the all ready defined threats – the proliferation of weapons of mass destruction, terrorism, organised crime and regional conflicts – the security update also includes new threats, such as climate change, energy security, cyber-crime and piracy. Moreover, the new strategy stresses the need for '*appropriate and effective command structures and headquarters capabilities*' by combining EU civilian and military expertise '*from the conception of a mission, through the planning phase and into implementation.*'⁸⁷

Treaties and the Legal Foundations

Not addressed in the original Treaty of Rome (1957), the field of foreign and security policy was originally dealt with informally through a process of consultation and decision-making based on consensus within EU structures.⁸⁸ The Treaty of Maastricht (formally the Treaty on European Union or TEU) in 1992 thus marked a resolutely new step: it created the CFSP, which constitutes the second, intergovernmental pillar of the EU. In the CFSP all decisions are taken with unanimity, and the European Court of Justice and the supranational institutions have very limited powers. The Treaty of Maastricht was a significant step in at least three respects: first, it covered all areas of foreign and security policy, including '*the eventual framing of a common defence policy*'; secondly, it required member states to '*ensure that their national policies are consistent with common positions*'; and lastly it created a new legal instrument, 'Joint Action', which allows the EU's financial resources to be mobilized. From the Maastricht Treaty onwards, the ESDP rests legally on the EU and EC treaties and on the concrete decisions and actions taken by the Council of Ministers.

The Treaty of Amsterdam (1997) introduced further developments in the legal basis by establishing a High Representative for the CFSP and by giving the European Council greater competence to establish guidelines, notably in the field of security. Moreover, the Treaty of Amsterdam incorporated the Petersberg Tasks with regard to military activities.

(87) 'Report on the Implementation of the European Security Strategy: Providing Security in a Changing World', Brussels 11 December 2008, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/EN/reports/104630.pdf

(88) European Political Cooperation (EPC) was progressively strengthened in the 1970s and 1980s, and a European communications network (COREU) was established. However, the EPC was only formalised under Title III of the Single European Act (1986), which gave it legal status.

The Treaty of Nice (2001) formalised the Political and Security Committee (PSC), which is responsible for defining EU policies in the field of CFSP and which adapted Article 17 of the TEU to developments in the field of defence. Hence, the current legal basis for the ESDP missions is Title IV, Article 17(1) TEU, which provides for the progressive framing of a common defence policy, and Article 17 (2) TEU, the Petersberg Tasks, which form a catalogue of potential types of military operation that can be carried out within the framework of the EU.

Under the proposed Treaty of Lisbon, the position of High Representative will be merged with that of the European Commissioner for External Relations under a new title of High Representative of the Union for Foreign Affairs and Security Policy. The High Representative will also be a Vice-President in the Commission and chair the Council of Ministers in its Foreign Affairs configuration. Although the High Representative has the power to make proposals, he or she can only represent the Union in matters where there is an agreed policy between all the member states.⁸⁹ The position will be backed by an External Action Service (EEaS), which will help the strengthened High Representative to generate a consensus in the EU and implement initiatives that have been decided on. Designed to support the High Representative, the EEaS will be recruited from national civil servants, the Council Secretariat and the Commission.

Current Organisational Setup

Much has happened to the organisation of and to decision-making in security and defence policy since 1999, when the EU almost started from scratch. However, one constant factor has been that all decisions regarding the ESDP are taken under the authority of the heads of state and government (European Council) and the foreign ministers (General Affairs and External Relations Council (GAERC)). These two bodies differ from other European bodies because they require unanimity at all levels. Somewhat tellingly, the Council has no formal 'defence' constellation, but the defence ministers meet twice every six-month presidency, once informally, and once within the GAERC framework.

The High Representative

One of the most important organisational developments is the creation of

(89) See also the section on 'Current Organisational Setup'. The rejection of the treaty by the Irish electorate in a referendum on 12 June 2008 means that the treaty cannot currently enter into force.

the role of the High Representative (HR), who is responsible for the ESDP externally, develops the ESDP and acts as the broker and crisis manager, a task to which the HR has the so-called special representatives to help out. When the member state in charge of the EU presidency so requests, the HR may conduct political dialogue with third parties on behalf of the Council. Generally, the HR is responsible for assisting the Council and takes part in the formulations and implementation relating to the CFSP.

In this sense, 'Mr Europe', as the position is often called, is the voice of the EU on the international scene. Javier Solana, former Spanish Foreign Minister and former NATO Secretary-General, was appointed HR by the Cologne European Council, his office being extended for a period of five years from 18 November 2004. Apart from this important position, a number of decision-making bodies have been created within the Council and the Council Secretariat, which constitute the veritable engine room of the ESDP.

The ESDP Decision-Making Procedures of the Council

The institutional framework of the ESDP is heavily inspired by the model of NATO's intergovernmental politico-administrative structures, with the Political and Security Committee (PSC) created along the lines of the North Atlantic Council (NAC), an EU Military Committee echoing that of NATO and an EU Military Staff resembling the Alliance's International Military Staff.

The most important body is the PSC established in 2001; it takes initiatives and develops every aspect of the CFSP and ESDP. It comprises representatives of every member state at ambassadorial level, who meet twice a week on average. In close contact with the High Representative, the PSC is the main player in the decision-making process, helping to define the EU's policy and guiding the Council (Article 25 of TEU). During a crisis, the PSC provides the 'political control and strategic direction' of the EU's response.

The PSC works closely with the Military Committee (EUMC), the Committee for Civilian Aspects of Crisis Management (CIVCOM) and the Politico-Military Group (PMG), from which it receives advice and recommendations and to which it sends directives. Moreover, the heads of missions of crisis-management operations and the EU special representatives regularly come to the meetings of the PMC. The EUMC is the highest military body within the Council, being composed of the Chiefs of Defence Staff, represented at weekly meetings by their military representatives. Its chairman, an officer appointed by the Council on the proposal of the Chiefs of Defence

Staff for a three-year period, takes part in all PSC and GAERC meetings. He also acts as a military advisor to the High Representative.

The Military Committee is supported by the European Union Military Staff (EUMS), which is part of the Council's General Secretariat. The EUMC plays a key role in the planning and monitoring of military operations. It consists of around two hundred military staff seconded by the member states. It has three functions: early warning, situation assessment and strategic planning. It is also responsible for carrying out policies and decisions adopted by the EU in accordance with the EUMC. Under the EUMC, there are a number of directorates, including the Civil-Military Planning Cell and directorates working with, for example, logistics, intelligence and a cell responsible for preparing EU operations using NATO common assets and capabilities under the Berlin Plus arrangements, which allow the EU to use NATO's resources to carry out military operations if NATO decides not to act.⁹⁰

Apart from these important decision-making bodies, a number of working groups have been set up under the PMC. Among the most important are the committee responsible for the civilian aspects of crisis management (CIVCOM), which advises the PSC on various civilian aspects of crisis management, such as police, rule of law, civil administration and civil protection. It also plans and monitors civilian operations and prepares the crisis exit strategy together with the European Commission.

The Political Military Group (PMG) is another working group under the PMC. It is responsible for the politico-military aspects of the ESDP and like CIVCOM it advises and formulates recommendations to the PMC. It is thus a key forum for the political development of key concepts and instruments, and monitors military or civilian military missions. When needed, it also prepares the PSC meetings.

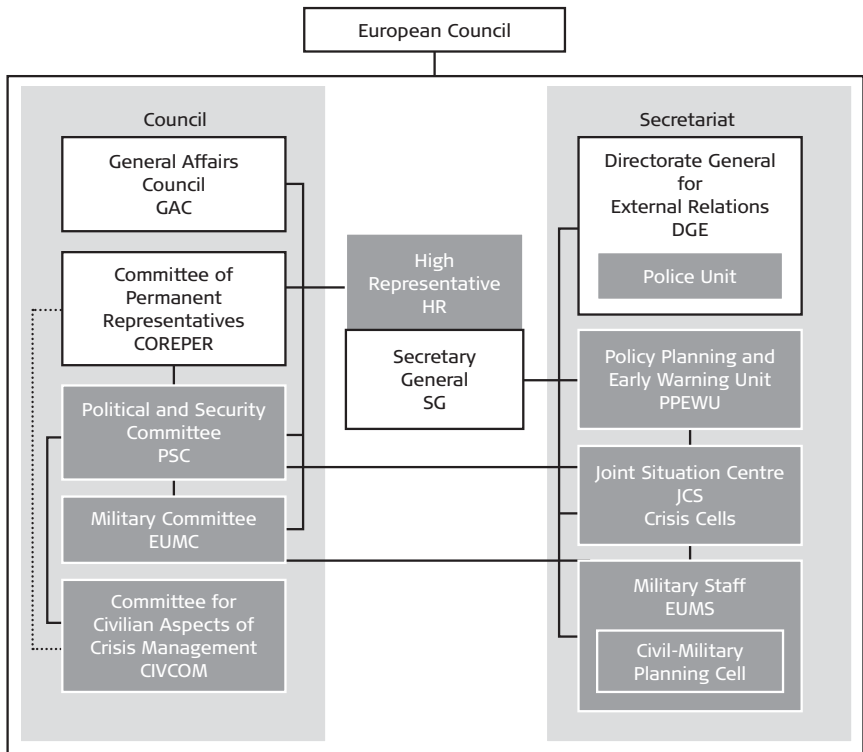
Finally, there is the Working Party of Foreign Relations Counsellors (RELEX), which brings together the Foreign Relations Counsellors of all the permanent representations to the EU in Brussels. It deals with all the horizontal aspects of the CFSP-ESDP across the pillars and prepares the Joint Actions required to launch the EU's crisis-management operations and to create agencies. It also supervises the ATHENA mechanism, which is concerned with the joint funding of some EU military operations.

(90) See the section on 'Relationship with NATO'.

Although nominally 'fully associated' with the process, the European Commission is not accorded a significant role beyond the shared right of initiative. Its obvious lack of military capabilities, as well as the continued hostility of member states to undue supranational influence over the process, imply that the Commission can only really seek to affect the *civilian* aspects of the ESDP, an area where its significant financial resources invariably give it influence.

Figure 3.2: Organisation of ESDP Crisis Management⁹¹

Council Structures for ESDP Crisis Management



*All the bodies marked with grey are new

(91) Source: Jakobsen, P.V. 2004, the emerging EU Civilian Crisis Management Capacity: A 'real added value' for the UN?, <http://www.um.dk/NR/rdonlyres/5BC4E781-AEC8-4A5D-BBAB-8780ED673EA5/0/TheEmergingEUCivilianCrisisManagementCapacityArealaddedvaluefortheUN.pdf>.

The General Secretariat of the Council

The ESDP is also strongly supported by the EU Council Secretariat, the base of HR Javier Solana, but also the EUMS. Most of the crisis management structures established in the Council Secretariat are based on experienced and senior national personnel, whose years of experience, including that with other EU members, has given them a pragmatic outlook on the task at hand.

Directly under the High Representative is the Policy Planning and Early Warning Unit (PPEWU), created by the Amsterdam Treaty (Declaration no. 6 annexed to the treaty). The forty official-strong unit provides the EU with analysis of its strategic actions in the field of CFSP and prepares 'policy options papers' which serve as the basis for decisions by the PSC. Attached to the High Representative is the Joint Situation Centre, which operates 24 hours a day, 7 days a week, and which provides the EU with an intelligence, analysis and early-warning capability. It monitors events and provides analysis to assist in the preparation, launch and running of the EU's crisis-management operations. It is particularly involved in monitoring terrorist threats and presents analysis of the EU's internal security. Around a hundred people are staffed here from the Council General Secretariat and the member states.

From 1 January 2007, the so-called EU Operations Centre (EUOC) began work in Brussels. Placed under the European Union Military Staff, it links the EU's civilian and military bodies on crisis prevention and crisis management. It can command a limited force of about 2000 troops (e.g. a battle group). In addition to the EU situation centre, five national operational headquarters have been made available for use by the Union: Mont Valérien in Paris, Northwood in London, Potsdam in Germany, Centocelle in Rome and Larissa in Greece. For example, Operation Artemis used Mont Valérien as its operational headquarters, and EUFOR's DR Congo operation uses Potsdam.

The Council Secretariat's Directorate General for External Relations (DG-E) brings together the services of the Council's General Secretariat with the EU's external relations. Within the Directorate, ESDP issues are distributed between the Defence Directorate (DGE VIII), the Directorate for Civilian Crisis-Management (DGE IX) and the Civilian Planning and Conduct Capability (CPCC) created in 2007. This Capability is tasked with the operational planning and conduct of the civilian missions and comprises around sixty civilian staff, civil experts, police and gendarmerie officers seconded by member states and council officials. The creation of this structure

strengthens the links between the missions on the ground and the Council Secretariat-General in Brussels.

The European Defence Agency

Finally, the European Defence Agency (EDA) should be mentioned. It was officially established by a Joint Action in 2004 with Javier Solana in his capacity as the High Representative of the CFSP, who was appointed the Agency's head. The EDA's role is to support the ability of the EU and its member states to develop defence capabilities for crisis operations under the ESDP, and more specifically to identify European military capability needs, promote cooperative defence research and technology and armaments cooperation in Europe, and strengthen the European defence technological and industrial base. The EDA is wholly intergovernmental and therefore under the direct control of the member states, and its steering board consists of member state representatives taking decisions by unanimity. The staff only counts a little more than a hundred people, and its operating budget is 30 million EUR (in 2009) in a field where the EU states collectively spend around 200 billion EUR a year.⁹² Despite these limited resources and its voluntary character, the EDA may go some way to addressing the continued leadership void in the capability development process.

One of the EDA's first initiatives has been the launch of a 'European Defence Equipment Market', which seeks to subject an increasing proportion of national defence procurement to normal EU internal market rules, with member states now able to offer specific procurement contracts through an electronic bidding system on the Agency's website. Moreover, the EDA has established a Capabilities Directorate, which may have the power of 'intellectual subversion' by producing reports and naming and shaming those member states that do not keep up with their commitments. In this sense, the EDA can independently 'police' member states, as the majority of the staff are international civil servants, and only about thirty percent are staff seconded from member states.

The European Commission

The European Commission has not been mentioned so far, but it actually plays an important role in the EU's external affairs. The Community, including the many externally oriented policies contained in the first pillar and administered by the Commission, was active in various crisis management-related matters of external relations long before the development

(92) See also Reynolds, 2007, p. 374.

of the ESDP (in the intergovernmental second pillar). The Commission has competence in areas such as development and assistance, trade and enlargement, which gives it a significant role in using its collective tools for conflict prevention. The Commission has a much larger personnel than the Council, covering six different directorate generals, and has a sizable budget for external relations.

Figure 3.3: *Civilian Crisis Management across the EU's three pillars*⁹³

Pillar One	Pillar Two	Pillar Three
<p>Supranational community institutions, European Community: Long-term or structural conflict prevention: development assistance, post-conflict peace-building, and humanitarian assistance. Short-term crisis management: civil protection, training and financing of the ESDP.</p>	<p>Intergovernmental: CFSP and ESDP. Short-term crisis management: establishment and management of the rapid reaction forces and all the new ESDP institutions.</p>	<p>Intergovernmental: Police and Judicial Co-operation in criminal matters.</p>

With the development of the ESDP, however, a number of grey areas have arisen between the two pillars, where both the Commission and the ESDP have claimed competence. In addition to questions of legal competence, bureaucratic rivalry between the Commission and the Council has also arisen. In particular, the advent of the High Representative and the Policy Planning and Early Warning Unit in the Amsterdam Treaty marked the greater involvement of national diplomats in the ESDP. As both the Commission and the Council see themselves as having a major role to play in all aspects of crisis management, there are obvious tensions. On the one hand, the Commission is keen to preserve its competence, while on the other hand, the Council and the member states sometimes work to keep the Commission at arm's length from ESDP activities. In the case of jurisdiction over small arms and light weapons issues, tensions have boiled over. The Commission took the Council before the European Court of Justice for a judgment on which institution had legal competence.⁹⁴ Notwithstanding these issues, the Commission and the Council increasingly find pragmatic ways to cooperate and coordinate their policies on the everyday level.

(93) Source: Jakobsen, P.V. 2004, the emerging EU Civilian Crisis Management Capacity: A 'real added value' for the UN?, <http://www.um.dk/NR/rdonlyres/5BC4E781-AEC8-4A5D-BBAB-8780ED673EA5/0/TheEmergingEUCivilianCrisisManagementCapacityArealaddedvaluefortheUN.pdf>.

(94) Duke and Ojanen, 2008.

Security Cooperation

Relationship with NATO

NATO is the most important partner for the EU in security and defence matters, but a number of unresolved issues continue to strain the relationship between the two organisations. Concerns were voiced that an independent European security pillar might result in the declining importance of NATO as a transatlantic forum. In response to St. Malo in 1998, the former US Secretary of State Madeleine Albright set out the three famous D's which underpin American expectations towards the ESDP to this day: no *duplication* of what is done effectively under NATO, no *decoupling* from the US and NATO, and no *discrimination* against non-EU members such as Turkey.

The January 1994 NATO summit in Brussels helped the EU in engaging in these Petersberg Tasks, as a 'European Security and Defence Identity' was created within NATO, meaning that the EU was allowed to 'borrow' the necessary resources from NATO, such as strategic airlift and communications, command, control, computers and intelligence (C4I).⁹⁵ This was to encourage the EU to undertake missions with forces that were 'separable but not separate' from NATO.⁹⁶

Although the process of forging cooperation between the EU and NATO began in the first half of the 1990s, it was not until the formalisation of the interaction by the so-called Berlin Plus Agreement on 16 December 2002 that a decisive step forward was taken. The Berlin Plus Agreement allows the EU to use NATO structures, mechanisms and assets to carry out military operations if NATO declines to act. Furthermore an agreement has been signed on information-sharing between the EU and NATO, and EU liaison cells are now in place at SHAPE (NATO's strategic nerve centre for planning and operations) and NATO's Joint Force Command in Naples.

With regard to missions, the right of first refusal exists: only if NATO refuses to act can the EU decide to do so. The Berlin Plus agreement was first used in March 2003 for Operation Concordia in FYROM. In Bosnia and Herzegovina, the EU took over from NATO's SFOR in December 2004. However, it seems that Madeleine Albright was right in pointing out discrimination and duplication as major issues for the EU-NATO relationship. One of the major problems in developing cooperation between NATO and

(95) Howorth, 2007, p. 99.

(96) The US fears the perspective of NATO becoming the second-ranked security and defence alliance. See Sloan, 2005.

the EU stems from the fact that the two organisations are composed of almost all the same countries.

Turkey, a NATO member which wants to join the EU, is not against co-operation between NATO and the EU in principle, but objects to the participation of its regional rival, Cyprus, in the process. Under the existing Berlin Plus Agreement, Cyprus – which is not a member of either NATO or the Partnership for Peace – was excluded from strategic co-operation between the two organisations. Yet the country, minus its Turkish-run north, has since joined the EU and insists that it should take part, along with the other new EU member states that joined in 2004.⁹⁷ Meanwhile the Cyprus government, which joined the EU in 2004, consistently blocks Turkish integration into the ESDP decision-making structures. This is a major sticking point for Turkey, which does not recognise the Greek Cypriot administration in the south. Until a comprehensive solution on the decades-old Cyprus problem is reached, Ankara argues, Nicosia should not be allowed a seat at the table when joint EU-NATO missions are discussed. Turkey also wants Cyprus to stop blocking its bid to become an associate member of the European Defence Agency.

Another major issue of importance for EU-NATO cooperation is the relationship between EU member states and the US. The rift over Iraq is only one example of political disagreements, in particular between France and the US, which have effectively hindered a genuine transatlantic dialogue. However, at the working level the EU and the US cooperate closely, in particular on counter-terrorism and the fight against the proliferation of weapons of mass destruction. Moreover, EU missions have established productive working relations with American representatives. Thus, for the first time, the US participated in an ESDP mission by offering to contribute to the EULEX Kosovo mission.⁹⁸

In sum, there are two major obstacles to EU-NATO cooperation: on the one hand the Cyprus problem, which accounts for many of the day-to-day problems; and on the other hand, political disagreements between the US and a number of European countries over issues such as the degree of autonomy of the ESDP vis-à-vis NATO.

(97) Missiroli, 2002.

(98) Duke, 2008.

Relations with the UN and Regional Organisations

Apart from the special relationship with NATO, the EU has been developing close cooperation with United Nations in crisis management. Former Secretary-General Kofi Annan has repeatedly argued that the UN needs the EU and other regional organisations to provide security.⁹⁹ Operation Artemis (2003), for instance, came about at the request from the UN, which was unable to cope with the worsening situation in the east of the Democratic Republic of Congo.

However, while the EU has a liaison office in New York, which includes an officer from the EU Military Staff, procedures for cooperation which go beyond the twice-yearly meetings of the EU-UN Steering Committee are lacking. On 16 July 2007, the UN and the EU adopted a joint declaration on cooperation in crisis management, proposing greater cooperation on, for instance, capacity-building for African peacekeeping, and cooperation in aspects such as peacekeeping, law enforcement, the rule of law and security-sector reform.

Apart from the UN, the EU conducts important dialogue with the Organisation for Security and Cooperation in Europe (OSCE) and the African Union (AU). The latest EU-Africa Strategy from December 2007 led to a road map for the strengthening of African peacekeeping capacities. The peace and security partnership includes an action plan, which is supposed to strengthen African capabilities for the prevention, management and resolution of conflicts. The EU's action plan brings together ten proposals for action to support the AU in the fields of education, training and support for the deployment of African forces.

Current Missions and Operations

Since its first peacekeeping operation in 2003, the EU has completed or been carrying out around 23 ESDP missions. They have been relatively small in size: the largest was a 7,000-strong peacekeeping operation in Bosnia and Herzegovina (which now numbers 2,500). But the smaller missions – such as the one that prevented ethnic conflict in Macedonia – have been among the most successful. Their complexity and range are remarkable. The EU has helped reform the Congolese army and the Georgian judicial system, train Afghan and Iraqi police forces, monitor the Ra-

(99) UN Needs Vital Contribution of Regional Organizations in Stabilizing War-Torn Nations, Secretary-General Tells Security Council, 21 July 2004: <http://www.unis.unvienna.org/unis/pressrels/2004/sgsm9424.html>

fah border crossing in Gaza, and oversee the implementation of a peace agreement in Aceh in Indonesia. The pattern of missions is best explained in terms of limited risks and costs, 'exercise' and training value, relative ease of consensus within the EU and – for some nations more than others – a macho demonstration effect directed towards NATO.

There are, broadly speaking, three types of missions taking place in different areas of the world.¹⁰⁰ One cluster of missions is taking place along the EU's own border in the Balkans and the western post-Soviet zone, where the element of strategic self-interest is clear. The second main grouping of missions is in former colonial areas like the Congo and Aceh, where a moral case could be made that Europe should help with problems that were arguably caused by European colonialism. A third group of missions is taking place in the western part of the former Soviet Union where the key difficulty is the relationship to Russia.

The Balkans are both the EU's trauma and its pride. Today, it is fair to say that the EU has largely taken over the responsibility for the security of this region. Operation Althea in Bosnia and Herzegovina began on 2 December 2004 and is ongoing. EUFOR took over from the NATO force (SFOR) in order to implement the military aspect of the Dayton Agreement, i.e. to maintain a safe and stable environment. This operation is being conducted using NATO collective assets and capabilities (Berlin Plus Agreement). In view of the stable security situation, the Council has decided that it is close to completing the military and stabilisation task provided for by the Dayton Agreement. Accordingly, the Council is preparing for a possible development of the operation towards a training and advisory.

Apart from EUFOR, the EU is currently conducting a civilian police mission in Bosnia and Herzegovina (EUPM). This police mission, which followed the UN's International Police Task Force (IPTF), is part of a broad effort being undertaken by the EU and other actors to address the whole range of rule-of-law issues, focusing particularly on combating organised crime.

In the former colonies in Africa, the EU is currently engaged in two operations. The first is the EUFOR Chad/CAR operation, aimed at maintaining a safe and stable environment in the regions affected by the Darfur crisis. More specifically, the purpose of the mission is to create the conditions for the return of refugees and displaced persons to their places of origin, facilitate the humanitarian action and contribute to protecting the United

(100) The description of the missions builds largely on Bailes, 2008.

Nations mission in Chad. The operation is to be completed by mid-March 2009, and a UN military operation is supposed to take over. Chad will mobilise around 3,700 troops.

On 17 January 2003, Operation Concordia in the Former Republic of Macedonia (FYROM) took over from the NATO operation with the aim of guaranteeing security in the country. The planning and command of the operation took place under the Berlin Plus Agreement. A total of 26 countries, including 23 EU members, supplied up to 400 lightly armed troops.

Apart from the EUROJUST-Themis mission in Georgia and EU customs assistance on the Moldova–Ukraine border, the EU has twice considered a peacekeeping operation in Moldova to help solve the Trans-Dniester dispute. However, a major difficulty for the EU's engagement in the former Soviet Republics is that '*acting with Russian approval is likely to be ethically (and politically) questionable, but acting against Russian wishes too dangerous*'.¹⁰¹

Currently the EU is also undertaking actions against piracy, following increased activity off the coast of Somalia. Between January and December 2008, around 150 ships were attacked in the Gulf of Aden. Thus, the EU has established a coordination cell responsible for supporting surveillance and protecting actions undertaken by member states off the coast of Somalia. Moreover, on 10 November 2008 the Council adopted a joint action plan under Operation Atlanta, the EU's first naval operation, the aim of which is to protect World Food Programme ships delivering food aid to displaced persons inside Somalia, as well as to deter, prevent and suppress acts of piracy.

Demand for EU action is growing. In February 2008, EU governments deployed 1,800 police officers, judges and customs officials to Kosovo, where they were to operate alongside 16,000 NATO peacekeepers to prevent violence in the country. They also started deploying a peacekeeping force to eastern Chad, which will be composed of 3,700 soldiers. Currently, the EU is helping to reform the Guinea Bissau army and police forces. Notwithstanding these achievements, the EU has not (yet) carried out a military operation on anything like the scale of the NATO operation in Afghanistan or the UN mission in Congo.

(101) Bailes, 2008, p. 124.

Figure 3.4: Current ESDP Missions¹⁰²

Mission	Date of deployment	Objective
EUPM: European Police Mission in Bosnia and Herzegovina	1 January 2003 to present	To support local police in the fight against organized crime, inspecting and monitoring police operations, and supporting the implementation of police reform.
EUFOR ALTHEA: EU military operation in Bosnia and Herzegovina	2 December 2004 to present	To maintain a safe and secure environment in BiH, ensure continued compliance with the Dayton/Paris agreement and support the international community's High Representative/EU Special Representative and the local authorities.
EUSEC RD Congo: EU Mission to provide advice on and assistance with security sector reform (SSR) in the Democratic Republic of Congo	June 2005 to present	To assist the Congolese authorities with military security with a view to rebuilding an army that will ensure peace and make economic development possible by giving practical support with SSR to the authorities.
EUJUST LEX: EU Integrated Rule of Law Mission for Iraq	1 July 2005 to present	To address the urgent needs of the Iraqi criminal justice system. A series of integrated training activities is taking place in the EU in order for Iraqi judges, magistrates and the like to discuss and see examples of best practice in Europe regarding their professions.
EUBAM RAFAH: EU Border Assistance Mission at the Rafah Crossing Point (between Israel and Palestine)	24 November 2005 to present	To provide a third-party presence at the Rafah Crossing Point to contribute to the opening of the crossing point and to build confidence between Israel and Palestine, in cooperation with the EU's institution building efforts.
EUPOL COPPS: EU Police Co-ordinating Office for Palestinian Police Support	1 January 2006 to present	To support the Palestinian Authority in establishing sustainable and effective policing arrangements with an emphasis on Palestinian ownership in accordance with the best international standards.
EUPOL Afghanistan: EU Police Mission in Afghanistan	15 June 2007 to present	To contribute to the establishment of sustainable and effective civil policing arrangements that will ensure appropriate interaction with the criminal justice system under Afghan ownership.

(102) Data obtained from Council of the European Union, European Security and Defence Policy: http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=268&lang=EN

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Mission	Date of deployment	Objective
EUPOL RD Congo: EU Police Mission for the Democratic Republic of Congo	1 July 2007 to present	To support the reform of the security sector in the field of the police and its interaction with the justice system by contributing to the restructuring of the Congolese police, to help improve the interaction between the police and the criminal justice system.
EUFOR Tchad/RCA: EU Military Operation in Eastern Chad and North Eastern Central African Republic	January 2008 to present (final operational capability reached September 2008)	To contribute to protecting civilians in danger, to facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel, and to contribute to protecting UN personnel, facilities, installations and equipment by helping to improve security in the area of operations.
EULEX KOSOVO: EU Role of Law Mission in Kosovo	16 February 2008 to present	To support the Kosovo authorities by monitoring, mentoring and advising on all areas related to the rule of law, especially the police, judiciary, customs and correctional services. The key priorities are to address immediate concerns regarding the protection of minority communities, corruption and the fight against organised crime.
EU SSR Guinea-Bissau: EU Mission in support of security sector reform (SSR) in the Republic of Guinea Bissau	June 2008 to present	To provide the local authorities with advice and assistance on SSR to contribute to the creation of a National SSR Strategy. To operationalize this strategy by assisting in the implementation process and in the development and articulation of capacity-building needs (training and equipment, facilitating mobilization and engagement of donors).
EUMM Georgia: EU Monitoring Mission in Georgia	1 October 2008 to present	To contribute to stability and normalisation throughout Georgia and the surrounding region in accordance with the six-point agreement, including the withdrawal of Russian and Georgian armed forces, overseeing the redeployment of Georgian police forces, observing compliance by all parties concerning human rights and humanitarian law and overseeing the return of displaced persons.
EU NAVFOR Somalia: Military operation of the EU in Somalia	8 December 2008 to present	To provide protection for vessels cruising in Somali waters, watch over areas of the Somali coast, and take the necessary measures to bring to end, deter and prevent acts of piracy and armed robbery which may be committed.

The Toolbox

In practice, the European security and defence policy is a crisis-management policy, intended to help prevent conflict and re-build societies emerging from war. Thus there are really two strands to the ESDP: the military one, and the often neglected but increasingly important civilian strand.

The Petersberg Tasks (humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking) comprise both military and civilian tasks. The military dimension of crisis management has been developed since 1999 within the ESDP and is intergovernmental in nature. However, the civilian dimension of crisis management is less well defined, since it potentially encompasses a broader range of policies and instruments implemented under the intergovernmental and Community pillars.¹⁰³

Civilian instruments

International crisis management is central to the EU. Aid, enlargement, neighbourhood policy and stabilisation and association processes can be said to affect decisions regarding ESDP missions.¹⁰⁴

During the Portuguese presidency in 2000, four priority areas were identified relating to civilian crisis management. The first is in the area of civilian police, where member states have undertaken to make 5,000 police officers available for international police missions, with 1,000 of them deployable within 30 days. The second area is strengthening the rule of law, to which the member states committed 282 officials, of whom 60 are committed to rapid deployment within 30 days. The targets set for the third priority area, civil administration, are as precise as for the former priorities. However, the member states have committed themselves to voluntarily providing a pool of experts for rapid deployment in crisis situations who are capable of covering a wide range of areas, such as taxation and social and medical services. In relation to the fourth priority, civil protection, member states have committed themselves to two to three coordination teams of ten experts each capable of dispatch within 3-7 hours and intervention teams of 2,000 personnel to be deployed within one week.¹⁰⁵

(103) Nowak, 2006, p. 10.

(104) Hansen, 2006, p. 10.

(105) Hansen, 2006, pp. 20-22.

In June 2004, the European Council set a Civilian Headline Goal for 2010. It includes the ability to conduct various types of monitoring missions and provide support to the Special Representative of the EU on the ground, and a first concrete decision in 2005 was taken to establish a rapidly deployable Civilian Response Team for fact-finding missions in a crisis or an imminent crisis situation.¹⁰⁶ The Civilian Response Teams will be able to deploy to crisis or impending crisis situations within a very short time-frame. The teams will be composed of appropriate specialists (depending on the type of crisis) who will provide input whenever the Council adopts a Joint Action. Significant progress has also been made in the civilian capabilities sector, where EU member states announced concrete goals for 2006 at the 'Civilian Capabilities Improvement Conference', when a Capability Requirements List directed towards the achievement of the Civilian Headline Goal was adopted.

The role of the European police forces in civilian ESDP missions to date has been very extensive. At the Feira European Council in June 2000, one of the four priority action areas which were defined with a view to strengthening the Union's civilian capabilities was the police. The creation of a European Gendarmerie Force and the expanded role of European police forces within the ESDP framework demonstrate the ability of member states to cooperate and to undertake a range of tasks by sharing their experience, expertise, training and resources. The success of the police mission in the Balkans has illustrated the importance of law enforcement, which will undoubtedly continue to play an important role in civilian crisis management.

Military Instruments

As mentioned previously, the Helsinki Headline Goals from 2003 can be seen as a statement of military ambition resulting in a force catalogue for a range of various ESDP missions. The HGG included 60,000 troops, 100 ships and 400 aircraft, all deployable within 60 days and sustainable for one year. However, there were problems with this goal, as it focused more on quantity than on quality.¹⁰⁷ This led to the creation of a new Headline Goal in 2004, which reversed the focus from quantity to quality. It introduced the battlegroup concept, the establishment of the European Defence Agency (EDA) and the Civil-Military Planning Cell (CMPC). It still commits the EU, by 2010, to be able to respond to a crisis with rapid and decisive action, with a focus on small, rapidly deployable units capable of high-intensity warfare.

(106) Nowak, 2006, p. 32.

(107) Howorth, 2007, pp. 103-104.

The origin of the EU Battlegroup concept (EU BG)¹⁰⁸ can be traced back to the Helsinki European Council meeting in December 1999, where the Helsinki Headline Goals for 2003 stipulated that EU member states should be able to provide smaller rapid reaction response elements available and deployable at high readiness. An EU BG represents the smallest force package which can handle 'stand alone' operations, including the ability to contribute to an initial entry force. Furthermore, the EU aims to be able to launch an operation within five days of the Council's approval of it.¹⁰⁹ An EU BG can be formed by one member state alone or several together. A good example of an EU BG composed of both non-member and member states is the Nordic Battlegroup, consisting of Sweden, Finland, Norway, Ireland and Estonia.¹¹⁰ The generic composition of an EU BG is around 1,500 troops, but it is up to the contributing member states to decide on the exact composition. It is expected that an EU BG should be capable of responding to the Petersberg tasks and the tasks listed in the European Security Strategy.¹¹¹ EU BGs have been fully operational since 1 January 2007.¹¹² However, given that in many cases domestic approval (through national parliaments) will have to be secured for a deployment, there is no guarantee that the capabilities offered will actually be deployable.¹¹³

A significant trend in the ESDP is that the operational activities seem to coincide less and less with the classic division between civilian missions on the one hand and military missions on the other. Examples include the establishment of the Civilian-Military Cell within the EU Military Staff; the (civilian) demilitarisation mission in Aceh, carried out primarily by the military; and actions in Sudan and Somalia, which were explicitly categorised as 'civilian-military' support actions.¹¹⁴ If this trend continues, the pressure to improve the coordination of actions between the different components within the EU will increase. For the time being, civilian missions are directly financed through the collective CFSP budget, while military missions abide by the principle that 'costs lie where they fall', with only a small proportion (common expenditures) funded through the Athena

(108) For a formal note by the Parliament of the EU on the Battlegroup concept, see: http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/091006eubattlegroups_/091006eubattlegroups_en.pdf

(109) Lindstrom, 2007, p. 14.

(110) Swedish Ministry of Defence, EU Battlegroup Concept: <http://www.sweden.gov.se/sb/d/9133/a/82276>

(111) See: A Secure Europe in a Better World: European Security Strategy 2003: <http://ue.eu.int/uedocs/cmsUpload/78367.pdf>

(112) EU Council Secretariat Factsheet EU Battlegroups: http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/esdp/91624.pdf

(113) Reynolds, 2007, p. 372.

(114) Jakobsen, 2006.

mechanism. In the light of the different sources of funds, a reform of the existing cost-distribution mechanism for operations is a pressing issue, particularly for the deployment of larger civilian and military contingents.

Political and Economic Instruments

Apart from the civilian and military instruments, the EU has two other major instruments at its disposal, which relate to its 'softer' and more traditional weapons: its economic power, and its political power.

Economically, the EU is the biggest trading power in the world, and its member states have given up their competence to the EC on this matter. Hence, it is the Commissioner for Trade who represents the EU in the WTO. Trading policy has a huge impact and can be used as leverage in negotiations with third parties. Counting the EU's own contributions and those of its member states together, the EU is the largest aid donor in the world. However, the allegedly biggest security contribution made by the EU has been its *political negotiations* relating to enlargement policy, which have helped stabilise central, eastern and southern Europe and has sought to help democratise former dictatorships and communist countries.¹¹⁵ In the immediate neighbourhood such as the Balkans, the EU provides for stability not only through concrete military and civil operations, but potentially also through enlargement.

The key to the stabilising force of the enlargement process is that EU membership will only happen when the necessary requirements have been met. Through a gradual and carefully managed enlargement process, stringent requirements regarding stability, democracy and respect for human rights force hopeful candidates for EU membership to adapt their regimes and societies to the standards of the *acquis communautaire* (the total body of EU law, including the treaties that all EU member states have to respect). The EU member states have agreed to extend the prospect of EU membership to most of the countries in Southeast Europe: Croatia, the former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Montenegro, Serbia and Kosovo under UN Security Council Resolution 1244, and Turkey.

Apart from its enlargement policy, the EU is politically active in the development of international law and the protection of human rights at the global level. The EU is determined to work towards the prevention of international crimes and the ending of impunity for the perpetrators of such

(115) Wæver, 2000.

crimes. To this end, it has consistently given strong support – political, financial and technical – to the effective functioning of the International Criminal Court and other international criminal tribunals. This is also why observers have labelled the EU a ‘normative power’.¹¹⁶

While trade, development aid and enlargement are well-established EU instruments in the EU’s toolbox, the military and civilian instruments are increasingly important, and the years to come are likely to see them develop even further.

The Current Debate and the Future Security Role

Since its inception in 1998, the ESDP has conducted 23 missions, sixteen civilian and seven military. Many of them have been complex and have had a wide geographical reach, as ESDP missions have taken place on three different continents. Demand for ESDP missions has not been declining either: in February 2008, the EU agreed to send a monitoring mission (EUMM) to Georgia in order to ensure that the agreement of 12 August between Russia and Georgia (the six-point plan) was kept. In the grand scheme of things, ESDP missions are relatively small in size compared to those of NATO and the UN. The EU has not yet launched a military mission on the same scale and intensity as NATO or the UN, and it is unlikely that it ever will, as it will probably continue to focus on crisis management, for which there is, needless to say, great demand.

However, other threats might become more important in the near future, such as WMDs, climate change or energy security. The possibility of violence in Kosovo remains high, and old security challenges such as an unstable Russia have returned. Will the EU be able to handle these issues? The US is already thinly stretched by its military engagement in Afghanistan and Iraq, and it is unlikely that it will engage in new military responsibilities: if it does, it will not be on the European continent, but in the Middle East and Asia.¹¹⁷ This raises the question of whether the EU is able to fight. On one side of the fence stand those who are worried about the idea of a more assertive EU defence policy. When not accusing EU defence of being an anti-NATO plot, they tend to argue that the Europeans lack the resources and the will to fight without the Americans. Conversely, on the other side of the fence there are those who fear that EU foreign policy is already becoming too militarised. Some states, such

(116) Manners, 2000.

(117) Keohane and Valasek, 2008, p. 3.

as traditionally neutral Ireland, would prefer soldiers to carry out nothing but peacekeeping missions.

However, both groups may be missing the point. EU-27 collectively spends €200 billion on defence, but the EU still lacks soldiers with the relevant skills. EU-27 has around 2 million personnel in its armed forces, but it can barely deploy and sustain 100,000 soldiers.¹¹⁸ The EU will increasingly have to take more responsibility for its own security and carry out its own military missions.

The Lisbon Treaty, which was approved by EU governments in October 2007, would strengthen the ESPD in a number of ways. Even if the treaty is never ratified, many of the reforms are likely to be implemented on an ad hoc basis. Yet the picture emerging so far is that the ESDP has only made partial progress: in particular, it seems that the very idea of the ESDP is not totally clear, as each member state has its own view of the exact purposes of the common security and defence policy. Disagreements between member states become especially evident during grave crises such as the Iraq debate in 2003, which involved only some member states.

Linked to this is the troubled relationship between the EU and NATO. Ever since the creation of the ESDP, the relationship between the EU and NATO has been conflictual. Some voices in the US and their closest allies in Europe are worried that NATO will no longer be the primary security alliance in Europe and that the EU will back away from NATO. Meanwhile, other member states have been eager to become more autonomous from the US. A key problem in this respect is the Cyprus/Turkey question and the current deadlock in the attempts to bring the EU and NATO closer together.

Most argue that the two organisations could gain a lot by cooperating – by coordinating their plans and missions, they could avoid competition for soldiers and make sure that their equipment matches. It remains an open question whether greater cooperation will be achieved with French President Nicolas Sarkozy's announcement that France is returning to NATO's military structure.

What is more certain is that the EU will increasingly be asked to intervene abroad or to keep the peace in difficult places such as the Israeli-Lebanese border, where the Europeans have led a UN operation. In a multipolar

(118) Keohane and Valasek, 2008, p. 4.

world, the EU will have to take greater responsibility for its own security and for military operations, not only in its own geographical neighbourhood, but also at the global level. From this perspective, it seems that EU member states have little choice: they are condemned to co-operate.

Milestones of the EU

Figure 3.5: Milestones of the EU

Year	Event
1948	Treaty of Brussels: creation of the Western European Union (WEU), whose function was to coordinate the defence policies of the five signatory countries (UK, France and the Benelux).
1951	European Coal and Steel Community (ECSC).
1992	Treaty of Maastricht: defined CFSP and refers to a common foreign and security policy.
June 1992	WEU specifies the types of operation the EU should engage in (the Petersberg Tasks): humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking.
June 1997	Treaty of Amsterdam: incorporation of Petersberg Tasks and creation of Secretary-General/High Representative for CFSP.
December 1998	Franco-British St. Malo Summit: France and the United Kingdom agreed that ' <i>The Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises</i> '. ¹¹⁹ The ESDP was born.
June 1999	Cologne European Council: launch of the ESDP as a project, transfer of WEU functions to the EU and appointment of Javier Solana as High Representative for CFSP.
December 1999	Helsinki European Council: Helsinki Headline Goals (HHGs). A rough force catalogue drawn up from which resources could be taken for various EU missions, which included 60,000 troops, 100 ships and 400 aircraft to be deployable within 60 days. New institutions were also created: the EU Political and Security Committee (PSC), the Military Committee and Military Staff.
December 2002	Strategic Partnership Agreement between NATO and EU, ensuring EU access to NATO assets and structures, including its operational military planning capabilities and command structures. This is also known as the Berlin Plus Agreement.
December 2003	Adoption of European Security Strategy (ESS 2003).
July 2004	Creation of European Defence Agency.

¹¹⁹ St. Malo Joint Declaration, 1998.

Past Operations¹²⁰

Figure 3.6: Past EU Operations

Mission	Date of Deployment	Objective
CONCORDIA: EU Military Operation in the former Yugoslav Republic of Macedonia.	March 2003 - December 2003	To contribute to a stable and secure environment and to allow the implementation of the August 2001 Ohrid Framework Agreement.
ARTEMIS: EU Military Operation in Democratic Republic of Congo.	June 2003 – September 2003	To contribute to the stabilization of the security conditions and the improvement of the humanitarian situation in Bunia.
PROXIMA: EU Police Mission in the former Yugoslav Republic of Macedonia (FYROM).	December 2003 – December 2005	To assist the efforts of the government of the (FYROM) to move closer to EU integration by contributing to police reforms.
EUJUST THEMIS: EU Rule of Law Mission to Georgia.	July 2004 – June 2005	At the request of the Georgian authorities, the mission was to assist in the rule of law reform process by developing a strategy for reforming Georgian criminal legislation.
EUPOL-Kinshasa: EU Police Mission in Democratic Republic of Congo.	April 2005 - June 2007	To support the integrated police unit at the level of its chain of command in order to strengthen the management capacities of the unit.
AMIS (II): EU Support to the African Union (AU) Mission in Darfur.	June 2005 - December 2007	To support the efforts by AU to stabilize the situation in Sudan/Darfur. The mission was expanded and given an enhanced mandate, becoming AMIS II until December 2007, when AMIS II handed over to the hybrid AU/UN mission (UNAMID).
AMM Monitoring Mission: EU Monitoring Mission in Aceh (Indonesia).	September 2005 – March 2006	To contribute to a peaceful solution to the conflict in Aceh by monitoring the implementation of the Memorandum of Understanding between Indonesia and the Free Aceh Movement.
EUPAT: EU police advisory team in the former Yugoslav Republic of Macedonia.	December 2005 – June 2006	This mission followed the termination of PROXIMA. EUPAT supported the development of a police service based on European standards.
EUFOR: EU Military mission in the Democratic Republic of Congo.	July 2006 – November 2006	To support the UN mission (Monuc) at the time of the election in 2006.

(120) Data obtained from Council of the European Union, European Security and Defence Policy: http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=268&lang=EN

Documents of Special Importance

Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence (Treaty of Brussels) 1948:

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For news about ESDP, its missions/operations, its structures and instruments, see: <http://www.consilium.europa.eu/showPage.aspx?id=261&lang=en>

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Chapter 4

The North Atlantic Treaty Organisation: An Alliance in Transition

By Michael Agner

The North Atlantic Treaty Organisation (NATO) is a military alliance of unprecedented scope. It currently has twenty-eight member states spanning two continents.¹²¹ It is engaged in a number of operations, including some beyond its geographical area. Despite the end of the Cold War, the alliance has managed not only to survive, it has actively sought to adapt its *raison d'être* to continue to serve the interests of its members in a new and changing security environment. Arguably, having celebrated its sixtieth anniversary in 2009, NATO has, in many respects, thrived. Admittedly, however, the alliance is an intricate security organisation with a rather complex history. This chapter seeks to reveal some of the noteworthy aspects of the alliance and thus make them more readily accessible. To achieve this, it is divided into seven parts. In the first two sections, I explore the history of the alliance, covering the first forty years of its existence (1949-1989) and the period since the end of the Cold War. In the third section, I explain NATO's main legal foundations before turning in the fourth part to its organisational set-up. The fifth section examines current NATO military operations, while the sixth addresses the main instruments of security cooperation within the alliance. In the final section, I briefly outline the main challenges NATO faces moving into the future.

Historical Introduction

The Origins of an Alliance: From Brussels to Rome

The impetus for a collective defence organisation after the Second World War rested on one fundamental necessity: guaranteeing peace within Western Europe through the prevention of future armed conflict. Two debilitating wars had wrought untold havoc on the continent, costing countless lives and leaving what had once been the heart of global economic activity in ruins. Recognising the urgency to avert a resurgence of nation-

(121) As of Spring 2009.

alism and military aggression, leaders from Europe and the US sought to establish an effective forum for European security cooperation in order to preserve political organisation and international order. This culminated in the founding of the North Atlantic Treaty Organisation (NATO) on 4 April 1949.

Certainly NATO did not represent the first manifestation of Western security and defence cooperation after World War II. In March 1947, France and the United Kingdom signed a Mutual Assistance Treaty in Dunkirk. This was followed roughly one year later, on 17 March 1948, by the signing of the Treaty of Brussels,¹²² an extension to the Dunkirk Treaty which brought the Benelux countries under the protection of the agreement. Finally, the signatories took an additional step in September 1948 and established a military agency known as the Western Union Defence Organisation, which served as a forum for closer defence coordination.¹²³ The primary effort of these early agreements was quite clear: the formation of a mutual security pact to provide reciprocal protection in the event of future German aggression.¹²⁴

However, a resurgent Germany was not the only potential threat which challenged European peace and stability in the early post-war years. In 1946, Winston Churchill announced that '*an iron curtain had descended across the Continent*', as the influence of the Soviet Union began to spread westward. By 1947, satellite states sympathetic to the Soviet cause had been established in Eastern Europe. At the same time, ideological and economic conflict began to heat up between Washington and Moscow, manifesting itself in the US Truman and Marshall Plans, as well as the Soviet Molotov Plan.¹²⁵ Three events coincided in 1948 to bring tensions between East and West to a climax. First, a coup on 25 February established a communist regime in Czechoslovakia, thereby giving the Soviet Union a solid foothold in central Europe. Secondly, Moscow reacted strongly to the decisions of Norway, Greece and Turkey to participate in the US-led Marshall Plan, taking steps such as signing the Soviet-Finnish defence agree-

(122) Officially known as the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence.

(123) West Germany and Italy joined this agency through a Protocol signed at Paris in October 1954, at which time the organisation became known as the Western European Union.

(124) Cini, 2007, p. 16.

(125) The Molotov Plan (1947) was named after the Soviet foreign minister, Vyacheslav Molotov, and can be seen as the Soviet's answer to the Marshall Plan. The Molotov Plan was the precursor of the Council for Mutual Economic Assistance, or COMECON for short.

ment in 1948. This was interpreted by many officials in the West as overtly aggressive, posing a direct threat to bordering countries such as Norway. The third event was the Berlin blockade, which began on 24 June. These events culminated in the realisation that the greatest threat to European security loomed not from Germany but from Europe's eastern flank.

By mid-1948, there was widespread agreement among Western European governments that effectively dealing with the Soviet threat would require more active engagement on the part of the United States. Though there was considerable US support for providing Europe with economic and temporary military assistance, many in Congress were concerned at the prospect of becoming overly involved in internal European conflicts. This opposition was also particularly strong within the Department of State and at the Pentagon.¹²⁶ As tensions grew, however, Western governments became increasingly concerned about the Soviet threat. The British Foreign Secretary, Ernest Bevin, was one of the early proponents of strong US intervention, arguing that greater transatlantic security ties would achieve the dual objective of Soviet containment and ensure a lasting European peace.¹²⁷ In a meeting with US Secretary of State George Marshall, Bevin commented that *'the salvation of the West depends on some sort of union, formal or informal in character, in Western Europe, backed by the United States'*.¹²⁸ Under continued British pressure, and clearly recognising that Europe required American assistance for its defence, Washington was eventually persuaded to support the idea of a transatlantic military alliance, and negotiations began on 6 July 1948. This led to the signing of the North Atlantic Treaty roughly nine months later on 4 April 1949. With that, the North Atlantic Treaty Organisation (NATO) was born.

With the signing of the North Atlantic Treaty, twelve states became founding members of the alliance. This included the five original signatories to the Treaty of Brussels – Belgium, France, Luxembourg, the Netherlands and the United Kingdom – as well as Canada, Denmark, Iceland, Italy, Norway, Portugal and the United States. With the outbreak of the Korean War in 1950 and the corresponding perception of an increased Soviet threat, NATO recognised a need to increase its defence in vulnerable ar-

(126) Medcalf, 2006, p. 2.

(127) The US policy of containment was formulated in 1947 by George Kennan and became the basis for the Cold War strategy of the United States (1947-1989). It called for countering 'Soviet pressure against the free institutions of the Western world' through 'adroit and vigilant application of counter-force at a series of constantly shifting geographical and political points, corresponding to the shifts and manoeuvres of the Soviet policy.'

(128) Cited in Achilles, 1985, p. 30.

eas and to contain the spread of Soviet influence. Despite controversial negotiations, this led to NATO's first round of enlargement into the eastern Mediterranean, with Greece and Turkey joining the Alliance in 1952. A second area of vulnerability was a non-aligned West Germany. Though certain NATO members feared the consequences of German re-militarisation, the potential risks of a weak Germany were also sobering. First, it was feared that, without West German rearmament, the alliance would have insufficient resources to ward off any attempted Soviet offensive on its eastern flank.¹²⁹ Secondly, anchoring Bonn solidly within Western security institutions helped to allay concerns that West Germany, desiring a security guarantee, might eventually succumb to pressure and align itself instead with the Soviet Union.¹³⁰ Initial efforts were thus made to rearm West Germany through the French-proposed, US-supported European Defence Community (EDC). When ratification of this failed in 1954, Bonn's membership in NATO was then widely regarded as inevitable.¹³¹ The end result was NATO's second enlargement on 9 May 1955, which succeeded at anchoring the Federal Republic of Germany soundly within the Alliance. NATO's final Cold War enlargement came in May 1982, with the accession of Spain.

Throughout the Cold War, the Alliance was effective at promoting cooperation in collective defence across the North Atlantic area. This is not to say, however, that transatlantic relations were never without conflict. Indeed, crises often arose throughout the first forty years of NATO's existence. The Suez crisis of 1956, the Gaullist lethargy which characterised relations throughout the 1960s, strains caused by German *Ostpolitik* in the early 1970s and European concerns over bilateral American-Soviet negotiations between Reagan and Gorbachev in the mid-1980s were just a few of the problems that transatlantic partners faced during the history of the Alliance. Despite this, many observers regularly point out that NATO had served as a successful forum for the coordination of transatlantic security policy, thereby promoting continuity in member state relations throughout the Cold War.¹³² As NATO's first Secretary General, Lord Ismay, once asserted, '*The purpose of NATO is to keep the Russians out, the*

(129) Mai, 1993, p. 90.

(130) Mai, 1993, pp. 100-101.

(131) For a useful review of the EDC, see Fursdon, E. (1980) *The European Defence Community: A History*. Macmillan: London.

(132) For two such arguments on the efficacy of NATO in supporting transatlantic security cooperation, see Wallander, C.A. (2000) 'Institutional Assets and Adaptability: NATO after the Cold War', *International Organisation* 54, pp. 705-735; and Abbott, K.W. and Snidal, D. (1998) 'Why States Act through Formal International Organizations.' *Journal of Conflict Resolution* 42/1, pp. 3-32.

Germans down and the Americans in.' Over the course of its first forty years, the Alliance was undeniably successful at achieving all three goals.

NATO in Transition: Since the End of the Cold War

At the beginning of the 1990s, several events ushered in a dramatic change to the security landscape of Europe. The unification of Germany, the end of the Warsaw Pact, the spread of democracy in Eastern Europe and the eventual dissolution of the Soviet Union were indeed signs that the Alliance no longer faced conventional adversaries, and many observers were hopeful that the North Atlantic area had entered an unprecedented era of peace. A number of NATO members thus made significant cuts in security allocations, with some states reducing their defence budgets by as much as 25 per cent. While the Alliance was no longer confronted by the looming threats of the Cold War, it nevertheless became evident that certain areas of Europe had in fact become increasingly volatile. Regional conflicts erupted in the Balkans, as nationalism and ethnic tensions quickly fuelled the outbreak of widespread violence. This led to the undeniable realisation within NATO that it did indeed continue to face risks, but that they were of a fundamentally different nature than those prior to 1989. It was unlikely that NATO members would be directly threatened by calculated hostilities against Allied territory. Instead, volatility seemed likely to crop up through political, economic or social disputes in neighbouring territories, conflicts that could have a direct impact not only on the stability of the Alliance, but also on its security.¹³³

Since 1989, NATO has sought to respond actively to these new challenges as they arise. Three specific efforts deserve mention here: conflict resolution and crisis management in the Balkans, post-Cold War enlargement, and the Alliance's response to terrorism. The Balkan Wars led to a gradual, yet fundamental rethinking of NATO's security strategy throughout the 1990s. With the escalation of ethnic conflict in Bosnia and Herzegovina in the early part of the decade, NATO first sought to remain on the sidelines, as questions over its deployment 'out-of-area' had not yet been resolved. Instead, the European Union and the United Nations took the initiative to keep the peace. As the situation worsened, however, the Alliance became more active. This led finally to NATO's first major war-time engagement, Operation Deliberate Force, a sustained air campaign which was carried out from 30 August to 20 September 1995 and was the culmination of NATO efforts to provide both military support and peacekeeping assis-

(133) The first formative document pointing out the new security challenges at the end of the Cold War was the London Declaration on a Transformed North Atlantic Alliance, signed by the North Atlantic Council on 5-6 July 1990.

tance. Decisive in bringing about an end to the conflict, Deliberate Force paved the way for a US-brokered peace plan which was signed in Dayton, Ohio, on 21 November 1995 and the deployment of a NATO-led implementation force. When fighting escalated in Kosovo several years later, NATO once again assumed a pivotal role after the failure of diplomatic negotiations. Though the air campaign against the Federal Republic of Yugoslavia, which lasted from 24 March to 10 June 1999, was successful in bringing about a settlement to the conflict, an assessment of NATO's military action and of the deployment of a Kosovo peacekeeping force thereafter pointed out many deficiencies in Alliance resources and member state preparation, especially among European members. This realisation was to serve as a major factor in the decision of the member states to readdress NATO's post-Cold War strategy in 1999.¹³⁴

Another prominent issue the Alliance has faced since 1989 involves enlargement. According to Article 10 of the North Atlantic Treaty, any *European* country interested in joining NATO may do so if all members are in unanimous agreement.¹³⁵ At the end of the Cold War, NATO reaffirmed this policy.¹³⁶ While the Central and Eastern European countries (CEECs) were initially more interested in the prospects of European Union membership, hesitation on the part of the EU in providing a definitive timetable for accession was discouraging for many of them. NATO thus seemed a worthy alternative when, in January 1994, Alliance members made the first formal step toward courting eastward enlargement in a Final Communiqué, noting that '*We expect and would welcome NATO expansion that would reach to democratic states to our East, as part of an evolutionary process, taking into account political and security developments in the whole of Europe.*' This was warmly received by the CEECs, and interest in NATO membership thus became significant from the end of 1993 onward.¹³⁷

(134) For reasons of space, a detailed discussion of the conflicts in Bosnia and Kosovo will not be presented here. For insightful reviews of the Bosnian War, see Holbrooke, R. (1999) *To End a War*, New York: Random House; and Burg, S.L. and P.S. Shoup (1999) *The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention*. New York: M.E. Sharpe. Columbia: Columbia University Press, 1997. For an analysis of the Kosovo War, see Clark, W. (2002) *Waging Modern War: Bosnia, Kosovo and the Future of Combat*. Oxford: Public Affairs; and Daalder, I.H. and O'Hanlon, M.E. (2000) *Winning Ugly NATO's War to Save Kosovo*. Washington: Brookings Institution Press. See the following section for specific details on changes to NATO post-Cold War strategy (i.e. the 1991 and 1999 Strategic Concepts).

(135) As far as providing a definition of 'European,' the Treaty remains rather vague.

(136) For an insightful, albeit critical review of the open door policy, see Art, R.J.

(1998) 'Creating a Disaster: NATO's Open Door Policy', *Political Science Quarterly*, vol. 113, no. 3, pp. 383-403.

(137) For a more extensive discussion of NATO's post-Cold War enlargement, see Rauchhaus, R.W. (ed.) (2001) *Explaining NATO Enlargement*, Oxford: Routledge/Curzon.

Enlargement took centre stage at NATO's Washington Summit in April 1999. The first post-Cold War round of enlargement came during the summit, with the Czech Republic, Hungary and Poland joining the Alliance. It was also affirmed that eventual membership for other candidate CEECs would be considered at NATO's 2002 summit. To help facilitate an impending second wave, the Alliance also created a Membership Action Plan (MAP) at Washington. MAP is a tool to support applicant states in carrying out the reforms necessary to prepare successfully for membership in five specific areas: defence and military conditions, political and economic conditions, legal issues, resources, and security.¹³⁸ Despite the challenges posed by a second wave of eastern enlargement (e.g. consequences for NATO-Russian relations, difficulties in integrating a number of states simultaneously), this remained a central objective for Alliance members, especially for the United States. As a result, seven CEECs – Bulgaria, Estonia, Latvia, Lithuania, Slovakia, Slovenia and Romania – joined NATO on 29 March 2004.

An additional challenge that NATO has faced since 1989 has been prominent instances of terrorism against its member states. The September 2001 terrorist attacks in the United States, the Madrid train bombings in March 2004 and the July 2005 attacks in the London Underground all point to the salience of terrorism as a central threat to Alliance security. Indeed, terrorism has had far-reaching effects on NATO. First, these incidents not only served to underscore the asymmetric nature of the new security threats, they also fuelled renewed debate on the need – or lack of need – for a global NATO (e.g., out-of-area engagements). This was also the catalyst for NATO's first operation geared directly toward combating terrorism (Active Endeavour), as well as for its first extra-European operation (ISAF in Afghanistan).¹³⁹ Moreover, the most recent crisis in transatlantic relations – that surrounding the US invasion of Iraq in 2003 – was a direct consequence of the dispute over NATO's role in fighting terrorism. While recognised as an obvious threat throughout Alliance history, terrorism has no doubt become a more prominent issue on the NATO agenda today. The exact role the Alliance will play in the long run in combating this risk is still unknown. What is certain, however, is that the development of a broad NATO approach toward combating terrorism is far from coherent. As such, this issue – along with the accompanying debate over the geographical scope of NATO – will remain significant within Alliance circles for years to come.

(138) For a detailed analysis of MAP, see <http://www.nato.int/issues/map/index.html>.

(139) See the subsequent section, 'Current Operations,' for more information on Active Endeavor and ISAF.

Treaties and the Legal Foundations

Decision-making within NATO takes the form of a consensus-based process of negotiation within which political and military authority remains under the reserved purview of its member states at all times. To coordinate this, a number of legal texts and formal agreements have been laid down which serve as the foundation for intergovernmental cooperation among the respective member states. By far the most significant of all these documents is the North Atlantic Treaty, also known as the Washington Treaty. Originally signed in Washington D.C. on 4 April 1949, the North Atlantic Treaty contains the core provisions for NATO jurisdiction and its scope of activities. For this reason, it is sometimes regarded as the '*acquis atlantique*.'¹⁴⁰

A relatively compact document divided into fourteen articles, the North Atlantic Treaty vests NATO with three core tasks which still serve as the basis for transatlantic relations. First, the collective defence of the North Atlantic area is the chief function of the Alliance. As articulated in Article V of the North Atlantic Treaty, '*The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all...[and shall take] such action as it deems necessary to restore and maintain the security of the North Atlantic area.*'¹⁴¹

A second function of the Alliance is the institutionalisation of broader relations among its partners. Though the war had ended, observers on both sides of the Atlantic recognised the necessity for strong US commitments within Europe. As outlined in Article II, this included not only military assistance in combating specific security threats: economic and political ties were likewise needed to facilitate reconstruction and a lasting peace. The final task, while more implicit, is to affirm the indissoluble nature of the transatlantic link. In doing this, NATO presented a forum through which to ensure that the US would remain militarily present and actively engaged in European affairs for the foreseeable future. This not only countered the growing Soviet threat, it also resolved the question of how West Germany's reindustrialisation and economic reintegration could be achieved most effectively.¹⁴² On occasion, the North Atlantic Treaty is amended through the addition of protocols, most often when new member states

(140) Smith, Timmins, 1999, p. 9.

(141) Article V of the North Atlantic Treaty, 1949.

(142) Medcalf, 2006, p. 3.

are accepted into the Alliance.¹⁴³ The first protocol was therefore added in October 1951 in the run-up to Greek and Turkish accession, and the most recent additions occurred on 26 March 2003 in preparation for the 2004 round of enlargement.

On occasion, NATO has sought to adapt its strategic posture to changes in the security environment of its members. As discussed above, the end of the Cold War was one such game-changer. NATO members thus developed a revised strategy emphasising a move away from their traditional forward defence to a posture of flexible response. In 1991, the Alliance put forward a new Strategic Concept (SC-91), which served as an authoritative statement of its plan for tackling these developments. SC-91 placed emphasis on the continued relevance of NATO and the reaffirmation of its collective defence clause, while also recognizing the need for a broader approach to security with a specific focus on the stability of the European continent.¹⁴⁴ While seen as a much needed step in redefining the strategic posture of the Alliance in the post-Cold War era, SC-91 remained quite vague in many respects. Though it outlined broad objectives and reaffirmed the Allies' strong commitment to transatlantic relations, it was more a statement of what the threats were and were not likely to be than a definitive strategy based on the clarity of experience.

This, however, would not remain the case for long. With extended conflicts in Bosnia and Kosovo, NATO gained intimate familiarity with these new security threats. This had two decisive effects. First, in light of the events of the 1990s, and to mark its fiftieth anniversary, the Alliance decided to revisit SC-91, which led to the signing of the 1999 Strategic Concept (SC-99) at the Washington Summit on 24 April. Several fundamental cornerstones were reaffirmed, including the indissoluble nature of the transatlantic link, and the maintenance of European security and collective defence as NATO's primary mission. A large part of the document, however, was devoted to the expansion of non-Article 5 tasks. SC-99 reflected the full nature of NATO reform in that tasks beyond mere collective defence became part of the wider focus of the Alliance. Specifically, this included the growing relevance of crisis management, humanitarian missions and

(143) An extraordinary change was made to the Washington Treaty in January 1963 when the North Atlantic Council recognised that relevant clauses of the Treaty were no longer applicable to the former Algerian Department of France, which had won independence on 5 July 1962.

(144) The SC-91 also outlined four fundamental tasks of the Alliance: to provide for a stable, European security environment; to serve as a transatlantic forum for consultation on issues related to security; to deter and defend the territorial integrity of its members; and to preserve the strategic balance in Europe.

conflict resolution as part of the Alliance's road map for the 21st century. Coupled with this, NATO members also sought to address its out-of-area component. In light of the Balkan conflicts, debate ensued throughout the 1990s as to the exact geographical limits of the Alliance's security commitments. This was reflected in SC-99 by the shift in emphasis away from the 'North Atlantic area' and to the 'Euro-Atlantic area.' Though this remained largely undefined, and while there was a general consensus at the time that 'out of area' did not yet mean 'out of Europe,'¹⁴⁵ it did serve to illustrate the importance of flexibility that members sought to bring to the Alliance.

Since the signing of SC-99, there have been no major revisions to NATO strategy. Several additional texts do, however, add to the backdrop of NATO's security and defence policy. These regulate, among other things, cooperative arrangements with non-member states through special NATO programmes such as Partnership for Peace, the Euro-Atlantic Partnership Council and the Mediterranean Dialogue, relations with third states (e.g., Individual Partnership Action Plans, Contact Countries) and specific policy decisions taken by the Council. However, in light of the dramatic events that have transpired since 1999 – e.g., terrorist attacks on various Alliance members and NATO's first 'out of Europe' operation in Afghanistan – many have argued that Alliance strategy once again needs a major revamp. Therefore a new Strategic Concept is being prepared and will most likely be adopted by 2010. This revised concept is expected to address the new nature of security threats such as terrorism and nuclear proliferation in greater detail, to flesh out a clear, conceptual strategy for Alliance cooperation, and to engage NATO members in more active, results-oriented dialogue. In the words of the then Secretary-General (SG) de Hoop Scheffer, this 'new 'Atlantic Charter' should reiterate in clear and simple terms what this Alliance is all about: a community of values that seeks to promote these values – but also will defend them when they are under threat.'¹⁴⁶

Current Organisational Setup

As a complex military alliance, NATO has a number of institutions which aid in facilitating the efficient and effective execution of its policy. The principal decision-making authority within the Alliance rests with the North Atlantic Council (NAC), the sole body with an effective political mandate

(145) Medcalf, 2006, p. 60.

(146) For a more detailed explanation of the need for and objectives of a new Strategic Concept, see 'Beyond the Bucharest Summit', Speech by NATO Secretary General, Jaap de Hoop Scheffer, at the Brussels Forum on 15 March 2008.

derived directly from the North Atlantic Treaty. The Council meets on a weekly basis and consists of ambassadors from all the member states, the Permanent Representatives. On a less frequent basis, NAC meets at other formal levels as well. For example, the Ministers of Foreign Affairs meet in session at least twice yearly, as do the Ministers of Defence. In like manner, the Heads of Government meet on an irregular basis when issues of considerable importance require attention. The NAC has a particularly salient role within the Alliance, serving as the chief forum for consultation between members on issues relating to their security. The NAC's central task is to reach collective agreement on a number of operational and policy-related questions. It is also responsible for issuing communiqués and declarations to third-party governments, the media and the public, and its decisions represent the authoritative and final position of NATO. For this reason, Council positions are reached intergovernmentally on the basis of unanimity.

Under Article 9 of the North Atlantic Treaty, the NAC was also vested with the ability to establish auxiliary bodies to assume Alliance tasks for specific areas in order to improve the efficiency and responsiveness of the Organisation.¹⁴⁷ Since 1949, therefore, a number of planning groups and committees have been established to support the Council in pertinent tasks. Two senior-level committees of particular importance are the Defence Planning Committee (DPC) and the Nuclear Planning Group (NPG). The DPC is responsible for the majority of defence-related issues, including collective defence planning. It regulates NATO's integrated military structure and offers direction to corresponding military authorities. The principle objective of the Committee is to implement decisions which relate directly to collective defence and the defence planning of Alliance members. In contrast, the NPG serves as the Alliance's central authority in areas pertaining to nuclear policy. The Group specifically addresses questions as to the safety and maintenance of its nuclear armaments, their deployment, and broader concerns related to proliferation and arms control. As such, the NPG's chief mandate is regularly to review and adapt Alliance nuclear policy as required by the current security environment.

Taken as a whole, the NAC, DPC and NPG represent the troika of central decision-making authority within NATO. While the Council is by far the most authoritative political body, the DPC and NPG nevertheless enjoy equal standing with the NAC in those areas covered by their specific man-

(147) Specifically, Article IX of the North Atlantic Treaty establishes that '*The Council shall set up such subsidiary bodies as may be necessary.*'

dates.¹⁴⁸ All three bodies are headed by the Secretary General. Like the NAC, the DPC and NPG meet on a regular basis and at various levels. While all the member states are represented in the Council, France did not participate in either the DPC or the NPG until the NATO summit in April 2009, when it rejoined NATO's integrated command again, having left it in 1966 after a decision by the then French President, Charles de Gaulle.

Beneath this troika, subsidiary institutions can be divided into roughly two groups: civilian and military structures. I will first direct attention to the civilian structures of NATO. The central point of the Alliance's civilian institutions is its political headquarters in Brussels, Belgium. Upon the signing of the North Atlantic Treaty, NATO's headquarters was situated in London. In 1960, however, the need for a more permanent location and additional space persuaded members to relocate to Paris. This would prove to be a rather short-lived residence, and with France's withdrawal from NATO's military structure in 1966, the decision was taken once again to move the main offices. Since 1967, NATO's political headquarters has therefore been permanently located in Brussels.¹⁴⁹ Employing about 4,000 people on a full-time basis, the headquarters is not only the permanent seat of the NAC, it accommodates a number of other civilian institutions as well.

One such group of institutions hosted at the Brussels headquarters consists of the national delegations of the individual member states and missions or liaison offices of partner countries. Similar in status to an ambassadorial mission to a specific country, the national delegations to NATO represent the security interests of their respective states within the Alliance framework. The delegations, headed by an Ambassador or Permanent Representative, act on the instructions of their governments through formal and informal consultations, both within the plenum and bilaterally, and then report back to their national authorities. The chief objective of the national delegations is first to enable members to reach agreements through a process of consensus, and then to aid in the execution of such collective decisions and projects at the domestic level. Similar to the national delegations of Alliance member states, seven of NATO's partner countries are also represented by missions in Brussels.¹⁵⁰

(148) In recent years, however, the NAC has undertaken some of the tasks typically falling under the sole purview of the DPC.

(149) Concomitant with the relocation of NATO's political headquarters, the central military headquarters of the Alliance, SHAPE, also relocated to Belgium. Since 31 March 1967, SHAPE has been located at Casteau, north of the Belgian city of Mons.

(150) This includes the partner countries of Armenia, Azerbaijan, Croatia, Finland, Georgia, Switzerland and Uzbekistan.

The national delegations are assisted by an administrative and advisory body known as the International Staff (IS). The IS was first established in 1951 to support the '*preparation and follow-up of action in all matters of the [North Atlantic] Council.*'¹⁵¹ Since then, the IS has been restructured on several occasions, and it has subsequently assumed its primary role as a support institution for the national delegations.¹⁵² The central task of the IS is to work in close cooperation with the national missions at various committee levels to aid in the planning and implementation of Alliance policy. The latest restructuring of the IS came in 2003. Accordingly, it now comprises six divisions,¹⁵³ the NATO Office of Security and the Office of the SG.

The SG of NATO and the SG Secretariat are also based in Brussels. The SG is the highest international civil servant in the Alliance and has three main responsibilities. As previously mentioned, he or she chairs the three bodies which make up NATO's decision-making troika. Secondly, the SG is the foremost public representative of the Alliance, reflecting the common political interests of its members. Finally, he or she is the senior director of the International Staff. Jaap de Hoop Scheffer of the Netherlands held this post from January 2004 until 1 August 2009, when the former Danish Prime Minister, Anders Fogh Rasmussen, took over. The SG and the Secretariat have significant roles within the Alliance's political process, preparing and setting the agenda, as well as opening discussion on individual items. At certain times, the Secretary General also assumes additional responsibilities such as negotiating with third-party states and serving as the official representative of NATO.

In addition to its civilian structures, NATO has a number of military institutions which are regularly active in Alliance policy-making. Just as the civilian structures advise and support the troika in areas relating to political matters, these military structures provide insight on the military affairs affecting Alliance security. The senior military authority is the Military Com-

(151) For more on NATO's international staff, see http://www.nato.int/issues/international_staff/index.html

(152) Nevertheless, the IS still plays a role in aiding the work of the NAC. In fact, the Council Secretariat consists of personnel from the relevant sections of the IS, who provide a facilitative role in the circulation and execution of Council decisions among the member states.

(153) Specifically, these are the Executive Management Division, the Division of Defence Investment, the Division of Defence Policy and Planning, the Operations Division, the Division of Political Affairs and Security Policy, and the Division of Public Diplomacy. For more information on the individual responsibilities of the divisions, visit their respective websites at <http://www.nato.int>.

mittee (MC), comprising senior military officers from the member states known as the Military Representatives (MR). Like the National Representatives, the MRs convene on a weekly basis in permanent session under the leadership of a Committee Chairman (CMC).¹⁵⁴ On a less frequent basis, the MC also meets in session with the Chiefs of Defence (CHODs) in attendance. The Committee is assisted by the International Military Staff (IMS), which, like the work of the IS for the National Representatives, aids in the organisation and administration of the day-to-day activities of the MC.¹⁵⁵ The Committee and its Representatives promote the interests of their respective national governments while working with their counterparts within the Alliance to promote consensus in defence policy-making. Thus, the MC has several responsibilities. As NATO's supreme military authority, the Committee's chief task is to counsel the political structures – in particular the troika – on those policies that are deemed essential for NATO's common defence. Specifically, this involves advice and direction as regards military policy, the development of overall Alliance strategy and long-term analysis of members' capabilities, as well as risk assessment. Secondly, the Committee supervises the strategic military command and in turn assesses its feedback in order to formulate its defence planning recommendations for the Council. During times of crisis, the MC may also assume additional tasks on a temporary and ad hoc basis, which include the development of military strategy throughout the crisis, the execution of contingency plans and monitoring of potential military engagements, and advising the Council on the use of military force, as well as the progress of such use of force.

In addition to the MC, two strategic military commands represent the other major bodies within the Alliance's overall military organisation. Since 2003, one command structure has had sole responsibility for NATO operations, the *Allied Command Operations* (ACO).¹⁵⁶ ACO is headquartered at SHAPE¹⁵⁷ near Mons in Belgium and is commanded by the Supreme Allied Commander Europe (SACEUR). Allied Command Operations is specifically

(154) Iceland, which has no standing army, is represented in the MC by a civilian official.

(155) As with the IS, however, the IMS works in an Alliance capacity, and not in the interests of the member states themselves.

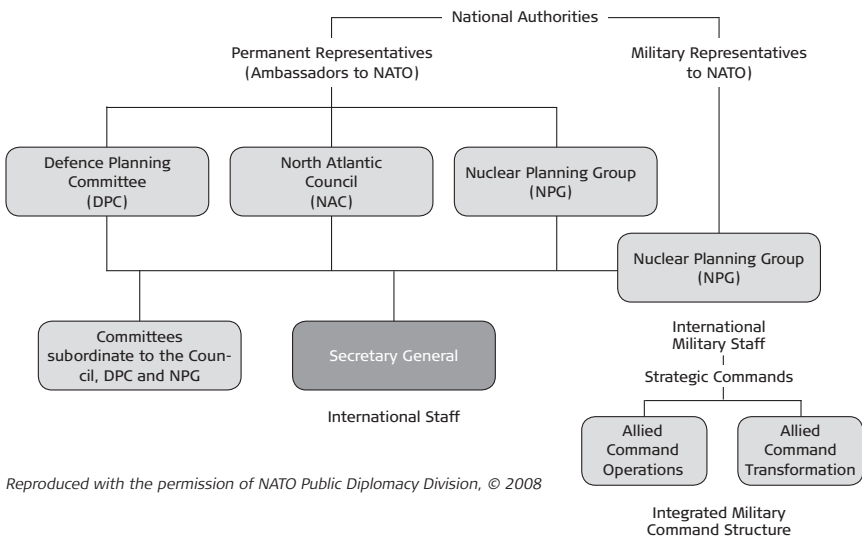
(156) In accordance with an agreement reached at the 2002 Prague Summit, NATO's Defence Ministers introduced plans for a new, streamlined design for the Alliance's military command structure at their regular session on 12 June 2003. This chapter reflects these changes. For an insightful analysis of military command organisation prior to 2003, see Naumann, K. (1998) 'NATO's New Military Command Structure', *NATO Review*, vol. 46, no. 1, pp. 10-14.

(157) SHAPE is an acronym for Supreme Headquarters Allied Powers Europe.

responsible for all command-related tasks within Europe, and its core responsibility is the strategic planning and execution of Alliance operations worldwide. ACO is assisted at the strategic level by two standing Joint Force Commands (located in the Netherlands and Italy), as well as a smaller-scale Joint Headquarters in Portugal which is capable of rapid strategic HQ capabilities. At the tactical level, ACO is supported by six Joint Force Component Commands (JFCCs) with service-specific expertise in air, land or maritime power tactics, as well as six static Combined Air Operations Centres (CAOCs), four of which are static and two deployable.

The *Allied Command Transformation* (ACT) is the second of NATO's two integrated command structures and is commanded by the Supreme Allied Commander Transformation (SACT) in Norfolk, Virginia. ACT is responsible for the transformation of the Alliance's military capabilities. Facing the challenges of a strategic environment that is substantially different from that of the Cold War, NATO members had recognized for a while the need to reform Alliance strategy to tackle evolving security threats better.¹⁵⁸ This took a dramatic step forward with the establishment of ACT, which was vested with the task of overseeing the Alliance's transformation. The primary responsibilities of ACT include improving NATO capabilities, increasing security training, the development and testing of military doctrines, and the assessment and promotion of new strategic concepts.

Figure 4.1: NATO's Military and civilian Structure



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(158) See the above discussion on the 1991 and 1999 Strategic Concepts.

In addition to SACT, a number of European-based structures will provide additional support in the Alliance's transformation. First, an ACT Staff Element has been set up at Mons which is primarily responsible for capabilities and defence planning. To promote interoperability, three institutions have been established to advance the development of joint concepts: the Joint Warfare Centre (Norway), the Joint Force Training Centre (Poland) and the Joint Analysis and Lessons Learned Centre (Portugal). Research and training facilities likewise provide a vital framework for the Alliance's transformation. For this reason, SACT works closely with educational facilities such as the NATO School (Germany) and the Defence College (Italy), the NATO Maritime Interdiction Operational Training Centre (Greece), the NATO Communication and Information Systems School (Italy) and the Undersea Research Centre (Italy).¹⁵⁹ Moreover, SACT is coordinated with a number of national or multinational Centres of Excellence which specialise in NATO's transformation in very specific fields.¹⁶⁰ Finally, direct linkages also exist between ACT and the broader Alliance agencies, as well as the US Joint Forces Command.

Security Cooperation

NATO and the EU are probably each other's most important partners in the security landscape of the 21st century. That said, however, relations have not been easy.¹⁶¹ As mentioned in the chapter on EU's security and defence policy, widespread debate was unleashed after the St. Malo Declaration in 1999, resulting in former US Secretary of State Madeleine Albright's 3 D's: no duplication of existing structures and assets which al-

(159) Prior to 2004, the Undersea Research Centre was known as the ASW (antisubmarine warfare) Research Centre. Originally commissioned in 1959, the Centre's name was changed to reflect its much more comprehensive mission in promoting Alliance transformation.

(160) As of September 2008, NATO currently has nine fully-accredited Centres of Excellence. These include: Centre for Analysis and Simulation for the Preparation of Air Operations, CASPOA (France); Civil and Military Cooperation, CIMIC (Netherlands); Cold Weather Operations, CWO (Norway); Combined Joint Operations from the Sea, CJOS (United States); Command and Control, C2 (Netherlands); Defence Against Terrorism, DAT (Turkey); Joint Air Power Competence, JAPCC (Germany); Joint Chemical, Biological, Radiation and Nuclear Defence, JCBRN (Czech Republic); and Naval Mine Warfare, EGUERMIN, (Belgium-Netherlands). Moreover, there are eight COEs which currently lack accreditation: Confined and Shallow Waters, CSW (Germany); Cooperative Cyber Defence, CCD (Estonia); Counter Improvised Explosive Devices, CIED (Spain); Explosive Ordnance Disposal, EOD (Slovakia); Human Intelligence, HUMINT (Romania); Medical, MED (Hungary); Military Engineering, MILENG (Germany); and Mountain Warfare, MW (Slovenia).

(161) See, for example, Peters, I. (2004), ESDP as a Transatlantic Issue: Problems of Mutual Ambiguity, *International Studies Review*, no. 6, pp. 381-401.

ready exist in NATO, no decoupling of European decision-making from the Alliance and the US, and no discrimination against European members of NATO which are not EU members (e.g. Turkey).¹⁶² It was not that the US and NATO did not welcome the EU's security and defence policy, but there were concerns and suspicions about the ESDP's actual purpose, and the US and NATO wanted to make it clear that NATO was still to be the prime forum for consultations on all policies relating to the security and defence of its members under the North Atlantic Treaty.¹⁶³

At the 1994 NATO Brussels Summit, the US administration, then under President Bill Clinton, acknowledged that the creation of a European Security and Defence Identity (ESDI) within NATO could play an important role in the evolving European security landscape. It was therefore agreed to create a Combined Joint Task Force (CJTF) headquarters, which was designed to give NATO's command structure greater flexibility regarding the dual use of NATO forces and command structures for alliance operations and/or those run by the EU. The purpose was to encourage the EU to undertake missions which were 'separable, but not separate' from NATO.¹⁶⁴ However, this agreement proved more fruitful on paper than in reality, and it was not until 2002 that cooperation between NATO and the EU was institutionalised with the Berlin Plus Agreement, which aimed to ensure that the EU would be able to draw upon NATO infrastructure and resources. Clearly, NATO faced a tough challenge, as it had to define the extent to which it wished to be involved in crisis management. Whereas it had argued throughout the 1990s that European action should take place inside the Alliance, NATO now acknowledged that the EU should have the capacity for autonomous action in order to take decisions and approve military action in those cases in which NATO was not involved.¹⁶⁵ NATO thus enjoys a 'right of first refusal': only if the Alliance decides *not* to act in a crisis situation can the EU then decide to intervene. The Berlin Plus Agreement was implemented in March 2003, following on from the NATO-EU Declaration on the ESDP of December 2002.

Clearly, NATO seems reluctant to give the EU real autonomous capacity, regardless of whether or not NATO decides to act. The problem seems to lie in what can be called '*institutional overlaps: membership, intersecting mandates and shared institutions*.'¹⁶⁶ One of the biggest problems

(162) Howorth, 2007, p. 139

(163) Sloan, 2005, p. 183.

(164) Sloan, 2005, p. 186.

(165) Rynning, 2007, p. 88.

(166) Hofmann, 2006.

is that of membership, which, as described in the chapter on the ESDP, involves the dilemma over Turkey and Cyprus, with both states having obstructed coordination between the ESDP and NATO by demonstrating their sovereignty.¹⁶⁷ Relations between the two institutions are important to both: NATO needs the ESDP because a coordinated and efficient European capacity is more valuable than a non-functioning one, and because the EU has developed instruments of nation-building and post-conflict reconstruction, instruments which NATO needs.

NATO also enjoys cooperation with another important partner, namely the UN. The two organisations have been cooperating since the early 1990s, and over the years this coordination has broadened to include consultations between NATO and UN specialised bodies on issues such as crisis management, civil-military cooperation and the fight against terrorism. Furthermore, the close cooperation between the two organisations is important in developing an international 'Comprehensive Approach' to crisis-management. Security Council resolutions have provided the mandates for NATO operations in the Balkans and Afghanistan, while NATO has provided support to UN operations in Sudan, Somalia and Pakistan.¹⁶⁸

Current Missions and Operations

As a military alliance, it may not be that surprising that NATO has undertaken a variety of military operations since its inception, yet several factors still stand out to make its experience in this respect rather unique. First, all its missions have taken place during the post-Cold War era, a period marked by relatively peaceful interstate relations, with no concrete adversary posing a direct threat to member states. Secondly, no operations have ever been carried out directly on Alliance territory. Instead, NATO has seen action in five out-of-area regions, specifically the Mediterranean, North America, Central Asia, Africa and the Balkans.¹⁶⁹ Thirdly, the Alliance has been active not only in combat engagements, but also in undertaking humanitarian, crisis management, peacekeeping and rule-of-law operations as well. Finally, the Alliance has at times cooperated with international organisations such as the United Nations and the Western European Union in the execution of operations of a military nature.

(167) Hofmann, 2006, p. 76.

(168) For more on NATO's relations with the United Nations, see <http://www.nato.int/issues/un/index.html>

(169) For a thorough review of NATO past operations, visit the website of the Allied Command Operations at <http://www.nato.int/shape>

NATO is currently deployed in five out-of-area operations and/or missions, two of which are directly related to security in the Balkans. First, the Alliance is engaged in Bosnia and Herzegovina (BiH) through NATO HQ Sarajevo. In December 2004, NATO's stabilisation mission in BiH (SFOR) ended, but the Alliance recognised a continued need to promote the development of a viable civil society and enduring conditions for peace. As a member of the Partnership for Peace programme (PfP) seeking closer cooperation with the Alliance, NATO established a headquarters in Sarajevo with the specific objective of advancing defence reform and national stability. NATO HQ Sarajevo is seen as a significant step in preparing BiH for solid integration into and eventual membership within the Alliance. NATO is also involved in Kosovo through its operation KFOR. Currently, about 15,000 troops are deployed in Kosovo under a NATO mandate, the chief objective being to ensure the stability of Kosovo and the security of its multi-ethnic citizens. KFOR has been active since June 1999, and the Alliance has confirmed its commitment to remain so on the basis of UN Security Council Resolution 1244, unless the Security Council at some point decides otherwise.

A third operation, Operation Active Endeavour (OAE), came into being after the terrorist attacks of 11 September 2001 against the United States. Recognising the need for an immediate and adequate response, member states invoked Article 5 for the first time in Alliance history on 4 October 2001. As a result, NATO committed itself to eight counter-terrorist measures, '*individually and collectively, to expand the options available in the campaign against terrorism.*'¹⁷⁰ One of these measures agreed to by the NAC was the deployment of its Standing Naval Forces to patrol the eastern Mediterranean to provide a range of surveillance activities and to monitor maritime trade routes. Operation Active Endeavour received its activation orders on 26 October 2001. Since then, its mandate has been extended on several occasions to provide naval escorts to civilian ships through the Straits of Gibraltar (4 February 2003), to undertake random boarding checks of naval vessels on the high seas (29 April 2003), to cover the whole Mediterranean area and to receive support from non-NATO partners (16 March 2004). Since its inception, OAE has inspected over 75,000 vessels and provided escorts to approximately 500.

(170) Quotation from a Statement to the Press on 'The NAC Decision on Implementation of Article 5 of the Washington Treaty following the 11 September Attacks against the United States' by NATO Secretary General, Lord Robertson, at NATO HQ in Brussels on 4 October 2001.

NATO is also currently active in providing security assistance to post-invasion Iraq through its Training Mission-Iraq (NTM-I).¹⁷¹ Though the Alliance has no immediate role in the international stabilisation force which has been active in Iraq since May 2003, at the June 2004 Summit in Istanbul its members decided to honour a request from the Iraqi interim government to assist in the training of the Iraqi security forces. The chief objective of NTM-I is to establish an effective, stable and autonomous security sector within Iraq through the training of its security forces, as well as advising and mentoring in-country officials and specialists. Currently, staff from 16 NATO nations are participating in this mission with support and funding provided by all 28 member states. In April 2008, the Council decided at the Bucharest Summit to extend NTM-I's mandate until 2009.

The International Security Assistance Force (ISAF) in Afghanistan is by far the most extensive ground operation in which NATO has ever participated. Though ISAF had been active under a UN Security Council mandate since December 2001, difficulties in ensuring a smooth transition every six months from one lead nation to another, as well as the need for adequate headquarters facilities, influenced in large part NATO's decision to assume ISAF command on 11 August 2003. ISAF was originally vested with the task of securing Kabul for the establishment of the Afghan Transitional Administration. Under NATO control, however, it has since expanded over four stages to cover all of Afghanistan. ISAF now concentrates on four core military tasks: conducting stability missions in collaboration with the Afghan national security forces; mentoring and assisting the Afghan national army; supporting efforts to expand the Afghan government's authority across the country; and shoring up efforts to disarm illegally armed groups. NATO currently commands approximately 52,700 personnel from 40 countries and 26 Provincial Reconstruction Teams (PRTs) under the auspices of its ISAF operation.

(171) NTM-I first officially became active on 16 December 2004. Its predecessor, the NATO Training Implementation Mission (NTI Mission), was active from 14 August 2004 to 15 December 2004 and was responsible for identifying training needs, establishing liaison arrangements and setting up initial training parameters. Due to limitations of space, this chapter will only address NTM-I. For more information on the NTI Mission, see http://www.afsouth.nato.int/JFCN_Factsheets/NTIMI/FactSheet_on_NTIMI_en.htm

Figure 4.2: Current NATO Operations¹⁷²

Operation	Location	Date of Deployment	Objective
Kosovo Force (KFOR)	Kosovo	June 1999 to present	Original mandate: deter hostilities, establish secure environment, demilitarise KLA, support humanitarian relief, support civil reconstruction efforts; current mandate much broader (e.g., promotion of peace, democracy, and civil society; international aid).
Active Endeavour	Mediterranean	26 Oct 2001 to present	Assist in detection, deterrence and protection in relation to terrorist activity by patrolling the Mediterranean, monitoring shipping routes, and providing escorts for non-military vessels.
International Security Assistance Force (ISAF)	Afghanistan	11 Aug 2003 to present	Operational command; creation of conditions for stability and reconstruction; political-military coordination; security and defence reform.
NTM-I (NATO Training Mission-Iraq)	Iraq	14 Aug 2004 to present	Provide training, assistance in equipping and technological support to Iraqi Security Forces; advising and mentoring of mid- to senior level military staff.
NATO HQ Sarajevo	Bosnia	3 Dec 2004 to present	Defence reform; provide assistance to Bosnia and Herzegovina in meeting requirements for Partnership for Peace programme and eventual accession to Alliance.

The Toolbox

NATO has a number of instruments at its disposal for the provision of security and defence on behalf of its members. Without a doubt, the core instruments upon which the Alliance relies are military in nature. In sheer numbers, NATO members make up approximately two-thirds of global military expenditure, having spent over US\$ 890.5 billion on defence in 2007.¹⁷³ While maintaining no standing army of its own, NATO can draw on the combined resources of its 28 member states for a variety

(172) Data on current military operations obtained from Allied Command Operations. Minor missions and military exercises have been excluded. For past Alliance operations, see Appendix 4.

(173) Global military expenditure in 2007 amounted to approximately US\$ 1.339 trillion (SIPRI Handbook, 2008). Figures for NATO defence spending calculated from individual member state expenditure as listed in *The Military Balance, 2008*. Though Iceland has no armed services, it spent US\$ 595 in 2007 for the operation of its coastguard; these figures were used in the calculation of overall NATO expenditure.

of security-related tasks. As regards NATO's military instruments, three specific developments since the end of the Cold War will be discussed below: enhanced capabilities, streamlined size and interoperability.

Since the beginning of the 1990s, NATO's military instruments have undergone an active and dramatic process of transformation, reflecting the interest of NATO partners in strengthening Alliance capabilities to deal more effectively with nascent security threats. In April 1999, NATO launched its Defence Capability Initiative (DCI) with the objective of improving military capabilities in key areas. The chief goal was to create more capable and flexible instruments for carrying out the range of tasks set out in the SC-99. While the DCI achieved some progress, the concrete transformation of Alliance military instruments took a substantial step forward at the Prague Summit in November 2002. Here, NATO members agreed on a four-point approach for enhancing the Alliance's capabilities. First, the Prague Capabilities Commitment (PCC) was signed, which committed the Allies to specific improvements in critical military capabilities under a stringent timeframe. Key areas included, for example, air-to-ground surveillance; strategic air and sea lift; chemical, biological, radiological and nuclear defence capabilities; and command, control and communications.¹⁷⁴ Secondly, NATO began a reorganisation of its military command structure to reflect the Alliance's need for smaller forces capable of rapid deployment and increased flexibility. Finalised in June 2003, this new structure established two strategic commands, as outlined above: one operational (ACO) and one functional (ACT). The third focus at Prague involved the development of a flexible, rapid response mechanism known as the NATO Response Force (NRF), which is capable of deploying up to 25,000 troops within five days and which can sustain itself for thirty days. NRF tasks cover the full spectrum of Alliance missions, including embargo operations, counter-terrorism support, non-combatant evacuation, crisis response operations,

(174) In some of these areas, progress has been limited. While the PCC remained a cornerstone of NATO's transformation at both the 2004 Istanbul and 2006 Riga Summits, it was not mentioned directly at Bucharest in 2008. Indirectly, however, significant shortcomings were highlighted in specific capability niches such as airlift and communications in the light of NATO operations, specifically ISAF. For a recent review of progress toward PCC, see Ek, C. (2008) 'NATO's Prague Capabilities Commitment', *Congressional Research Service Report for Congress*, 22 July 2008.

joint operations preparation and support consequence management.¹⁷⁵ Finally, NATO partners agreed to improve the military instruments available for combating threats such as terrorism, rogue states and cyber attacks. This included, among other things, the creation of an Action Plan against Terrorism, as well as a Missile Defence feasibility study. These developments point to the strides NATO has taken in enhancing its military instruments.

Despite far-reaching enhancements, the end of the Cold War nevertheless brought about an overall reduction in the quantity of many NATO military instruments. Since the beginning of the 1990s, for example, the number of conventional forces accessible to the Alliance has dramatically fallen. The ground force commitments of individual member states have been reduced by approximately 35%. At the same time, quotas for air-force combat squadrons and major naval vessels have fallen by some 40% and 30% respectively.¹⁷⁶ In addition, current force structures are frequently maintained at lower levels of readiness, with an emphasis on rapid deployment and the ability to undertake a wider range of missions, including crisis management and peace support tasks. Such scale-backs can likewise be found in the Organisation's nuclear policy. NATO's three nuclear powers – France, the United Kingdom and the United States – have radically reduced their individual nuclear stockpiles by as much as 80%.¹⁷⁷ Today, the primary purpose of NATO's nuclear inventory is to prevent coercion and discourage attack rather than to serve as weapons for legitimate and

(175) It is worth noting that the long-term viability of the NRF project has come under question, as the US seems to have begun wavering recently. While still affirming its commitment to NRF, the United States maintains that its success depends on the enthusiastic contribution of all Allies to the project. At the 15th Conference of European Armies on 25 October 2007 in Heidelberg, Germany, US Defence Secretary Robert Gates commented, '*To be fully successful, [NRF] will require full allied political support, both in terms of pledges to the force and with regards to how it is used.*' Indeed, NRF's track record seems modest thus far; since its inception, it has been deployed on only two occasions: humanitarian support to the US after Hurricane Katrina in 2005, and humanitarian relief to Pakistan after October 2005 earthquake. The NRF was first declared to be FOC (have full operating capability) during the Riga Summit in November 2006.

(176) Figures obtained from 'NATO Transformed', NATO Public Diplomacy Division, *North Atlantic Treaty Organisation*, 2004.

(177) Figures obtained from 'NATO Transformed', NATO Public Diplomacy Division, *North Atlantic Treaty Organisation*, 2004.

possible use. As such, NATO nuclear forces have come more accurately to represent political rather than military instruments of the Alliance.¹⁷⁸

The final characteristic of NATO's military instruments involves their interoperability. After 1989, Alliance members became increasingly aware that their security and defence, as well as the stability of the Euro-Atlantic area, were no longer synonymous with simply staying at home and fending off potential invasion. Instead, they were confronted with the very real prospect that their military assets could feasibly be deployed on a variety of fronts and in a multinational arrangement.¹⁷⁹ This required, however, that national forces be trained and equipped to work together with shared standards and procedures. In no uncertain terms, the success of Alliance operations depended on the capabilities and assets of member states being complementary at all levels – strategic, operational, tactical and technological. This quickly led to a variety of plans aimed at enhancing intra-Alliance interoperability and including, for example, the creation of a NATO Interoperability Management Plan (NIMP) and the five-year Rolling Interoperability Programme (RIP). Moreover, not only have developments in this area been linked to improving such compatibility within the Alliance, but efforts have also been geared to promoting increased interoperability with third states as well (e.g. under MAP and the NATO-Ukraine Action Plan).¹⁸⁰

While NATO undoubtedly has an extensive array of military instruments at its disposal, these are not the sole tools upon which the Alliance relies. To be sure, the experiences NATO members have gathered through engagements since the early 1990s have increasingly revealed the need to develop broader asset pools in order to deal effectively with contemporary security challenges. Thus, NATO has continued to enhance its instruments of in-

(178) To be sure, use of the Alliance's nuclear arsenal as a political rather than a military tool effectively dates back to the decision of US President John F. Kennedy in 1967 to adopt a strategy known as 'flexible response', according to which a number of responses to Soviet aggression could be considered, rather than one that was simply and primarily nuclear in nature. This represented a fundamental shift in US nuclear posture away from its policy of 'massive retaliation', which had previously advocated an overwhelmingly disproportional retaliation to any potential Soviet aggression. With the end of the Cold War, however, the use of NATO's nuclear assets as a political tool – as opposed to a military instrument – has become more significant than ever before.

(179) An exemplary case in point was the 1991 Persian Gulf War. While not directly deployed under the banner of NATO, eleven Alliance partners found themselves undertaking multinational combat operations.

(180) Though some success at improving interoperability is discernable, significant obstacles remain and will thus necessitate continued effort in the foreseeable future. For a detailed review of NATO efforts in this respect, see 'Backgrounder: Interoperability for Joint Operations', NATO Public Diplomacy Division, July 2006.

tervention in three additional areas: political, civilian and diplomatic. With respect to its political instruments, the Alliance has established a broad-based strategy of partnership and cooperation with third states throughout the Euro-Atlantic area. Beginning with the North Atlantic Cooperation Council in December 1991, the Alliance set out to create stronger political ties with the CEECs. This led in 1994 to the more elaborate Partnership for Peace (PfP) programme, a framework for increased bilateral cooperation which seeks to enhance security within respective participant states through measures targeted at promoting democratic institutions, guaranteeing peaceful dispute settlement and respecting human rights. As of 2008, 24 countries were participating in NATO's PfP program. A number of additional partnership mechanisms exist which likewise enhance the Alliance's political wherewithal (e.g. the Euro-Atlantic Partnership Council,¹⁸¹ the NATO-Russia Council¹⁸² and the Mediterranean Dialogue). Another political instrument NATO uses is the process of Alliance membership itself. In April 1999, for instance, it created the Membership Action Plan (MAP) mentioned above, thus providing substance to NATO's 'open door policy'.¹⁸³ Currently, only one country – the Former Yugoslav Republic of Macedonia – is a member of MAP. Having been given invitations to join NATO at the Bucharest Summit on 6 April 2008, Albania and Croatia will withdraw from the programme upon successful accession. However, MAP will remain the chief political mechanism with respect to enlargement, and BiH, Georgia, Montenegro and Ukraine have all expressed an interest in joining MAP. Finally, individual member states wield a high degree of political influence which can be channelled into promoting the interests of the Alliance. Within an Alliance made up of 28 current members with vast affiliations, this is a political tool that is often overlooked, yet it is highly significant. Indeed, the political resources of the national governments have been effectively used on a number of occasions. In August 2008, for example, the efforts of French President Nicolas Sarkozy at brokering a ceasefire between the Russian Federation and the Republic of Georgia

(181) The EAPC was established in 1997 and succeeded the NACC as the Alliance's multilateral forum for intensified security cooperation. Currently, fifty states (including all 28 member states) participate in the EAPC.

(182) Established on 28 May 2002, the NATO-Russia Council has come under considerable strain as a result of the 2008 crisis between the Russian Federation and the Republic of Georgia. On 19 August 2008, at a meeting of the North Atlantic Council, NATO members temporarily suspended the Council pending the withdrawal of all Russian troops from Georgian territory. In response, NATO received official notification on 21 August 2008 that Russia was halting military cooperation with the Alliance 'until further instructions'. At the time of writing, the long-term implications of the Georgia crisis on the NATO-Russia Council were still not known.

(183) NATO's 'open door policy' was once again reaffirmed at the Bucharest Summit on 3 April 2008.

ended in the successful conclusion of a six-point peace plan on 12 August 2008. Many observers indeed argued that, in achieving a ceasefire, France had accomplished a feat which would probably have been much more difficult for the Alliance itself. In doing so, however, Sarkozy nevertheless tacitly promoted the interests of NATO – i.e., an end to hostilities in Georgia – without the Organisation's direct involvement.¹⁸⁴

Another set of tools at the Alliance's disposal are its civil instruments.¹⁸⁵ As various engagements since the early 1990s have demonstrated, one of the greatest obstacles to peace and stability in the Euro-Atlantic area and beyond are disturbances to civilian populations and their well-being. For this reason, NATO has striven hard to develop its civilian crisis management (CCM) and peacekeeping capabilities. In cooperation with other organisations, the Alliance has enhanced its existing options in addressing the catastrophic effects of conflict, for example, through reconstruction, ensuring peace and stability, refugee support and repatriation, and the promotion of democracy and the rule of law. Moreover, NATO has improved its ability to respond to civil emergencies such as natural disasters, chemical and toxic spills, and the consequences of terrorist attacks. One example of these efforts is the creation of the Euro-Atlantic Disaster Response Coordination Centre in June 1999, which acts as a channel for the dissemination and coordination of information in dealing with such civilian-related catastrophes. Finally, NATO has numerous diplomatic instruments at its disposal. From representation through the position of the Secretary-General, who acts as a formal spokesperson for the Alliance, to cooperation with third-party organisations like the European Union, the United Nations and the Organisation for Security and Co-operation in Europe (OSCE), diplomacy has grown much more significant in fostering transatlantic security. Indeed, the development of NATO's civil and diplomatic instruments has become one of the most significant aspects of Alliance transformation since 1989.

In the course of the 2006 Riga Summit, Alliance members gave formal credence to the observation that achieving key security objectives would not only require NATO to make use of a wide spectrum of non-military

(184) It is nevertheless worth noting that NATO officials have, at times, expressed their reservations – or even objections – to the Georgian peace resolution. Specifically, NATO Secretary-General Jaap de Hoop Scheffer expressed concern over EU-Russian plans which would allow the Russian Federation to keep troops stationed in Georgia's two breakaway territories of South Ossetia and Abkhazia. See, for example, 'NATO calls EU-Russia Pact 'Not Acceptable'', *Financial Times*, 15 September 2008.

(185) More specifically, these are widely known as civil emergency planning and consequence management capabilities.

instruments in promoting peace and stability, it would also necessitate increased coordination with a variety of international actors. Substantiated during the 2008 Bucharest Summit with an Action Plan for its implementation, this strategy is known as the 'comprehensive approach' and has served as the central catalyst in improving the Alliance's planning and crisis management procedures in direct cooperation with third parties. As security challenges continue to focus NATO attention out of area and require it to respond to an array of non-conventional security threats, the ability of the Alliance to draw on its political, civilian and diplomatic assets – in addition to and not excluding its military mechanisms, of course – will be essential in guaranteeing its long-term efficacy.

The Current Debate and the Future Security Role

Looking at the scope and number of Alliance engagements, the rapid pace of enlargement, France's recent reintegration into the military command structure and ongoing Alliance transformation into a more flexible security organisation, many observers have argued that NATO is in many respects more active and prolific than ever.¹⁸⁶ This is not to imply, however, that the Organisation is without significant challenges. In the medium term, the ability of the Alliance to address five key issues will determine whether it will remain well positioned as a viable security actor in the 21st Century.

First, the Alliance is currently in the process of developing a *new strategic concept*. Not only must consensus be reached on a discernable strategy, but the member states must also come to agreement on a concept that proves successful at addressing the most pressing security threats (e.g. terrorism, failed states, nuclear proliferation, ethnic conflicts). Related to this, a second issue which NATO must deal with is an *elaboration of its comprehensive approach*. NATO must continue to enhance the instruments at its disposal, specifically of a military, political and economic nature. At the same time, it must continue to promote multilateral cooperation with other international organisations which can bring specific value-added to its package of options, including the use of civilian instruments.¹⁸⁷ Widely

(186) See, for example, Rynning, S. (2005) *NATO Renewed: The Power and Purpose of Transatlantic Cooperation*, Houndmills: Palgrave Macmillan; and Yost, D.S. (1999) *NATO Transformed: the Alliance's New Roles in International Security*, Washington, D.C.: United States Institute for Peace.

(187) Since September 2006, NATO members have expressed agreement that a Comprehensive Approach does not require the development of extensive civilian capabilities. Instead, the Alliance should seek to coordinate with international partners (such as the EU) that can contribute civilian instruments within the context of specific operations.

regarded as the Alliance's *sine qua non* for the 21st Century,¹⁸⁸ a genuine 'comprehensive approach' mechanism will require NATO to act on an array of threats and thus have the widest possible tools at its disposal for its principle objectives of promoting peace and projecting stability.¹⁸⁹

Thirdly, member states must address the *transatlantic capabilities gap*. While no sincere division of labour exists among the Allies, some degree of specialisation has occurred within NATO. While the United States – and to a much lesser extent, France and the United Kingdom as well – have focused considerable efforts on the development of high-intensity skills, continental partners have concentrated more on fleshing out the Alliance's crisis-management and disaster-response capabilities. While this has no doubt led to positive net gains for Alliance preparedness overall, it runs the risk of establishing two parallel but separate groups of member states, thereby undermining the Organisation's overall interoperability. It is therefore essential that measureable benchmarks be set for all members to ensure that combined resources allow NATO to address the issues it faces successfully.

The fourth issue involves *enlargement and cooperation with third states*. This will continue to raise a number of questions begging difficult answers. Both Albania and Croatia are expected to join in 2009, and membership for the Former Yugoslav Republic of Macedonia seems to rest mostly on its ability satisfactorily to resolve the dispute over its name with Greece.¹⁹⁰ Moreover, Georgia and the Ukraine are highly likely to join MAP in the near future, with Montenegro and BiH also expected to join the programme in

(188) See, for example, NATO, Bucharest Summit Declaration, Press Release (2008)049, 3 April 2008; and 'Assisting Afghanistan: The importance of a comprehensive approach,' keynote speech by NATO Deputy Secretary General Claudio Bisogniero at the GLOBESEC Conference on 17 January 2008.

(189) Due to limitations of space, this chapter does not offer a thorough discussion of NATO's Comprehensive Approach. For a more detailed analysis, see Jakobsen, Peter Viggo, 'NATO's Comprehensive Approach to Crisis Response Operations: A Work in Slow Progress', DIIS Report No. 15, Danish Institute for International Studies, 2008.

(190) Greece vetoed the FYR of Macedonia's invitation on 3 April 2008. For a detailed analysis of this dispute as well as broader issues pertaining to the FYRM accession process, see Chivvis, C.S. (2008) 'The Making of Macedonia', *Survival*, vol. 50, no. 2, pp. 141-162.

the medium term.¹⁹¹ In a similar fashion, NATO cooperates with a number of countries on a bilateral basis. Its skills at integrating new member states within a consensus-based framework, as well as its finesse at facilitating effective relations with various partners (e.g. productive relations with the Russian Federation), will serve as an excellent gauge of the long-term vitality of the Organisation.

Finally, developments within Afghanistan will be a telling sign of NATO's potential. Many reasons speak to its significance:

1. ISAF represents the Alliance's first out-of-Europe operation and its first major combat engagement with an emphasis on battling terrorism, a threat that will most likely assume a central role in the upcoming Strategic Concept.
2. Afghanistan demands a broad comprehensive response on the part of the Alliance, requiring the use not only of extensive military resources, but also of civil instruments (e.g. humanitarian relief, rebuilding infrastructure, provisions for education) as well.
3. ISAF has required a high degree of commitment on the part of Alliance members. On the one hand, this has meant considerable costs in terms of both financial obligations and the loss of lives. Nevertheless, it has provided vital first-hand experience to all active partners and therefore holds out some hope of helping to reduce existing capabilities gaps to some degree.
4. NATO has responsibility for the command of over 52,000 multinational troops. Its ability to promote peace and political stability effectively across Afghanistan rests on a high level of interoperability and effective coordination.

Indeed, Afghanistan is the embodiment of the most pressing challenges that NATO faces in the years to come. While it is not at all easy to assess the degree of 'success' or 'failure' that the Alliance is encountering in stabilizing and rebuilding Afghanistan, what is certain is that the final

(191) It is still uncertain what impact the 2008 conflict between Russia and Georgia will have on prospects for Georgian accession. At first glance, it would appear that the crisis has provoked increased support within NATO ranks – at least symbolic support – for the idea of Georgian membership, as demonstrated by the August 2008 decision to establish a NATO-Georgia Commission to 'oversee the further development of relations as well as to follow up on decisions taken at the 2008 Bucharest Summit concerning Georgia's membership aspirations'. Some members have nevertheless expressed concern at an over-hasty response on the Georgia question. As regards the other aspiring states, Ukraine is *expected* to join MAP by December 2008, while Montenegro and BiH *anticipate* participation in MAP by April 2010.

report on ISAF will have lasting repercussions for the long-term endurance of the North Atlantic Alliance.

Milestones of NATO

Figure 4.3: Milestones of NATO

Year	Event
1949	Twelve states of Europe and North America – Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, the United Kingdom, and the United States – sign the North Atlantic Treaty in Washington, D.C.; beginning of the North Atlantic Treaty Organisation.
1952	European Coal and Steel Community (ECSC).
1955	West Germany joins NATO; Soviet Union and eight Eastern European states form Warsaw Pact.
1966	France withdraws from NATO's integrated military structure.
1982	Spain joins NATO.
1991	NATO establishes North Atlantic Cooperation Council; Warsaw Pact dissolved; members sign new Strategic Concept.
1994	NATO launches Partnership for Peace Programme.
1995	Alliance engages in first military operation in the Balkans; Implementation Force (IFOR) to oversee ceasefire agreement and stability within Bosnia.
1997	IFOR replaced by Stabilisation Force (SFOR) in Bosnia.
1999	Signing of new Strategic Concept at fiftieth anniversary; NATO undertakes air campaign against Yugoslavia to halt conflict in Kosovo, Kosovo Force (KFOR) established to keep peace; Czech Republic, Hungary and Poland join Alliance.
2001	Alliance begins peacemaking operation in Macedonia; NATO evokes Article V of North Atlantic Treaty in wake of terrorist attacks against the United States.
2002	Establishment of NATO-Russia Council; seven Central and Eastern European countries – Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia – join Alliance.
2003	Crisis over Iraq: France and Germany block military support to Turkey under Article 4 in run-up to US invasion of Iraq, relations soured; reorganisation of NATO military structure, creation of Allied Command Operations and Allied Command Transformation; NATO assumes command of ISAF in Afghanistan, first operation outside Europe; launch of NATO Response Force.
2008	Albania and Croatia invited to join Alliance; consideration of membership for Georgia and Ukraine tabled until December NAC meeting; Macedonia application deferred over name dispute with Greece.
2009	NATO Strasbourg-Kehl Summit (3-4 April) celebrating NATO's 60 th anniversary. Agreement on former Danish PM Anders Fogh Rasmussen as the new Secretary-General. NATO members decide to launch the process of developing a new Strategic Concept. Albania and Croatia welcomed into the Alliance, and France welcomed back into NATO's integrated command structure.

Past operations¹⁹²

Figure 4.4: Past Operations

Operation	Location	Date of Deployment	Objective
Deliberate Force	Bosnia and Herzegovina	30 Aug 1995 – 20 Sept 1995	Air campaign to undermine military capabilities of Bosnian Serb Army to attack UN-mandated 'safe areas' in BiH.
Joint Endeavour	Bosnia and Herzegovina	20 Dec 1995 – 20 Dec 1996	Implementation Force (IFOR); implement the military Annex of the <i>General Framework Agreement for Peace</i> (GFAP).
Joint Guard/ Joint Forge	Bosnia and Herzegovina	21 Dec 1996 – 2 Dec 2004	Stabilisation Force (SFOR); contribute to stability and peace necessary for reconstructive efforts through, for example, the prevention of hostilities.
Allied Force	Federal Republic of Yugoslavia	24 Mar 1999 – 10 Jun 1999	Campaign against FRY to bring about a verifiable end to all military action and violence within Kosovo.
Assistance to the African Union for Darfur	Sudan	June 2005 – 31 Dec 2007	Logistical support to the African Union Mission in Sudan (AMIS), support consisted of airlift of peacekeepers and training of AU personnel.
NATO Katrina support operation (NRF)	United States	3 Sep 2005 – 2 Oct 2005	Assist in recovery efforts in aftermath of Hurricane Katrina; provision of relief supplies from Europe to affected areas in the United States.
NATO's Disaster Relief Operation (NRF)	Pakistan	14 Oct 2005 – 1 Feb 2006	Provision of direct and indirect humanitarian assistance from member states to areas affected by 8 October earthquake in the Kashmir region of Pakistan.

Documents of Special Importance

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http://www.ena.lu/brussels_treaty_17_march_1948-020302282.html

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The Alliance's Strategic Concept 1991:

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(192) Data on current military operations obtained from Allied Command Operations. Military exercises have been excluded.

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Weblinks

For NATO's Defence College's academic publications and policy analyses in various languages, see: <http://www.ndc.nato.int/research/publications.php?icode=6>

For NATO's leading magazine, which covers topics of current policy interest on a monthly basis and in various languages, see: <http://www.nato.int/docu/review/>

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Official Documents

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Chapter 5

The African Union: A Common Security Structure in the Making?

By Thomas Mandrup and Bjørn Møller

The African Union (AU) is a young international organisation, founded in 2002, which is still in the process of setting up its various institutions, while constantly having to face up to new challenges, such as civil wars breaking out and military coups being undertaken in its member states. Moreover, the 'African Security Architecture', of which it is the central component, also includes sub-regional organisations to which responsibility is to be devolved for dealing with armed conflict and other matters. These so-called Regional Economic Communities (RECs) are, likewise, constantly changing, just as they have very different strengths. Hence, any account of the AU and the RECs can only provide a 'snapshot' of the organisation at any given time, one which may soon become outdated.

In contrast with regional and sub-regional organisations in the North, those in Africa are facing an additional challenge: how to match the urgent need for strong organisations to deal with some of the world's most protracted and destructive conflicts with a desperate shortage of resources. Access to external funding from other international organisations, such as the EU, the World Bank, various UN agencies or individual donor countries, thus to a large extent determines whether initiatives will actually be implemented and whether institutions will actually be established or remain empty shells.

Historical Introduction

The predecessor of the African Union was the Organisation of African Unity (OAU), founded in 1963 when 32 states signed the OAU Charter. Among its ideological foundations was pan-Africanism, enunciated by, among others, Kwame Nkrumah in his book *Africa Must Unite* (1963).¹⁹³ From the very beginning, however, proponents of pan-Africanism disagreed over

(193) Nkrumah, Kwame, 1963.

the strategy to adopt in bringing about the pan-African ideal. Radicals in the so-called Casablanca group (established in 1961) wanted to proceed directly to a united Africa upon the achievement of independence by the various colonial territories and saw the formation of individual states as a betrayal of the ideal, whereas gradualists in the so-called Monrovia Group viewed state formation and gradual political and economic integration as necessary steps towards the goal of unity.¹⁹⁴ The gradualists prevailed and proceeded to construct their individual sovereign states at the expense of unity, and the shared long-term goal soon receded almost into oblivion.

The Organisation of African Unity

The preamble of the OAU Charter referred to '*a common determination to promote ... a larger unity transcending ethnic and national differences;*' but the OAU nevertheless became a guardian of state rights at the expense not only of the goal of African unity, but also of the rights of African peoples, who were often oppressed by the incumbent regimes. The implicit privileging of existing states within pre-determined borders also presented an obstacle to dealing constructively with intra-state conflicts of a secessionist nature such as those in Biafra, Eritrea or Somaliland. The principle of the 'territorial integrity of each state' had the consequence that questions about possible alterations of the artificial borders drawn up by the colonial powers were never addressed, while attempted secessions were automatically condemned. Also, the norm of 'non-interference in internal affairs' meant that the OAU could not prevent gross violations of human rights or even outright genocides, as in Rwanda in 1994.

That states enjoyed the same rights, regardless of their forms of government, gave dictatorships few incentives to democratise. In 1999, however, the OAU took a modest step away from the general norm of recognising and defending any regime in power by deciding at the Algiers summit to ban leaders installed by coup. However, it was not until the OAU had been replaced by the AU that any real departure from the norm of 'sacrosanct sovereignty' took place. The OAU had not been very successful in promoting human rights, notwithstanding its adoption in 1981 of an African Charter on Human and People's Rights, which listed all the usual civil rights, as well as numerous 'second-generation' human rights.¹⁹⁵ Even though in 1998 it was decided to strengthen this human rights regime with the establishment of an African Court on Human and Peoples' Rights, this did not enter into force until 2004, after the OAU had been super-

(194) Emerson, 1962; Adogambe, 2008.

(195) Odinkalu, 2003; Enonchongh, 2002.

seded by the AU. The establishment, through the Abuja Treaty of 1991, of an African Economic Community (AEC) under the auspices of the OAU has also proved insignificant. Even though the treaty formally entered into force in 1994, virtually nothing has been implemented, and economic relations between the states on the continent remain quite insignificant – with the partial exception of informal cross-border trade.

In the field of security the OAU was mainly involved in setting norms and standards, but it was never effective in enforcing them. The most fundamental norms, codified in the OAU Charter, were those of '*non-interference in the internal affairs of states*' and '*respect for the sovereignty and territorial integrity of each state and for its inalienable right to independent existence.*' Even though very few interstate wars have been fought on the African continent, it seems doubtful whether this has been due to this norm. Certainly the OAU did not play any significant role in the few cases of interstate wars (Somalia/Ethiopia 1977-78 and Eritrea/Ethiopia 1998-2000), nor in the various instances of intervention and clandestine war (e.g. by Tanzania in Uganda and by South Africa in Angola and Mozambique). Moreover, even though the OAU Charter strongly condemned '*subversive activities on the part of neighbouring states or any other states,*' several African states have waged proxy wars against their neighbours by supporting rebel groups without the OAU being able to prevent this.

However, on a couple of occasions the OAU did field peace-support operations. First came the deployment of an OAU Neutral Force in Chad in 1981-82, which was singularly ineffective; then the deployment to Rwanda of an OAU Military Observer Team (1990-91), followed by a Neutral Military Observer Group (1991-93), neither of which did anything to prevent the 1994 genocide. After that the OAU deployed observer missions to Burundi (1993-96) and Comoros (1997-99), as well as an OAU Liaison Mission to Ethiopia-Eritrea, none of which seem to have made much of a difference.

The OAU was committed to the principle of non-alignment, both by its Charter and by a special resolution to this effect adopted in 1997. Even though no member state ever aligned itself officially with non-African powers, this was probably less the effect of this norm than of the fact that no foreign powers ever proposed such an alliance – and the OAU certainly failed to prevent the unofficial involvement of the great powers and superpowers in conflicts on the continent. In particular, France had, and still has, a military presence in several of its former colonies. Even though in 1977 the OAU signed a Convention for the Elimination of Mercenarism

and Civil Conflicts (in force since 1985), it did little to prevent the actual use of mercenaries and private military companies by African states such as Sierra Leone or Angola.¹⁹⁶

As far as controlling preparations for armed conflict in the form of disarmament or arms control are concerned, the OAU proclaimed Africa a nuclear-weapons-free zone in the Pelindaba Treaty, which still had not entered into force by the end of 2008. Otherwise the OAU did not really engage in arms control, except for the rather ineffectual Bamako Common African Position on Small Arms, signed in 2000. Following the adoption of the *Cairo Declaration* of 1993, the OAU established a Mechanism for Conflict Prevention, Management and Resolution. The objectives of this Mechanism were quite ambitious, ranging from 'the anticipation and prevention of situations of potential conflict from developing into full-blown conflicts' through 'peace-making and peace-building' to peacemaking in such full-blown conflicts and post-conflict peace-building. The Mechanism was built around a Central Organ, with the OAU Secretary General and the Secretariat together constituting its operational arm, but it also featured an annually elected Bureau of the Assembly of Heads of State and Government.

The African Union

The decision in principle to establish what is now the African Union (AU) was taken at an extraordinary OAU summit in Sirte, Libya, in 1999. The main 'driver' was the host of the summit, Libyan president Muammar al-Gaddafi, but nothing would have come of his grand pan-African scheme if it had not been supported by the two great powers on the continent, Nigeria and South Africa.¹⁹⁷ The former was primarily interested in an African counterpart to the Organisation for Security and Cooperation in Europe, namely a Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA), for which the African Union might form a convenient framework, whereas the latter was mainly interested in a framework for what is today known as NEPAD, or the New Partnership for Africa's Development. However, another important element in the creation of the AU was that the OAU had become discredited, among other things because of its inability to deliver results and come up with effective responses to the challenges facing the continent. There was, for instance, a need to review the very dominant principle of 'non-interference', as well as for a process of institutionalisation to improve the framework for cooperation.

(196) Musah & Fayemi, 2000.

(197) Landsberg, 2008.

At a summit meeting in 2000, the Constitutive Act of the African Union (CAAU) was signed by 53 African heads of state. It formally entered into force in 2001 with its ratification by two thirds of the member states, which permitted the solemn proclamation of the AU at an OAU summit in 2001. However, it was decided to let it coexist with the OAU for one year in order to smooth the transition between them. Following these preparatory steps, the AU was inaugurated at a summit in Durban on 9-10 July 2002.¹⁹⁸

The CAAU contains a significant departure from the principle of non-interference in internal affairs, as its Articles 4h and 7.1 allow the Assembly to decide (with a two-thirds majority) to intervene in cases of war crimes, crimes against humanity and genocide, to which was subsequently added '*threats to legitimate order*.'¹⁹⁹ This is the most far-reaching provision for humanitarian intervention in force for any international organisation. By the end of 2008 it had never been activated, and if it ever is, it may reveal itself as violating the United Nations Charter, which contains no such provision, but rather a general ban on the use of force which also applies to regional organisations.

A number of institutions were established under the auspices of the AU at the Durban Summit, most prominently an AU Peace and Security Council (PSC), intended as 'an operational structure for the effective implementation of the decisions taken in the areas of conflict prevention, peace-making, peace support operations and intervention, as well as peace-building and post-conflict reconstruction.'²⁰⁰ Besides functions taken over from the OAU's 'Mechanism,' the PSC is also in charge of peacekeeping missions and even intervention in the contingencies mentioned above, in which it may also play a pro-active role by making proposals to the Assembly. It is also intended to ensure collaboration between the AU and sub-regional organisations such as the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC). In its deliberations and activities, it is to be supported by a so-called Panel of the Wise, consisting of 'five highly respected African personalities from various segments of society who have made outstanding contributions to the cause of peace, security and development on the continent.' The protocol establishing the PSC entered into force in 2003, but its actual launch, including its Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, only took place in 2004.

(198) Kouassi, 2007.

(199) Williams, 2007.

(200) Cilliers and Sturman, 2004.

In the military field, a Draft Framework for a Common African Defence and Security Policy, together with a Solemn Declaration on the same topic, were adopted in 2004. The main emphasis was placed on internal threats, but a commitment to collective defence was also included, according to which *'any threat or aggression on one African country is deemed to be a threat or aggression on the others, and the continent as a whole'*. It was decided to establish an African Standby Force, 'based on brigades to be provided by the five African regions', to be completed by the year 2010. Its deployment was envisaged as taking place both for preventative purposes, in the form of forceful interventions, and for peacekeeping or post-conflict peace-building. Partly in order to make this feasible, a Military Staff Committee was to be established and a certain standardisation of both equipment and doctrines undertaken.²⁰¹

Besides these plans, the AU has also deployed actual peace support missions in Burundi, Sudan (Darfur), Comoros and Somalia with rather mixed results. While the first has been almost universally acclaimed a success, that in Darfur has been evaluated as both a success and a failure, as has that in Comoros, whereas very few would see that in Somalia as successful.

Treaties and the Legal Foundations

Just like the OAU it replaced, the AU is a regional organisation in the sense of the UN Charter's Chapter VIII, and it has been recognised by the UN in this capacity. According to the General Convention on the Privileges and Immunities of the Organization of African Unity (in force since 1965), the OAU possessed juridical personality, allowing it to possess property, institute legal proceedings and sign treaties, and affording its staff diplomatic immunity. As its successor, the AU has the same status.

The 'constitution' of the AU is the CAAU, which was revised in 2003. As in most other international organisations, the most basic principle is that of the sovereign equality of member states, reflected in the basic principle of consensus as the precondition for agreements, granting even the smallest member states a right of veto. However, reality and power are intertwined and have a significant influence when decisions are made, such that, while the 'smaller' members might legally have the ability to block decisions, in reality this will seldom happen. Nevertheless, the CAAU also provides for decisions to be taken by a two-thirds majority of all member states

(201) Touray, 2005.

eligible to vote, and even by simple majority in questions of procedure or of whether an issue is substantial or procedural.

In addition to the CAAU, setting out the general principles for the various institutions within the AU described in the next section, most of these are also regulated by special treaties and protocols, listed in the section on 'Documents of Special Importance'. Most important are probably the protocols on the Peace and Security Council from 2002 (in force since 2003), the Pan-African Parliament from 2001 (in force since 2003) and the Court of Justice of the African Union from 2003. The latter has yet to enter into force and has partly been rendered obsolete by the adoption in 2008 of a protocol on the statutes of the African Court of Justice and Human Rights. Rather than establishing, as initially envisaged, two separate courts – one for states and one for individuals – it was decided to merge the two.²⁰² Most institutions thus established are further regulated by sets of statutes or rules of procedure. The Common African Defence and Security Policy is, so far, merely set out in a Draft Framework for a Common African Defence and Security Policy and a Solemn Declaration, both from 2004.

Current Organisational Setup

The AU's organisational set up has changed quite a lot since the launch of the AU, and is quite elaborate. Besides the AU as such, there are a few affiliated, but partly autonomous institutions, including NEPAD (the New Partnership for Africa's Development, initially under the name 'New African Initiative', NAI), with its African Peer-Review Mechanism (APRM), and the Pan-African Parliament (PAP).

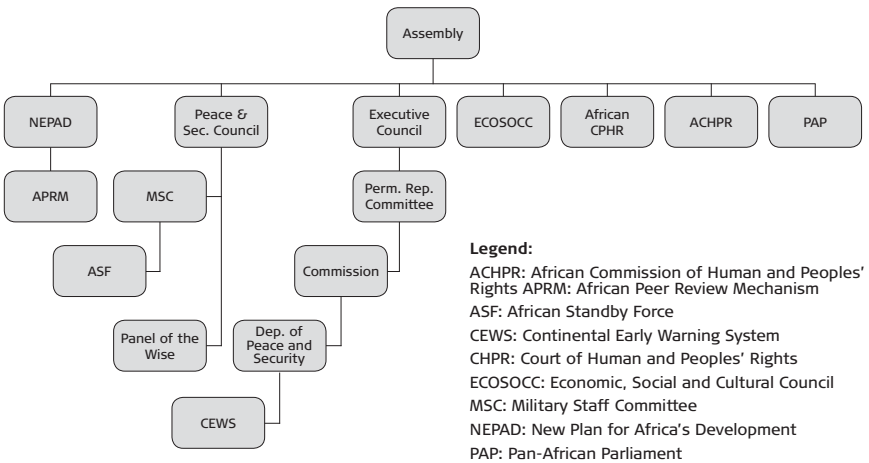
The Organisation of the AU

The Assembly is the supreme authority of the AU, and all institutions are subordinate and responsible to that organ. It meets at least once a year, but can meet in extraordinary session if agreed by two thirds of the member states. It is also the Assembly which once a year elects the chairman of the organisation. Decisions by the Assembly are categorised as either regulations or directives, both of which are binding, and others (e.g. recommendations, declarations and resolutions) which are not. Sanctions may, at least in principle, be imposed on states for not implementing binding decisions.

(202) Bekker, 2007.

The Executive Council (EC) consists of the foreign ministers of the AU member states and meets at least twice a year. The main function of the EC is to prepare the Assembly summits and oversee the implementation of the Assembly decisions. It is in the EC that much of the political dialogue takes place, harmonising national policies and selecting future AU Commissioners to be appointed by the Assembly. The EC also oversees the budget and relations with the AU's partner nations. The Permanent Representatives Committee consists of the ambassadors of member states and is in charge of day-to-day matters.

Figure 5.1: Organisational Diagram of the AU

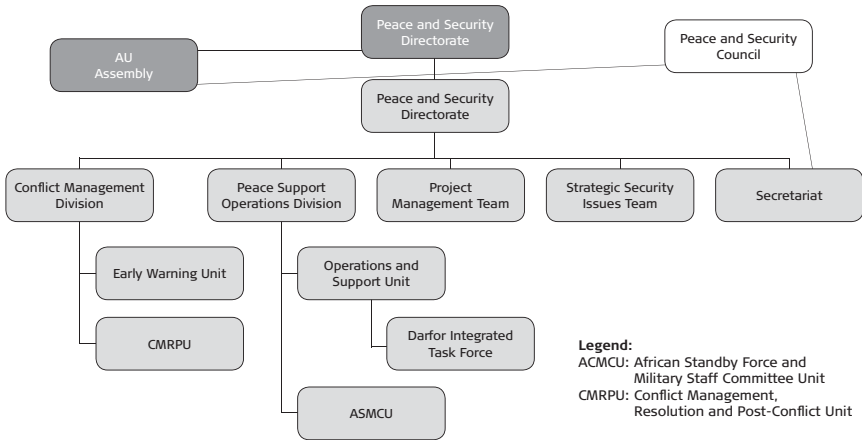


The Assembly appoints the Commission – in 2009 renamed the 'Authority' – which is headed by a chairperson, his or her deputy and eight other members for four-year terms which are only renewable once, and it may fire any member of the Commission upon a two-thirds majority. Although there are rules about the distribution of commissionerships between member states, the members of the Commission are expected to serve only the AU rather than their home states. As far as staffing is concerned, recruitment should combine concerns for competence and geographical representativeness according to a quota system.

The AU Authority is also involved in conflict and security-related activities through a special department devoted to this, the Peace and Security Directorate (see organigram), which is also responsible to the Assembly and the PSC. Under the auspices of the department, a Continental Early Warning System is being established, just as the Authority is also in charge

of the preparations for the African Stand-by Force (ASF) and its Military Staff Committee acting under the authority of the PSC.

Figure 5.2: The AU Peace and Security Directorats



The Peace and Security Council is the highest authority on peace and security-related matters. It has fifteen members, of whom ten are elected for a two-year period, while five are elected for three years. Although its structure clearly reflects the inspiration of the UN Security Council, it differs from the latter by having neither permanent members nor veto rights. Although election should take into account geographical representativeness and rotation, the PSC protocol also lists strict conditions for states to be eligible for membership, such as economic contribution to the AU, participation in peace support operations, etc. Only a very limited number of the current members fulfil all the criteria, but the AU members have decided that these principles are merely ideals to be realised over time. As with the Assembly, the PSC takes decisions by consensus, or failing that by a two-thirds majority. Interestingly enough, since its establishment the PSC has arrived at all its decisions by consensus, stressing that the AU norm is not to show disagreement to the outside world.

The objective of the PSC includes the promotion of peace and security, post-conflict reconstruction, and the development of a common defence policy in Africa. One of the tools at the PSC's disposal is the African Standby Force, consisting of five regional brigades, which is planned to be operational by 2010. The PSC can recommend intervention in a member state to the Assembly. Even though many tasks have been sub-contracted to the PSC, important decisions such as military intervention are referred

from the sub-committees to the Assembly, which then decides by consensus or a two-thirds majority. However, the PSC has shown an ability and willingness to take responsibility, act independently and take difficult decisions, as in early 2009, when the Chairman of the AU, Colonel Ghaddafi, demanded that the suspension placed upon Mauritania should be lifted, which the PSC refused. The PSC's administrative section has only limited institutional capacity, with a staff consisting of only four members, a problem that can be found in most AU institutions.

As already noted, in its deliberations and activities, the Security Council is supported by a so-called Panel of the Wise appointed by the AU Assembly. Its five members are to serve for a maximum of two three-year terms. They are expected to provide advice to the PSC, but also to undertake fact-finding missions, conduct shuttle diplomacy, and mediate in formal and informal negotiations.

The Pan-African Parliament (PAP) is located in South Africa, and its stated objective is, among other things, to promote human rights and good governance in Africa. The PAP is supposed to represent the people of Africa and over time to evolve into a real pan-African parliament with full legislative powers and with directly and democratically elected members. However, this will require the AU member states to decide to amend the current protocol, which only gives the PAP 'consultative and advisory powers'. The PAP consists of five representatives, one of which must be a woman, from each member state, who are elected by and should reflect the diversity of 'the national parliaments or other deliberative organs.' Among other activities, the PAP has dispatched election observers to several elections in member states.²⁰³

The Economic, Social and Cultural Council (ECOSOCC) consists of 150 members from civil society groups in Africa and its diaspora. Interestingly enough it has a requirement that at least half of its members must be between 18 and 35 years of age. It has an advisory role to the AU and focuses on broad issues such as human rights, economic development, gender and governance. The ECOSOCC has ten thematic working groups or clusters, which work on issues such as peace and security, trade and industry, and women and gender.²⁰⁴

(203) Hugo, 2008.

(204) Sturman and Cilliers, 2003.

The African Commission on Human and Peoples' Rights (ACHPR) consists of eleven individual members, elected by the Assembly of the AU from African personalities 'reputed for their high morality, integrity and impartiality'. The ACHPR has a mandate, for instance, to collect data related to African problems and to produce advice and principles for the African states on human rights issues which can be integrated into national legislation. The African Court for Human and Peoples' Rights was established to complement the ACHPR and eleven judges have been appointed, but no actual court cases had been conducted by the end of 2008. The ACHPR, African intergovernmental organisations and individual states may all submit cases, in addition to which there is a provision for NGOs to do so, provided that the states involved have declared their agreement to this – which most states have not.²⁰⁵

New Partnership for Africa's Development (NEPAD) is an integrated institution which is directly responsible to the Assembly. Based on the principles of democracy and good governance, the primary objectives of the NEPAD programme are to 'eradicate poverty; to place African countries, both individually and collectively, on a path of sustainable growth and development; to halt the marginalisation of Africa in the globalisation process and enhance its full and beneficial integration into the global economy; and to accelerate the empowerment of women. The ambition of the NEPAD program is to initiate political and economic reforms, thereby creating the required framework for sustainable development.'²⁰⁶ This is done by an increased focus on the mobilising resources and investment in specified target areas such as infrastructure, agriculture and human development. Much emphasis has been put on the African Peer Review Mechanism (APRM), a sub-programme of NEPAD charged with conducting reviews of the extent to which African countries voluntarily submit themselves to such reviews.²⁰⁷

Members

The AU, like the OAU before it, consists of nearly all the states on the African continent, as well as six nearby island states (Cape Verde, Comoros, Madagascar, Mauritius, Sao Tomé and Príncipe, and the Seychelles), that is, a total of 53 states. However, this figure conceals two significant anomalies, as it includes an entity which is not generally recognised as a state (Sahrawi, i.e. Western Sahara) and, because of this, excludes one state that should belong, namely Morocco. The latter claims sovereignty over

(205) Bekker, 2007.

(206) Akokpari, 2004.

(207) Hope, 2005.

Sahrawi and therefore terminated its membership of the OAU in 1984, after the Sahrawi government had been admitted in 1982.

Membership of the OAU grew steeply in the 1960s, when many former colonies obtained independence. In the 1970s the former Portuguese colonies of Angola, Mozambique, Guinea-Bissau and Cape Verde and the former French colony of Djibouti also joined the organisation, as did Zimbabwe in 1980. They were followed in the late 1980s/early 1990s by Namibia (formerly under South African control) and South Africa in 1994 after the end of apartheid. Except for the anomalies just mentioned, this made the OAU and its successor all-inclusive, and any further expansion of membership can only result from a break-up of existing states, the sole recognised instance of which so far has been Eritrea, while Somaliland and maybe South Sudan (after the referendum on possible secession scheduled for 2011) would be obvious candidates.

Security Cooperation

Some of the AU's 53 (+/-1) member states also belong to another region, i.e. the Middle East, and several African states also are also members of the organisation centred on this region, the League of Arab States (LAS). This is not only the case for the states of the Maghreb, but also of Comoros, Djibouti, Somalia and Sudan. All African States are also members of the Non-Aligned Movement (NAM).

In 2007 the AU entered into a strategic partnership with the European Union. In its first action plan, covering 2008-2010, the focus is on cooperation on eight partnership areas, including peace and security, energy and migration. Partnership committees have been established and meet on a regular basis. The AU has also entered into strategic partnerships with individual states such as China, India, Turkey and Japan. The North Atlantic Treaty Organisation (NATO) also has cooperation with the AU, and is currently involved in helping the AU shape its military doctrinal framework to suit its security architecture. NATO has further provided support for the deployment of AU forces in Darfur and in Somalia, but the organisation does not have a formal policy for its relations with the AU, which are currently run on an ad hoc basis.

The main partners of the AU are the sub-regional organisations in Africa, usually referred to as RECs, or regional economic communities. There has always been agreement on the number of sub-regions on the continent, stipulated as five: North, East, West, Central and Southern, but there has

never been a consensus on their precise delimitation. Moreover, the existing RECs do not completely correspond to the sub-regions, and their memberships overlap, as shown in Figure 5.3 and illustrated in the six maps. AU members have agreed that the RECs have to align their treaties and charters with those of the AU, which has primacy over the RECs. This is one of the areas which at times can create tension between the RECs and the AU because the latter's institutional development has been rather slow.

Figure 5.3: Africa: Subregions and International Organisations

Subregion ²⁰⁸	Organisation Members	Reg.	Subregional (REC)					Others				
		AU	AMU	ECOWAS	IGAD	SADC	ECCAS	COMESA	CEN-SAD	EAC	LAS	
North Africa	Algeria	•	•									•
	Egypt	•							•	•		•
	Libya	•	•						•	•		•
	Mauritania	•	•							•		•
	Morocco		•							•		•
	Sahrawi	•										
	Tunisia	•	•							•		•
West Africa	Benin	•		•						•		
	Burkina Faso	•		•						•		
	Cape Verde	•		•								
	Cote d'Ivoire	•		•						•		
	Gambia	•		•						•		
	Ghana	•		•						•		
	Guinea	•		•						•		
	Guinea-Bissau	•		•						•		
	Liberia	•		•						•		
	Mali	•		•						•		
	Niger	•		•						•		
	Nigeria	•		•						•		
	Senegal	•		•						•		
	Sierra Leone	•		•						•		
Togo	•		•						•			

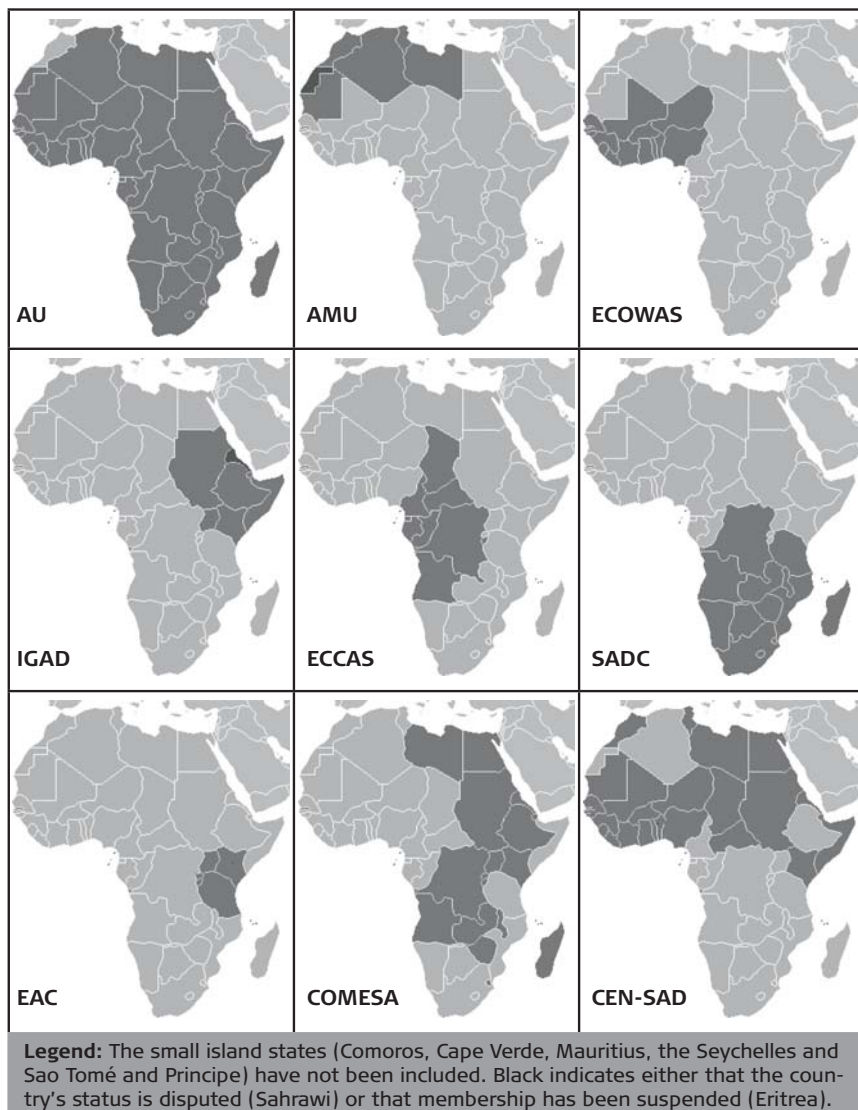
(208) As delimited by the African Union. See International Institute for Security Studies, 'Profile : African Union (AU)', at www.issafrica.org/

Subregion	Organisation Members	Reg.	Subregional (REC)					Others				
		AU	AMU	ECOWAS	IGAD	SADC	ECCAS	COMESA	CEN-SAD	EAC	LAS	
Eastern Africa	Comoros	•						•	•		•	
	Djibouti	•			•			•	•		•	
	Eritrea	•			•*			•	•		O	
	Ethiopia	•			•			•				
	Kenya	•			•			•	•	•		
	Madagascar	•				•		•				
	Mauritius	•				•		•				
	Rwanda	•						•		•		
	Seychelles	•						•				
	Somalia	•			•				•		•	
	Sudan	•			•			•	•		•	
	Tanzania	•				•				•		
	Uganda	•			•			•		•		
Southern Africa	Angola	•				•	•					
	Botswana	•				•						
	Lesotho	•				•						
	Malawi	•				•		•				
	Mozambique	•				•						
	Namibia	•				•						
	South Africa	•				•						
	Swaziland	•				•		•				
	Zambia	•				•		•				
	Zimbabwe	•				•		•				
Central Africa	Burundi	•					•	•		•		
	Cameroon	•					•					
	Central African Rep.	•					•		•			
	Chad	•					•		•			
	DR of Congo	•				•	•	•				
	Equatorial Guinea	•					•					
	Gabon	•					•					
	Rep. of the Congo	•					•					
	Sao Tomé and Príncipe	•					•		•			
Africa	Total membership	53	5	15	7*	14	10	19	28	5	10	

Legend:

AMU: Arab Maghreb Union; **AU:** African Union; **CEN-SAD:** Community of Sahel-Saharan States; **COMESA:** Common Market for Eastern and Southern Africa; **EAC:** East African Community; **ECCAS:** Economic Community of Central African States; **ECOWAS:** Economic Community of West African States; **IGAD:** Inter-Governmental Authority on Development; **LAS:** League of Arab States; **O:** Observer; **SADC:** Southern African Development Community; *Eritrea suspended its membership in 2007; #The total membership of the LAS is 21 plus 3 observers, including Eritrea.

Figure 5.4: The AU and the Regional Economic Communities



The RECs which most closely approximate to the sub-regions are the following:

- The Arab Maghreb Union (AMU) roughly corresponds to North Africa, but excludes Egypt and includes Morocco, which is not an AU member. The AMU is an extremely weak organisation, mainly because of the intense and long-standing rivalry between Morocco and Algeria, partly over the status of Western Sahara.²⁰⁹ The AMU has therefore not been able to serve as the institutional framework for setting up the AU security architecture in North Africa.
- Like North Africa, East Africa also lacks a regional organisation that includes all the region's states as members and therefore has the capacity to function as the host of regional security initiatives. The Intergovernmental Authority on Development (IGAD) is the closest approximation to this, covering Northeast Africa or the 'Greater Horn of Africa', but it is hampered by being too heavily dominated by Ethiopia and by being institutionally quite weak. The weakness of IGAD is apparent from the fact that responsibility for organising and fielding the East African contribution to the African Stand-by Force, EASBRIG, has been taken away from IGAD, and now operates outside any of the existing regional organisations. IGAD has launched several security-related initiatives, including an early warning system, and has taken the lead in peace processes for Sudan and Somalia.²¹⁰ There are some indications that the smaller but institutionally stronger East African Community (EAC) might fill the vacuum created by the weakness of IGAD, but security cooperation is more likely to proceed outside existing economic regional entities for some time to come.
- In Central Africa the Economic Community of Central African States (ECCAS) is even weaker, and has so far played only a limited role in security-related matters. Progress in setting up an ASF is only moving ahead very slowly, primarily due to the insecurity and lack of capacity in several of the ECCAS members. In 2000 the ECCAS members signed a Mutual Assistance Pact and established a Peace and Security Council for Central Africa (COPAX). ECCAS has also made ambitious plans to create an early warning mechanism, the creation of a Central African Multinational Force (FOMAC) and a Defence and Security Commission (DSC).²¹¹ These ambitious goals and the rather elaborate organisational structure notwithstanding, it remains to be seen whether anything tangible will come out of these decisions. At the time of writing in early 2009, there was nothing to indicate that this would happen.

(209) Zunes, 1995.

(210) Juma, 2003.

(211) Chouala, 2008.

- In West Africa, the Economic Community of West African States (ECOWAS) is a much stronger organisation – with considerable experience in peace and security-related activities such as peacekeeping – yet this is mainly due to Nigeria's hegemonic position.²¹² The membership has been very stable except for the departure of Mauritania, which decided to join the AMU instead.
- In Southern Africa, the Southern African Development Community (SADC) initially appeared quite strong, but it has been weakened considerably by the Zimbabwean crisis. Two military operations have been undertaken in its name, in Lesotho (by South Africa and Botswana) and in the Democratic Republic of Congo (by Angola, Namibia and Zimbabwe),²¹³ and a quite elaborate 'defence and security architecture' has been created, including an Organ on Politics, Defence and Security Cooperation and the signing of a Mutual Defence Pact, which includes cooperation on intelligence.²¹⁴

ECCAS, ECOWAS and SADC have thus all been able to assume responsibility for setting up security institutions such as their contributions to the African Standby Force (ASF), whereas the North and East African states have been forced to seek to create their contributions independently of the existing RECs. As a result, in these two sub-regions member states are creating security structures which are not institutionally anchored in existing organisations with broader agendas, but focused solely on security in a rather narrow military sense. Common to all five regions is the fact that legally they are not allowed to take military action, but have to obtain an AU mandate, which in turn is based on UN authorisation.

The other two organisations on the map above, the Community of Sahel-Saharan States (CEN-SAD) and the Common Market for Eastern and Southern Africa (COMESA), cut across the other regional organisation and the AU's designated regions. Both organisations are rather weak and lack a military dimension. COMESA is part of the AU's Economic Pillar and has included SADC and EAC in its attempt to create a free-trade area. The strength, and to some extent the weakness, of COMESA is the fact that it is a continental organisation with members from North Africa all the way down to southern Africa. CEN-SAD is a relative new organisation established in 1998 in an attempt to promote economic cooperation and create a free trade zone among its 28 members. However, the organisation is weak and is unlikely to be able to fulfil this ambition in the short to medium term.

(212) Adebajo, 2002.

(213) Likoti, 2007; Ngoma, 2004.

(214) Ngoma, 2005.

Current Missions and Operations

The AU has deployed a total of four peace-support missions,²¹⁵ as summed up in the Figure 5.5 below.

Figure 5.5: AU Peacekeeping Missions

Country	Acronym	Period	Troop Contributors	Others
Burundi	AMIB	April 2003 - May 2004	South Africa, Ethiopia and Mozambique.	Burkina Faso, Gabon, Mali, Togo and Tunisia.
Sudan (Darfur)	AMIS	June 2004 - December 2007	Nigeria, Rwanda, Egypt, South Africa, Senegal, Ghana, Gambia and Kenya.	Mauritania, Niger, Mali, Burkina Faso, Zambia, Lesotho, Uganda, Madagascar, Burundi, Cameroon and Mauritius.
	UNAMID	January 2008 -	Nigeria, Rwanda, Ethiopia, Egypt, South Africa, Senegal, Ghana, Gambia and Kenya.	Bangladesh, China, Indonesia, Nepal, Pakistan and others.
Somalia	AMISOM	January 2007 -	Uganda and Burundi.	
Comoros	AMISEC	March 2006 - June 2006	South Africa and Rwanda.	
		March 2008 -	Tanzania and Sudan.	

Legend:
AMIB: African Union Mission in Burundi; **AMIS:** African Union Mission in Sudan; **AMISOM:** African Union Mission in Sudan; **UNAMID:** African Union/United Nations Hybrid Operation in Darfur; **AMISEC:** AU Mission to Support the Elections in the Comoros.

The first deployment was to Burundi, following the Arusha peace agreement of August 2000. The operation became two-tiered, with South Africa starting it by providing a VIP protection contingent, while in 2003 the AU deployed a peace support mission (AMIB), mandated to consist of up to 3,500 soldiers for an initial period of one year. AMIB was placed under South African leadership and South Africa was expected to contribute the bulk of the force itself, the other troop contributors being Ethiopia and Mozambique. AMIB has been described as a model for future ASF operations, as it took place under African leadership, consisted of African troops and had the primary objective of preparing for a future UN peace support operation. The mission's primary task was to oversee the implementation of the ceasefire agreement and to support the DDR (disarmament, demobilisation and reintegration) process, as well as to create favourable conditions for the deployment of a UN mission. There was considerable prestige tied to the operation, it being the first such operation launched

(215) Murithi, 2008.

by the new AU. In June 2004, AMIB was thus turned into a UN mission under the French acronym ONUB. The operation in Burundi showed the importance of having the requisite finance in place before deployment, since Ethiopia and Mozambique refused to deploy before South Africa had promised to cover their expenses. The lesson of this led the AU to establish a so-called 'peace fund.'

When civil war broke out in Darfur (Sudan) in 2003, the AU quickly became involved, initially in the role of mediator. Following the signing of a very fragile and contested 'humanitarian ceasefire' agreement between the government and some of the Darfurian rebel groups in April 2004, the AU accepted the task of monitoring its observance and dispatched observers and a small troop contingent of around 300 men to protect them – sometimes referred to as AMIS-1. By October of the same year, however, this had to be expanded into a fully-fledged peacekeeping mission, AMIS-2, first mandated to number around 3,000 troops, but subsequently expanded (as of January 2007) to 596 military observers, 5,210 troops and 1,425 police officers. Whereas the peacekeepers were unable to stop all the killings or the forced displacement of civilians, the AU probably did as well as anybody else would have done under almost impossible conditions – and with a casualty toll of almost sixty troops killed.

The operation was hampered by the fact that the AU was pressured to undertake it before its security architecture was in place. Hence, the deployment took place outside institutions that were still under construction, the troops being provided by willing states. The operation experienced mission creep, a lack of capacity, and a serious discrepancy between its mandate and the means available to it. South Africa was the only participant to provide its own military equipment, while the other troop contributors depended on equipment provided and financed by international donors. Moreover, AMIS never reached its planned 8,000 troop strength because the AU found it difficult to get its members to provide the troops. Part of the problem was, and still is, that reimbursement to states from UN missions is higher than from equivalent AU missions, making it economically more attractive for states to provide forces to the UN. Another problem was the very restrictive mandate, which placed rigid constraints on the ability to use force to protect vulnerable groups. By the end of 2007, AMIS had partly been merged with the UN's mission in Sudan, creating an unprecedented hybrid mission, UNAMID (UN-African Union Hybrid Mission in Darfur). As of February 2009 UNAMID included 12,421 troops and 2,510 police officers plus civilian staff, of whom the overwhelming majority were Africans.

The fourth AU deployment was to Somalia (African Union Mission to Somalia, AMISOM). It was deployed in 2007 following the Ethiopian invasion of the country and was intended to replace the Ethiopian troops in protecting the Transitional Federal Government (TNG). By the end of 2008, only Uganda and Burundi had deployed troops, and the future of the mission appeared very uncertain. In early 2009 negotiations between the AU and UN were ongoing regarding how to strengthen the operation. The AU expected that the UN would replace the AU mission, but it seemed very unlikely that this was going to happen. AMISOM has to large extent been affected by the reluctance of AU members to commit the required troops, and the limited size of the operation meant that AMISOM initially had a quite limited capacity to do anything apart from protecting itself, and therefore focused on the protection of selected official buildings and installations in Mogadishu.

The fifth AU mission was to the Comoros, where in October 2005 the government requested the AU to monitor the upcoming election, which was eventually held in May 2006. The AU established an AU Mission to Support the Elections in the Comoros (AMISEC) composed of military and civilian officers, predominantly from South Africa. The election resulted in a constitutional crisis, which in March 2008 had escalated to such a disturbing level that the AU launched an offensive operation led by 1,300 troops from Tanzania and Sudan (supported by France and Libya) joined by 400 Comoron forces who were responding to a request from the national government to quell the rebellion. It was the first time the AU took offensive military action in support of the government of a member state. The military side of the operation was a success, but the mission itself was controversial, as some African leaders would have preferred a political solution to the problem.

The Toolbox

The AU has at its disposal several tools for dealing with conflicts and security in Africa, and even more are being developed. As is the case for the various institutions, however, the shortage of resources is a serious impediment to efficiency. What may help address these shortcomings is the outsourcing of some of these tasks to the sub-regional organisations, to the extent that these have the actual political will and possess the requisite capacities to handle the challenges and to do so in proper coordination with the AU – in which case the AU may become the central node in a decentralised network.

Political, Civilian and Economic Tools

Following the OAU's decision in 1993 to create a '*Mechanism for Conflict Prevention, Management and Resolution*', and partly incorporating this Mechanism, the AU established a Peace and Security Council (PSC) charged with all matters relating to peace and security and granted quite extensive authority. Besides the institutions established directly under its authority, the PSC is also able to draw on the various branches of the AU Commission (now Authority) devoted to peace and security matters as set out in the previous section, as well as on the facilities established by the RECs.

The PSC was thus established as a '*standing decision-making organ for the prevention, management and resolutions of conflicts*' and as '*a collective security and early-warning arrangement to facilitate timely response to conflict and crisis situations in Africa.*' As far as the prevention of conflicts is concerned, the AU has created an Early Warning Mechanism hosted by the Authority, which formally became operational in 2005. However, because of the inherent methodological obstacles involved in predicting the outbreak of a conflict, as well as a shortage of resources and staff with the requisite qualifications, its performance has so far been unimpressive. In due course, it should be able to draw on the early warning systems established (or at least under construction) by IGAD, SADC, ECCAS and ECOWAS.²¹⁶

- IGAD has established a CEWARN (Conflict Early Warning and Response Mechanism) system, including national branches (CEWERU: Conflict Early Warning and Response Units) in some member states, albeit only dealing with localised pastoral conflicts.
- ECCAS is in the process of established MARAC (*Mécanisme d'Alerte Rapide de l'Afrique Centrale*, i.e. Central African Early Warning Mechanism) under the auspices of its COPAX (*Conseil de Paix et de Sécurité de l'Afrique Centrale*, i.e. Peace and Security Council for Central Africa), which is envisaged to be responsible for data collection and the analysis of impending crises and conflicts, to be gathered by national bureaux and collated in a central database.
- ECOWAS has established an Early Warning System consisting of an Observation and Monitoring Centre located at the Secretariat/Commission and responsible for data collection and analyses and the preparation of reports for the use of the Executive Secretariat, as

(216) See Conflict Management Division of the Peace and Security Department, African Union Commission: 'Status on Implementation of Early Warning Systems in the Regional Economic Communities', *Background Paper*, no. 4 (Addis Ababa: AU, 2008).

well as four observation and monitoring zones within the sub-region, with offices charged with collecting data on indicators that impact on the peace and security of the zone and the sub-region on a state-by-state and day-to-day basis.

- In SADC, the OPDSC (Organ on Politics, Defence and Security Cooperation, usually just referred to as 'the Organ'), was tasked to establish an early warning mechanism and has taken several steps in this direction, but the planned 'SADC Early Warning Facility/Situation Room', to be located at the SADC Headquarters, is still not fully operational.

Besides the organisations, COMESA has also decided to set up an early warning system, but because of a lack of funds, implementation of this decision has been postponed *sine die*, which is also the case of the EAC. Whether all these institutions will be able to coordinate their efforts, achieve a sensible division of labour and avoid duplication so as to constitute the envisaged Continental Early Warning System remains to be seen.

Another instrument which might be relevant both for conflict prevention and in bringing conflicts to an end is the five-person Panel of the Wise, which is intended to undertake and oversee mediation efforts (e.g. via 'shuttle diplomacy'), as well as to advise the PSC and undertake fact-finding missions. It became operational in late 2007 under the chairmanship of the former president of Algeria, Ahmed Ben Bella, and included, among others, the former secretary-general of the OAU, Salim Ahmed Salim. Whether it will be effective remains to be seen, as it has only rather recently begun its work. At the time of writing in early 2009, the Panel had identified the kind of support structures it will need to function effectively and commenced the recruitment process. This might take some time due to the fact that recruitment procedures in the AU are slow and bureaucratic. Prior to its establishment, both the OAU and the AU approached mediation in a more *ad hoc* manner by appointing prominent persons, such as former President Nyerere of Tanzania and then President Mandela of South Africa, to mediate (with an informal OAU/AU mandate) in Burundi, or President Obasanjo of Nigeria in the Darfur conflict.

Besides such non-military approaches to dealing with armed conflicts, the AU's various initiatives, activities and institutions devoted to democracy and human rights may also contribute, albeit in a more indirect manner, to preventing armed conflicts or bringing about peace. The by now established practice of dispatching monitors to oversee elections may thus gradually make these more free and fair, thereby hopefully avoiding armed

clashes over allegations of electoral fraud, as have occurred in, for instance, Kenya and Zimbabwe. The various institutions devoted to human and minority rights such as the African Commission on Human and Peoples' Rights and its companion, the African Court for Human and Peoples' Rights (now subsumed under the African Court of Justice) – or, for that matter, NEPAD with its APRM mechanism – may also help peacefully address the problems of ethnic and other groups that feel disadvantaged and discriminated against, thereby making it less likely that they will resort to violence. One might even argue that programmes such as NEPAD may have similar consequences by, hopefully, promoting economic growth in member countries, thereby reducing such economically motivated grievances in society as might motivate violence. The main problem with such indirect and preventative initiatives is, however, that their success will be measured in the non-occurrence of violent conflict, which may always be the result of other factors.

Military Tools

Since 2004 the AU has developed a Common African Defence and Security Policy, containing provisions for both collective security and collective defence, the former making provision for mutual assistance to any member country being attacked by another member, the latter obliging members to assist each other in the event of an attack against any member being attacked by a non-member. These ambitions were stated in the AU Non-Aggression and Common Defence Pact (AUNACDP) of January 2005, which in fact concentrates on common defence rather than collective security. Besides this, the AU has also been planning for peacekeeping and other peace support missions.

In order to realise these objectives, the AU needs to have armed forces at its disposal, for which the African Standby Force (ASF) is being developed – officially as the first step towards the creation of an African standing army. In the protocol establishing the PSC, it was outlined that 'Such Force shall be composed of standby multidisciplinary contingents, with civilian and military components in their countries of origin and be ready for rapid deployment at appropriate notice.' It was decided that the five economic regions should each be responsible for setting up an extended brigade-size formation of up to 5,000, consisting of 3,500 troops, 120 military observers, 400 police and the rest civilian personnel, with a brigade headquarters, four infantry formations, reconnaissance capabilities, medical units, engineering capabilities and a helicopter unit. The roadmap plan for the ASF further stipulates that the ASF must be able to deploy its first forces at two weeks' notice, and not the thirty days required for

traditional PSO missions. This means that brigade HQ capacity and logistic support must be in place at all times in order to be able to deploy within this timeframe. It is, moreover, acknowledged that individual members (in effect regional powers such as Nigeria or South Africa) are the only states that possess this capacity. The ASF concept also includes a Rapid Reaction Capability, where each region has a battalion-sized force on stand-by for rapid deployment.

Even though the Nordic Stand-by High Readiness Brigade (SHIRBRIG)²¹⁷ structure has been named as the model on which this standby system is based, the ASF is envisaged as undertaking a greater variety of tasks than was originally expected of SHIRBRIG, which in its initial phase was intended for peace-keeping missions only. Hence, the ASF must be seen as a conventional military force, though not a standing one, with an offensive capability.

Of the five planned brigades, the brigade in West Africa (ECOWAS Stand-by Force (ECOBRIg)) seems to be closest to becoming operational: ECOWAS members claim that it will be fully operational by 2010, and an exercise involving nearly 3,000 soldiers is planned for 2009. With donor assistance, ECOWAS has named three Centres of Excellence: the National Defence College in Abuja, focusing on the strategic level; the Kofi Annan Peacekeeping Training Centre in Accra, focusing on the operational level; and the Peacekeeping School in Bamako, with responsibility for training at the tactical level. ECOBRIg's members have pledged troops for the force, signed all the framework documents, and established a brigade HQ and the three Centres of Excellence. The only issues still outstanding are the civilian elements of the ASF and the creation of a standby roster.

In southern Africa, SADC has been given the responsibility for the establishment of one of the projected five standby brigades. The staffing of the multinational planning team for SADC ASF began in 2005 and is now in place, tasked with assisting in the day-to-day activities of the force and with monitoring deployment readiness. However, due to the lack of trust between the members of SADC, SADCBrig has experienced difficulties with the planned inspection of pledged capabilities. In some cases the pledged forces and capabilities are not actually available, either because they are being used for other tasks or because they simply do not exist as yet, but will, at best, only become available later. However, both

(217) SHIRBRIG was declared operational on 1 January 2000, and was deployed in UN missions in Ethiopia/Eritrea in 2000, and in Sudan in 2005. The Force has now been dissolved.

SADC and the AU claim that the brigade will be fully operational by 2010, and they declared the force operational in the summer of 2007. SADC's School of Excellence, the Regional Peacekeeping Training Centre (RPTC) in Harare, was a Zimbabwean initiative that was granted donor support and established in 1997, but due to the political crisis in Zimbabwe it has lost its international funding. It is still operational, but has so far not been able to function effectively.

In East Africa the responsibility for setting up a regional brigade was initially given to IGAD, but in 2007 the heads of state and government in the East African region decided to establish and operationalize an Independent Co-ordination Secretariat, EASBRICOM, and thus to operate outside the framework of IGAD. Since its establishment EASBRIG has moved forward rapidly, and it maintains that it will be fully operational by 2010, but this seems questionable. Despite its institutional weaknesses, EASBRIG, as opposed to SADC, is being heavily supported by international donors helping with financial support and training. An area where EASBRIG has only shown limited progress is in setting up Centres of Excellence, that is, training facilities at the strategic, tactical and operational levels.

The Economic Community of Central African States (ECCAS) is furthest away from being able to declare its brigade, ECCAS Brig, operational. As part of the establishment of the ASF, the ECCAS Chiefs of Defence meeting in 2003 decided that the organisation should establish a brigade-sized ASF, and joint exercises were planned for every second year. However, due to the security situation in a number of ECCAS member states progress has been very limited, and it is unclear when, if ever, ECCAS members will be able to field a functioning joint brigade structure. Much will depend on a state such as Angola, which has a significant military capability, but which is at the same time also a member of the Southern African Brigade, SADCBRIG. The ECCAS members have pledged troops to the brigade and signed the framework documents, but the region still has not designated any future centres of excellence, nor established a brigade headquarters, and it has not even begun to establish the civilian components or a stand-by roster.

In North Africa the development was initially extremely slow due to internal differences and competition between the Maghreb countries. However, within the last couple of years there has been progress in establishing the North African Stand-by Brigade (NASBRIG), and the North African states have now declared that they have now, under Algerian and Egyptian leadership, established several of the required institutions, including

a planning element, received troop pledges from member states and set up a brigade headquarters. The outstanding issues for NASBRIG are the selection of centres of excellence for joint training (which is ongoing) and the creation of the civilian components and the standby roster for civilian personnel, which has not even been started.

The Current Debate and the Future Security Role

Ever since the founding of the AU, let alone its predecessor, there has been a wide gap between the solemn declarations of intent and actual activities and achievements. For instance, given that Africa remains the most conflict-ridden region of the world and that quite a few African governments have little control over their own territory, it strikes many observers as quite bizarre to contemplate and negotiate anything like a government for all of Africa.

There seems to be a divide among African governments between 'realists' and 'idealists', quite similar to the divide between the Monrovia and the Casablanca groups at the founding of the OAU. Many of the actual disagreements are being concealed by the typical consensus agreements adopted by AU summit meetings. One possible reading is that the realists such as South Africa accept what they regard as utopian but harmless suggestions, in return for which they obtain the approval of the AU for gradualist and pragmatic schemes such as NEPAD, while the idealists such as Libya accept the gradualist schemes only if they are packaged as contributions to, and steps towards, the higher goals. Some would argue that it is preferable to have very ambitious goals, manifested in detailed plans and an elaborate institutional structure, even though the available resources do not allow for all the institutions and offices to be properly staffed and equipped, thus enabling them actually to implement their mandates. Having the 'blueprint' available may allow the blanks to be gradually filled in as resources become available. Others disagree with such a strategy, which almost inevitably leads to under-achievement, and would prefer the formulation of less ambitious, but actually achievable goals.

Especially severe problems may appear with regard to the envisaged role of the RECs within the overall African Security Architecture. While it seems entirely realistic that ECOWAS will be able to meet the demands placed on it in West Africa – assuming that Nigeria remains reasonably stable – it is less likely that the other RECs will be up to the task. Depending on South Africa's continued willingness to take the lead and shoulder the

main burden, SADC may be able to meet the demands placed on it, but whether the other members of the organisation will accept South African leadership (or even hegemony) will depend, to a large extent, on how the Zimbabwean crisis unfolds. It seems more unlikely that IGAD will be able to meet the security challenges in East Africa or the 'Greater Horn of Africa', both because the crises in Somalia and Sudan are very demanding, and because of the lack of any state that could serve as a leader, let alone be accepted as such. In both Central and North Africa, the sub-regional organisations or RECs (ECCAS and the AMU, respectively) are obviously completely incapable of playing any significant role in the foreseeable future, which has resulted in the security structures being created outside the existing regional economic communities.

What proves to be realistic in the future will depend to a large extent on the continued willingness of the rest of the world (e.g. the G8, the EU and the UN) to contribute financially and otherwise to AU initiatives and activities. It seems likely that they will continue funding AU peacekeeping missions such as those in Darfur and Somalia, as this is much cheaper than comparable UN missions and does not morally oblige countries from the West to contribute troops. Continued funding may, however, assume that the AU does not conspicuously fail with such missions – as they are almost bound to do in Somalia – and, even more importantly, that the organisation is not perceived by the West as supporting the 'wrong' side. For instance, the widespread opposition to the indictment by the International Criminal Court of the Sudanese president, Omar al-Bashir, is likely to make Europe somewhat less eager to support the AU.

Milestones of the AU

Figure 5.6: Milestones of AU

Events	Year	Documents	Miscellaneous
Addis Ababa Summit	2009		
Addis Ababa	2008		2nd Summit in Egypt
Addis Ababa	2007	Charter on Democracy	2nd Summit in Accra
Khartoum Summit	2006		2nd Summit in Banjul
Abuja Summit	2005	Non-Aggression and Common Defence Pact	2 extra summits
Addis Ababa	2004		Extraord. Summit in Sirte
Maputo Summit	2003	Prot. on Court of Justice	
Durban Summit	2002	Prot. on Peace and security Council	Launch of AU
Lusaka Summit	2001	Prot. on Pan-African Parliament	
Lomé Summit	2000	AU Constitutive Act	

Chapter 5

Events	Year	Documents	Miscellaneous
Algiers Summit	1999	Terrorism Convention	Extraord. Summit in Sirte
Quagadougou	1998	Court of Human and Peoples Rights	
Harare Summit	1997		
Yaoundé Summit	1996		
Addis Ababa	1995	Cairo Agenda for Action/Pelindaba Treaty	
Tunis Summit	1994		
Cairo Summit	1993		
Dakar Summit	1992	Decision on Mechanism for Conflict Prevention, Management etc.	
Abuja Summit	1991	African Economic Community	
Addis Ababa	1990	Charter on Rights and Welfare of the Child	
Addis Ababa	1989		
Addis Ababa	1988		
Addis Ababa	1987		
Addis Ababa	1986		
Addis Ababa	1985		
Addis Ababa	1984		
Addis Ababa	1983		
	1982		
Abuja Summit	1981	Charter on Human and Peoples' Rights	
Freetown Summit	1980		
Monrovia Summit	1979		
Khartoum Summit	1978		
Libreville Summit	1977	Mercenary Convention	
Port-Louis Summit	1976	Cultural Charter for Africa	
Kampala Summit	1975		
	1974		
Addis Ababa	1973		
Rabat Summit	1972		
Addis Ababa	1971		
Addis Ababa	1970		
Addis Ababa	1969	Refugee Convention	
Algiers Summit	1968		
Kinshasa Summit	1967		
Addis Ababa Summit	1966		
Accra Summit	1965		
Cairo Summit	1964		
Addis Ababa	1963	OAU Charter	Founding of the OAU

Past Operations

Figure 5.7: Past OAU/AU Peacekeeping Missions

Country	Name	Time	Contributors	
			Troops	Observers
Organisation for African Unity				
Chad	Neutral Force	1981-82	Nigeria and Senegal.	Algeria, Guinea-Bissau, Kenya and Zambia.
Rwanda	MOT	1990-91		Burkina Faso, Uganda and Zaire.
	NMOG-I	1991-92		Mali, Nigeria, Senegal and Zimbabwe.
	NMOG-II	1992-93	Tunisia.	Cameroon, Rep. of Congo, Nigeria, Senegal and Tunisia.
Burundi	OMIB	1993-96		Burkina Faso, Camerron, Guinea, Mali, Niger and Tunisia.
Comoros	OMIC	1997-99		Egypt, Niger, Senegal and Tunisia.
African Union				
Burundi	AMIB	2003-04	South Africa, Ethiopia and Mozambique.	Burkina Faso, Gabon, Mali, Togo and Tunisia.
Legend: AMIB: African Union Mission in Burundi; MOT: Military Observer Team; NMOG: Neutral Military Observer Group; OMIB: Observer Mission in Burundi; OMIC: Observer Mission in the Comoros.				

Documents of Special Importance

(Adoption/Entry into Force)

- *OAU Charter (1963)*
www.africa-union.org/root/au/Documents/Treaties/text/OAU_Charter_1963.pdf.
- *General Convention on the Privileges and Immunities of the Organization of African Unity (1965)*
www.africaunion.org/root/au/Documents/Treaties/text/GENERAL%20CONVENTION%20PRIVILEGES.pdf.
- *Convention Governing the Specific Aspects of Refugee Problems in Africa (1969/74)*
[www.africa-union.org/root/ au/Documents/Treaties/Text/Refugee_Convention.pdf](http://www.africa-union.org/root/au/Documents/Treaties/Text/Refugee_Convention.pdf).
- *Cultural Charter for Africa (1976/90)*
www.africa-union.org/root/au/Documents/Treaties/Text/Cultural_Charter_for_Africa.pdf
- *OAU Convention for the Elimination of Mercenarism in Africa*

- (1977/85) www.africa-union.org/root/au/Documents/Treaties/Text/Convention_on_Mercenaries.pdf.
- *African Charter on Human and People's Rights* (1981/86)
www.africa-union.org/root/au/Documents/Treaties/Text/Banjul%20Charter.pdf.
 - *African Charter on the Rights and Welfare of the Child* (1990/99)
www.africa-union.org/root/au/Documents/Treaties/Text/A.%20C.%20ON%20THE%20RIGHT%20AND%20WELF%20OF%20CHILD.pdf.
 - *Treaty Establishing the African Economic Community* (1991/94)
www.africa-union.org/root/au/Documents/Treaties/Text/AEC_Treaty_1991.pdf.
 - *African Nuclear-Weapon-Free Zone Treaty* (Pelindaba Treaty, 1995/-)
www.africa-union.org/root/au/Documents/Treaties/Text/African_Nuclear_Weapon.pdf.
 - *Protocol on the African Court of Human and Peoples' Rights* (1998/2004)
www.africa-union.org/root/au/Documents/Treaties/Text/africancourt-humanrights.pdf.
 - *OUA Convention on the Prevention and Combating of Terrorism* (1999/2002)
www.africa-union.org/root/au/Documents/Treaties/Text/Algiers_convention%20on%20Terrorism.pdf.
 - *Constitutive Act of the African Union* (2000/01)
www.africa-union.org/root/au/AboutAU/Constitutive_Act_en.htm
 - *Protocol on the Pan-African Parliament* (2001/03)
www.africa-union.org/root/au/Documents/Treaties/Text/protocol-panafrican-parliament.pdf.
 - *Protocol on the Establishment of the Peace and Security Council* (2002/2003)
www.africaunion.org/root/au/Documents/Treaties/Text/Protocol_peace%20and%20security.pdf
 - *Protocol on the Court of Justice of the African Union* (2003/-)
www.africaunion.org/root/au/Documents/Treaties/Text/Protocol%20to%20the%20African%20Court%20of%20Justice%20-%20Maputo.pdf
 - *Protocol on Amendments to the Constitutive Act of the African Union* (2003)
www.africaunion.org/root/au/Documents/Treaties/Text/Protocol%20on%20Amendments%20to%20the%20Constitutive%20Act.pdf
 - *Solemn Declaration on a Common African Defence and Security Policy* (2004)

- www.issafrica.org/AF/RegOrg/unity_to_union/pdfs/au/assembly/sir-tefeb04/cadspdecl.pdf
- *Protocol to the OAU Convention on the Prevention and Combating of Terrorism* (2004)
www.africaunion.org/root/au/Documents/Treaties/Text/The%20Protocol%20on%20Terrorism%2026July2004.pdf
- *African Union Non-Aggression and Common Defence Pact* (2005/-)
www.africaunion.org/root/au/Documents/Treaties/text/Non%20Aggression%20Common%20Defence%20Pact.pdf
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Weblinks

The AU's official website is located at www.africa-union.org/.

The AU publishes a biannual academic journal, *African Review of Integration*, which is mainly (but not exclusively) devoted to economic matters. See: www.africa-union.org/root/ua/Newsletter/EA/Contenueng.htm.

The Institute for Security Studies has a website featuring all AU documents and those of the RECs, see: www.issafrica.org/.

The *AU Monitor* offers daily news and a searchable archive on the AU, including its interface with civil society organisations, see: www.pambazuka.org/aumonitor/.

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Chapter 6

The Organisation for Security and Cooperation in Europe: Losing its *raison d'être*?

By Bjørn Møller

The Organisation for Security and Cooperation in Europe (OSCE) comprises all European states, including all successor states to the former Soviet Union, as well as the USA and Canada, that is, most of the northern hemisphere. Even though it is recognised by the United Nations (UN) as the regional security organisation for Europe, it is far less known than, say, NATO (North Atlantic Treaty Organisation) or the EU (European Union) and probably rightly so, as its contribution to European security has not been particularly significant since the end of the Cold War. The main reason for this is not that the OSCE was predestined to relative insignificance, but that the other organisations, as well as their member states – initially mainly the West, but gradually also the former East, including Russia – have preferred other institutional settings for their multilateral activities. Moreover, both NATO and the EU have contributed to the relative insignificance of the OSCE by appropriating much of its agenda, including the very broad and comprehensive approach to 'security' which used to be the hallmark of the OSCE and its precursor, the Conference on Security and Cooperation in Europe (CSCE).

Nevertheless, the OSCE still makes a difference for European security, as it remains the only forum where all European states meet on a regular basis, and because it has assumed responsibility for several important but often overlooked tasks, such as mediation with a view to conflict prevention or election monitoring with a view to strengthening democracy. Such activities are usually undertaken with a deliberately low profile which may be a precondition for success, but which also implies that they only rarely make headlines in the media. 'Conflict prevented in South Ossetia' is simply less likely to appear on the front page of major newspapers than, say, 'Fighting breaks out in Abkazia.'

Historical Introduction

What is today the OSCE began as a series of conferences known as the CSCE, that is, as an instance of 'conference diplomacy'. It began in 1972 with a series of preparatory conferences and meetings leading up to the Helsinki summit of 1975.²¹⁸

The CSCE during the Cold War

Its birth can thus be traced to the *détente* period of the Cold War, when both East and West had come to realise that they would most likely have to coexist for an indefinite period and that they would be better off making this coexistence peaceful. The Cuban missile crisis in 1962 had served as an eye-opener by demonstrating how close the arms race had brought both sides to the brink of an all-out and utterly destructive nuclear war. Because of the huge concentration of both conventional and nuclear weapons in Europe, this region was identified as one where change was most urgently needed.

The main driving force was the Federal Republic of Germany (FRG, better known as West Germany), which by around 1970 had come to realise that its previous refusal to recognise and interact with communist East Germany and its allies in eastern Europe was counterproductive and that there was rather a need for as much interaction as possible, that is, for an active *Ostpolitik*. Lest this be perceived by its allies in NATO as breaking ranks and pursuing a German *Sonderweg*, however, the FRG much preferred a multi-lateral over a bilateral approach to negotiations with the East.²¹⁹ Around the same time, the United States had also come to realise the need for arms control with its main adversary, the Soviet Union, which in turn had, even earlier, adopted the doctrine of 'peaceful coexistence'. There was thus a convergence of interests in a certain relaxation of the very high levels of tension between East and West which had characterised the previous two and a half decades.

One of the contentious issues was who should participate in this process, raising the question of how to define and delimit 'Europe'. Excluding both the USA and the USSR would have skewed the balance of power at the negotiating table in the West's favour, but including only the Soviet Union would be tantamount to accepting a preponderance of the East, outmatching Western Europe. Hence, as a compromise between opposing positions, 'CSCE Europe' came to be defined as comprising not only all of the Soviet

(218) Schramm et. al., 1972; Bredow, 1992.

(219) Griffith, 1978.

Union as well as Turkey, but also the United States and Canada, often referred to as 'Europe from Vancouver to Vladivostock'.

Another bone of contention was the agenda, where a compromise was also struck in favour of a very comprehensive and all-inclusive one which would accommodate both the Soviet Union's demands for guarantees of sovereignty and territorial integrity, disarmament and economic collaboration, and the West's demands for human rights and democracy in the communist countries of eastern Europe. The compromise solution came to be defined as the 'Helsinki Decalogue', included in the concluding document of the 1975 summit, the Helsinki Final Act.²²⁰

Figure 6.1: The 'Helsinki Decalogue'

1. Sovereign equality, respect for the rights inherent in sovereignty.
2. Refraining from the threat or use of force.
3. Inviolability of frontiers.
4. Territorial integrity of states.
5. Peaceful settlements of disputes.
6. Non-intervention in internal affairs.
7. Respect for human rights and fundamental freedoms.
8. Equal rights and self-determination of peoples.
9. Cooperation among states.
10. Fulfillment in good faith of obligations under international law.

Ever since the Helsinki summit, the negotiations and decisions of the CSCE have been arranged in 'baskets' covering security, cooperation and human rights issues, thus ensuring a quite comprehensive security agenda. Not all parties agreed to the contents of each basket, but their combination ensured that there was something of interest to all. This may also help explain why the process maintained a considerable momentum, proceeding from one conference, devoted to one basket, to the next, dealing with another basket – all the same without any permanent institutions such as a permanent secretariat. The process itself was the institution.

Figure 6.2: CSCE 'Baskets'

1st Basket: Security	2nd basket: Cooperation	3rd Basket: Human rights
Inviolability of borders. Confidence-building. Disarmament.	Economics. Science. Technology.	Human contacts. Information. Culture and Education.

(220) For the entire text, see: www.osce.org/documents/mcs/1975/08/4044_en.pdf. See also Schlotter, 1999.

Basket Two proved to be almost without any significance, and it was not until 1990 that any negotiations took place. At the Conference of Economic Co-operation in 1990, however, agreement was reached on a joint commitment to democracy and pluralism, as well as the general principles of a market economy.²²¹ The main significance of Basket Three was that it gave the fledgling civil society groups in the East a platform from which to wage their struggle for democracy and human rights, even though no concrete decisions were taken until the Vienna Follow-Up Meeting (1986-89). At the conclusion of this, the 'Vienna Mechanism' was adopted, granting member states the right to request information on human rights issues from each other and to discuss these matters under the auspices of the CSCE. This was followed up by three conferences on human rights issues. The third of these in Moscow in 1991 adopted the 'Moscow Mechanism', which allows for the dispatch of teams of experts (with the permission of the state in question) or, in the absence of such consent, teams of rapporteurs.²²²

At least throughout the Cold War, by far the most significant basket was Basket One. First of all, it offered the USSR *de facto* recognition of its territorial gains from the Second World War, Poland recognition of the contested Oder-Neisse border, and East Germany its much longed-for recognition as a state. Virtually nothing came out of the commitment to negotiate disarmament until the late 1980s, but a set of confidence-building measures (CBMs) was already agreed upon at the Helsinki Summit, which were subsequently expanded and refined (e.g. as confidence- and security-building measures, CSBMs) at follow-up conferences.²²³ These mainly enhanced transparency and predictability with regard to military activities through a regime of compulsory invitations to observe military manoeuvres above a certain size. Only in 1987 were actual disarmament negotiations launched, in reality between the two antagonistic military alliances, NATO and the Warsaw Pact, but formally under the auspices of the CSCE. These 'CFE' negotiations on conventional armed forces in Europe produced agreement on the largest negotiated arms reductions in European history, which were specifically designed to limit the 'capability for surprise attack and large-scale operations', and therefore focused on tanks, armoured personnel carriers, artillery, combat aircraft and helicopters.²²⁴ With the same objective in mind, the CSCE also hosted a couple of seminars on military doctrines in 1990 and 1991, which *inter alia* were

(221) OSCE, 2007, p. 88; Price, 2001.

(222) OSCE, 2007, p. 91-93; Decaux, 2003.

(223) Borawski 1988 and 1992; Brauch, 1987; Freeman, 1991.

(224) Croft, 1994; Falkenrath, 1994; Hartmann et. al. 1994; Zellner 1994.

intended to allow the two sides to explain that their seemingly offensive and threatening military doctrines were really defensive.²²⁵

From CSCE to OSCE

With the end of the Cold War, the 1990 CSCE summit decided to institutionalise the process, leading to the establishment of the OSCE in 1992, even though the name change only took effect in 1994. In the same period, the number of member states grew considerably, as first the Soviet Union, then Czechoslovakia and finally Yugoslavia were split up into several new states, all of which joined the CSCE/OSCE. Whereas the CSCE had been designed to manage the Cold War and prevent a third world war, the latter threat now receded into the background while a multitude of smaller armed conflicts made their appearance, mainly on the former territories of the Soviet Union and Yugoslavia, in most of which the CSCE/OSCE was assigned a role to play, mainly as mediator. At the 1992 Helsinki summit, the concluding document thus observed that, 'for the first time in decades, we are facing warfare in the CSCE region'.

It was decided to proclaim the OSCE a 'regional organisation' in the sense referred to in the UN Charter's Chapter VIII, and the UN subsequently recognised it as such. A Forum for Security Cooperation (FSC) was created at the 1992 Helsinki summit, dealing mainly with arms control, disarmament and CSBMs, as well as, more recently, security sector reform. A Conflict Prevention Centre (CPC) was also established, tasked with the implementation of early warning and crisis management. At the Valetta Summit it was further decided to establish a mechanism for the peaceful settlement of disputes, consisting of persons, selected from among a slate of candidates, who were willing and able to engage in mediation efforts. If need be, state parties can also take matters to the Court on Conciliation and Arbitration, which is not a permanent institution, but established on an ad hoc basis, and which has so far never been convened.²²⁶ The OSCE has, moreover, established several missions in countries in, or coming out of, conflict, the largest ones being deployed in Bosnia following the Dayton Accords of 1995 and in Kosovo from 1998 to 1999.²²⁷

(225) Krohn, 1991; Lachowski, 1992.

(226) Schlotter et. al., 1994; Schlotter, 1994.

(227) See the sections on 'Current Missions and Operations' and 'Past Missions and Operations'.

Treaties and the Legal Foundations

The OSCE has no international legal status, and its staff therefore does not enjoy diplomatic immunity. Moreover, its decisions are only politically binding, and do not have the status of international law. However, the OSCE still possesses most of the normal features of an international organisation, such as standing decision-making bodies, permanent headquarters and institutions, permanent staff, regular financial resources and field offices.

Like most other international organisations, both the OSCE and its predecessor, the CSCE, have been based on the principles of state sovereignty and the formal equality of all member states. This means that the vast majority of decisions are taken by consensus, implying that any member state can veto any decision. This was already decided at the founding Helsinki Summit, and remains the main component in the Rules of Procedure adopted in 2006, which also stipulate that the chairmanship of the organisation rotates each calendar year, that the chairman is elected by the summit meeting two years in advance and that continuity is to be ensured by a 'troika' system, the incumbent chairman being 'assisted' by both his predecessor and his appointed successor.²²⁸

While both these arrangements have weakened the organisation considerably, two important exceptions to the consensus/unit veto rule introduced along the way have had the opposite effect. In January 1992, the 'consensus minus one' decision-making procedure was adopted, according to which all other member states can take decision about one member state's 'clear, gross and uncorrected violation' of its OSCE commitments without that state's consent. It was used in June the same year to suspend Yugoslavia's membership. In December 1992 it was decided that the Ministerial Council can order two member states to seek conciliation without those states' approval – sometimes referred to as the 'consensus minus two' rule.

In the OSCE Parliamentary Assembly, decisions are taken by simple majority, but as this is an autonomous body with no direct influence on actual decisions, this is of little significance.²²⁹

(228) OSCE, 2007, pp. 19-21.

(229) Habegger, 2006.

Current Organisational Setup

Institutionalisation has produced a fairly elaborate organisational structure, featuring a permanent Secretariat, a Permanent Council, a Parliamentary Assembly, a Court of Conciliation and Arbitration, a High Commissioner for National Minorities, an Office for Free Elections (subsequently renamed the 'Office for Democratic Institutions and Human Rights'), a Representative on Freedom of the Media, an Economic Forum, a Conflict Prevention Centre and a Forum for Security Cooperation.

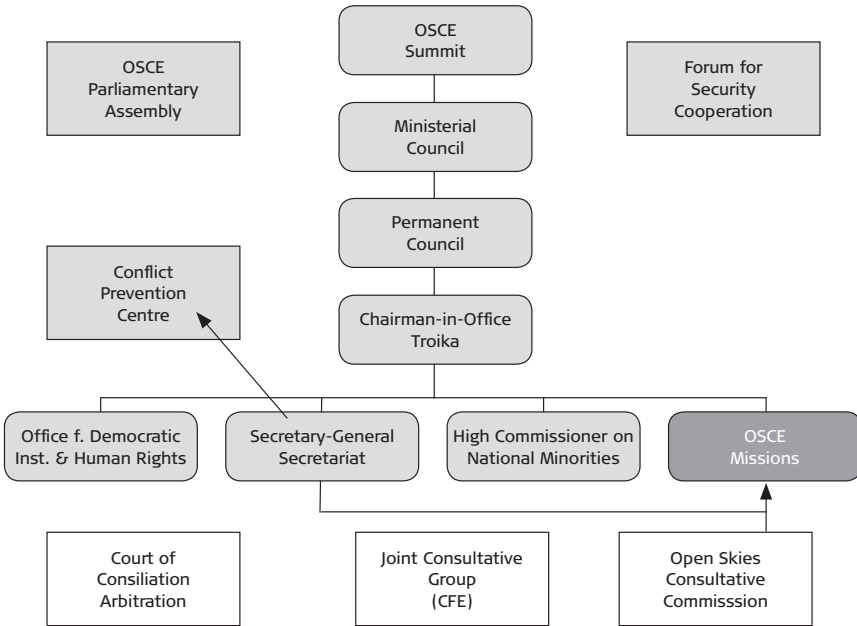
The Summit of heads of state and government is the highest authority, in between which states are represented by more frequent meetings of the Ministerial Council, as well as, on a day-to-day basis, by their ambassadors in the Permanent Council. The summit elects a Chairman-in-Office, who is assisted, in a consultative sense, by his or her predecessor and successor, the three together forming a 'troika'. They are the institutions to which the Secretariat headed by a Secretary-General is accountable, as are the various special organs, only some of which have been included in Figure 6.3.

Closer analysis, however, reveals most of the 'branches' of the 'OSCE tree' to be quite weak, understaffed, under-funded and granted quite inadequate competences to allow them to fulfil their stated objectives. The Secretariat, as the embodiment of the organisation as such, is not a particularly strong institution compared to the EU Commission or even the post of Secretary-General of organisations such as the UN or NATO. It may also weaken the organisation that postings at the OSCE are usually not seen as more than stepping-stones in diplomatic careers, limiting commitment to the organisation.

Outside the hierarchical structure are certain special organs and institutions such as the Court of Conciliation and Arbitration, the Parliamentary Assembly and the Forum for Security Cooperation, of which the former has yet to be used, and the second is only of very modest significance.²³⁰

(230) Schneider and Müller-Wolf, 2007; OSCE, 2007, pp. 37-37, 82-87.

Figure 6.3: The OSCE's Organisational Structure (simplified)



Ever since 1975, both the CSCE and the OSCE have included virtually all European states, the only ones to hold out being Albania and Andorra, which joined in 1991 and 1996 respectively. Only four members have been lost: East Germany when it was incorporated into the FRG, and Czechoslovakia, the Federal Republic of Yugoslavia and the USSR when they dissolved into several new states. By the end of 2008, the only potential members – i.e. proclaimed states recognised by some but not all members of the OSCE – were Kosovo, North Cyprus, South Ossetia and Abkhazia. The expansion of membership has thus taken place through the fragmentation of units rather than geographical growth.

Figure 6.4: Member States of the OSCE (dates of joining in brackets)

Founding Members (1975)		Ex-USSR	Ex-FRY
Austria	Monaco	Azerbaijan (1992)	Croatia (1992)
Belgium	Netherlands	Belarus (1992)	Slovenia (1992)
Bulgaria	Norway	Estonia (1991)	Bosnia & Herzegovina (1992)
Canada	Poland	Georgia (1992)	Macedonia (1995)
Cyprus	Portugal	Kazakhstan (1992)	Serbia (2000)

Founding Members (1975)		Ex-USSR	Ex-FRY
Denmark	Romania	Kyrgyzstan (1992)	Montenegro (2006)
Finland	San Marino	Latvia (1991)	
FRG	Spain	Lithuania (1991)	New Members
France	Sweden	Moldova (1992)	Albania (1991)
Greece	Switzerland	Russian Federation (1992)	Andorra (1996)
Holy See	Turkey	Tajikistan (1992)	
Hungary	UK	Turkmenistan (1992)	Legend: CSSR: Czech and Slovak Socialist Republic; FRG: Federal Republic of Germany; FRY: Federal Republic of Yugoslavia; GDR: German Democratic Republic; USSR: Union of Socialist Soviet Republics.
Iceland	USA	Ukraine (1992)	
Ireland	Dismantled	Uzbekistan (1992)	
Italy	CSSR		
Liechtenstein	FRY	Ex-CSSR	
Luxembourg	GDR	Czech public (1993)	
Malta	USSR	Slovak Republic (1993)	

Security Cooperation

The OSCE has a number of partners for cooperation. Cooperation and partnership are based on the Platform for Cooperative Security, adopted at the 1999 Istanbul summit and coordinated by the Section for External Cooperation in the Secretariat.²³¹

First of all, the OSCE cooperates with other international organisations, mainly the UN, the EU, NATO and the Council of Europe, but also, though to a more limited extent, with the Central European Initiative, the Commonwealth of Independent States (CIS), the Collective Security Treaty Organisation (CSTO), the Organisation for Democracy and Economic Development, the Organization of the Black Sea Economic Cooperation, the Southeast European Co-operative Initiative (SECI) and the South East European Co-operation Process. Most of this collaboration is informal and ad hoc, rather than built upon any clear and treaty-based division of labour and responsibilities. However, there tends to be a more continuous and practical collaboration at the level of field missions, where the organisations have to collaborate on concrete and practical projects on a day-to-day basis. On an even more limited scale, there is also some cooperation with non-European organisations such as the African Union (AU), the League of Arab States (LAS), the Organization of the Islamic Confer-

(231) OSCE, 2007, pp. 100-106.

ence (OIC), the Organisation of American States (OAS), the Association of Southeast Asian Nations (ASEAN) and the ASEAN Regional Forum (ARF). Secondly, the OSCE has cooperative relations with a number of states in Asia (Afghanistan, Japan, South Korea, Mongolia and Thailand), and in the Mediterranean region (Algeria, Egypt, Israel, Jordan, Morocco and Tunisia).

Current Missions and Operations

By far the most comprehensive and resource-consuming activity of the OSCE has been its various field missions (with different labels), dispatched with different mandates and different time perspectives to various member states, especially in the former Soviet Union and the former Yugoslavia.²³²

Figure 6.5: OSCE Field Missions (as of October 2008)²³³

Name/Time	Mandate	Staff	Cost
Albania			
OSCE Presence in Albania (March 1997)	Legislative and judicial reform; regional administrative reform; electoral reform; parliamentary capacity-building; anti-trafficking/-corruption policies; laws and regulations on media; good governance; strengthening civil society; police assistance.	27 + 75	3,545
Armenia			
OSCE Office in Yerevan (July 1999)	Implementation of OSCE principles and commitments; contacts with local authorities, universities, research institutions and NGOs	7 + 33	2,473
Azerbaijan			
OSCE Office in Baku (Nov. 1999)	Implementation of OSCE principles and commitments; contacts with local authorities, universities, research institutions and NGOs.	12 + 20	2,499
Belarus			
OSCE Office in Minsk (Jan. 2003)	Promoting institution building, consolidating the rule of law; developing relations with civil society; assisting in developing economic and environmental activities.	13 + 8	962
Bosnia-Herzegovina			
OSCE Mission to Bosnia and Herzegovina (Dec. 1995)	Established under Dayton Agreement: Organise, conduct and supervise elections; establish permanent election commission; elaborate and implement agreements on CSBM, arms control; appoint Human Rights Ombudsman; monitor human rights.	93 + 446	14,974

(232) OSCE, 2007, pp. 39-79.

(233) Based on OSCE, Conflict Prevention Centre: 'Survey of OSCE Field Operations' (1 October 2008), OSCE Documents, no SEC.GAL/182/08.

The Organisation for Security and Cooperation in Europe: Losing its raison d'être?

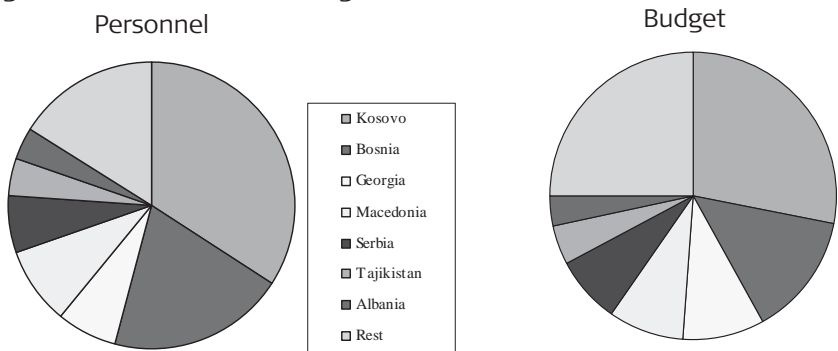
Name/Time	Mandate	Staff	Cost
Croatia			
OSCE Office in Zagreb (Jan. 2008)	Monitor cases of ICTY transfers; report on implementation of housing care programmes.	9 + 25	2,749
Georgia			
OSCE Mission to Georgia (Dec. 1992)	A) Georgian-Ossetian conflict: facilitate broader political framework; discussions with all parties to the conflict, make recommendations regarding the early convening of an international conference; establish contact with military commanders; gather information on military situation, investigate violations of the ceasefire; be actively involved in the reconvened Joint Control Commission; maintain visible OSCE presence throughout the area. B) Georgia/ Abkhazia conflict: liaison with UN operations. C) Georgia: promote respect for human rights; assist in developing legal and democratic institutions and processes; providing advice on new constitution; legislation on citizenship and establishment of an independent judiciary; monitoring elections. D) 2000-2004: observe and report on movements across the border between Georgia and the Chechen, Ingush and Dagestan republics of the Russian Federation.	46 + 137	9,751
Personal Representative of the Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference (Aug. 1995)	Represent OSCE CiO in issues related to the Nagorno-Karabakh conflict, e.g. in achieving agreement on cessation of armed conflict and deployment of OSCE peace-keeping operation; assist parties in implementing and developing confidence-building, humanitarian and other measures facilitating the peace process.	5 + 11	1,051
Kazakhstan			
OSCE Centre in Astana (July 1998)	Promote implementation of OSCE principles and commitments; facilitate contacts and promote information exchange; training of Kazakh officials.	6 + 19	2,068
Kosovo			
OSCE Mission in Kosovo (Part of UNMIK) (July 1999)	Assist in democratization and governance; election organisation and supervision; media affairs; human rights monitoring; establishment of an Ombudsman institution; rule of law; training of a new police service.	262 + 664	30,060
Kyrgyzstan			
OSCE Centre in Bishkek (July 1998)	Promoting the implementation of OSCE principles and commitments; facilitating contacts with all relevant parties.	17 + 70	5,052

Name/Time	Mandate	Staff	Cost
Macedonia			
OSCE Spillover Monitor Mission to Skopje (Sept. 1992)	Monitor developments along border with Serbia; promote respect for territorial integrity and maintenance of peace, stability and security; help prevent conflict in the region; establish contacts with relevant parties; assess level of stability and the possibility of conflict; maintain high profile; assist in the redeployment of police; assistance to increase representation of non-majority communities; strengthening local self-government; projects on rule of law and media development; support for High Commissioner on National Minorities on education.	74 + 164	9,079
Moldova			
OSCE Mission to Moldova (Febr. 1993)	Assist in political framework for dialogue and negotiations on political settlement of the conflict, consolidating the independence and sovereignty of the Republic of Moldova; gathering and providing information; investigating specific incidents; encouraging early, orderly and complete withdrawal of foreign troops; advice and expertise on human and minority rights, democratic transformation, repatriation of refugees; definition of special status of Transdnierster; ensuring transparency of removal and destruction of Russian ammunition and armaments.	13 + 35	1,965
Montenegro			
OSCE Mission to Montenegro (June 2006)	Promote the implementation of OSCE principles and commitments; facilitate contacts; co-ordinate activities.	14 + 32	2,310
Serbia			
OSCE Mission to Serbia (Jan. 2001)	Provide assistance and expertise on democratisation and human rights; assist and advise on implementation of legislation; monitor democratic institutions, processes and mechanisms; assist in the restructuring and training of law enforcement agencies and the judiciary; assistance and advice in the field of the media; advice and support in order to facilitate the return of refugees and internally displaced persons.	48 + 127	8,200
Tajikistan			
OSCE Office in Tajikistan (June 2008)	Promote implementation of OSCE principles; assist in the development of common approaches to security, support efforts to develop economic and environmental dimension; assist in the human dimension; assist in the development of democratic political institutions.	24 + 89	4,725
Turkmenistan			
OSCE Centre in Ashgabad (July 1998)	Promoting the implementation of OSCE principles and commitments.	5 + 19	1,338

Name/Time	Mandate	Staff	Cost
Ukraine			
OSCE Project Co-ordinator in Ukraine (June 1999)	Support in adapting legislation, structures and processes to the requirements of democracy.	3 + 41	2,608
Uzbekistan			
OSCE Project Co-ordinator in Uzbekistan (June 2006)	Establish a new form of co-operation; assist in efforts to ensure security and stability, including fighting against terrorism, violent extremism, illegal drug-trafficking and other transnational threats and challenges; further socio-economic development and protection of the environment in the Republic of Uzbekistan.	2 + 15	1,641
Total	19 Missions	680 + 2,030	107,050
Legend: Cost: Budget for 2008 in € Thousand.; Staff: International + Local			

As is apparent from the table, the vast majority of missions deal with so-called 'soft' aspects of security, such as democracy, human rights in general and minority protection in particular, and good governance, including institution-building and the role of civil society. A few, such as those in Bosnia and Georgia, also deal with military matters, but the only in the soft or 'indirect' form of arms control, CSBMs and fact-finding. Judging from these field missions, the OSCE is a profoundly civilian organisation.

Figure 6.6: Personnel and Budget of OSCE Missions²³⁴



It is also obvious that virtually all missions are both small and cheap, the total staff for the nineteen current missions being 2,710, or an average of 143 per mission, of which around 75 percent are locally recruited. The

(234) Based on same source as in note 233

total annual budget is around 100 million Euros, that is, an average of 5.6 million per mission or 40,000 per member of staff. It is also striking that by far the biggest missions are those in Bosnia and Kosovo, which account for more than half of the total personnel and almost half of the budget as shown in the pie charts. Both missions are quite controversial. Bosnia is a country where sovereign power ultimately resides with the international community's High Representative, rather than the national government or those of its two constituent parts, the Federation of Bosnia and Herzegovina and the Republica Srpska. Kosovo had a similar arrangement until February 2008 when it proclaimed independence, yet without ensuring general international recognition. Some OSCE member states thus recognise Kosovo as a state whereas others do not, as is also the case within both NATO and the EU.

The Toolbox

Military Aspects of Security

The main contribution of the CSCE and the OSCE to the military aspects of security in Europe has been in the field of arms control, which may be subdivided into functional and structural arms control and conflict prevention.

Figure 6.7: *The Military/Security Basket of the CSCE and OSCE.*

	'Arms Control'		Conflict Prevention
Objective	Functional	Structural	
Material Change	CSBMs	CFE Treaty (1, 1A, 2)	Field Missions
	Codes of Conduct	Security Sector Reform	Counter-Terrorism
Small Arms Management		Centre for Conflict Prevention	
Transparency	CBMs	Verification	
	Seminars on Military Doctrine		
	Open Skies Treaty		

Most of the initial functional arms measures negotiated under the auspices of the CSCE were labelled CBMs and intended to reduce the risk of an 'inadvertent war' by enhancing the transparency of military activities. This, it was hoped, would avoid situations arising in which one state or alliance misinterpreted its counterpart's military exercises or other activities as preparations for a surprise attack, which might lead to pre-emptive attacks. To this end, member states committed themselves (first in the Helsinki Final Act of 1975, and subsequently in the Stockholm document

of 1986 and the Vienna Documents of 1990 and 1999) to (a) invite representatives from other states (especially from the opposing alliance) to observe military exercises above a certain size; (b) to announce exercises well in advance; and (c) to provide calendars of such manoeuvres, combined with (d) a ban on non-scheduled exercises or other re-deployments of forces. Whereas CBMs (a) through (c) did not alter facts but merely made them more transparent, (d) mandated an actual constraint and thus, strictly speaking, constituted a confidence and security-building measure (CSBM).²³⁵

In the Vienna Documents of 1990 and 1999 further CBMs were agreed, making the provision of information on military holdings and deployments compulsory and establishing a mechanism for consultation concerning 'any unusual and unscheduled activities of their military forces outside their normal peacetime locations which are militarily significant, within the zone of application for CSBMs and about which a participating state expresses its security concern'. In 1992 a Treaty on Open Skies was signed which entered into force ten years later, allowing for over-flights by states of other states' territories according to specified rules, quotas and procedures, etc. A special consultative commission was established under the auspices of the OSCE, and linked to its Forum for Security Cooperation, to oversee it.²³⁶ Other transparency-enhancing measures, not formally labelled CBMs, were the seminars on military doctrines which were conducted under the auspices of the CSCE (1990 and 1991) and subsequently the OSCE's Forum for Security Cooperation in 1998, 2001 and 2006.²³⁷

By far the most significant structural arms control agreement was the CFE Treaty of 1990 (today known as CFE-1), which stipulated deep reductions in the holdings of five major weapon systems: main battle tanks (MBTs), armoured personnel carriers (APCs) and other armoured combat vehicles (ACV), artillery pieces, combat aircraft and armed helicopters. Reductions were stipulated both in terms of total numbers within the ATTU (Atlantic to the Urals) area (i.e. excluding the USA and Canada and the eastern parts of the Soviet Union), and in terms of numbers within geographical zones, thereby thinning out those forward-deployed forces which were deemed most suitable for surprise attacks. It thus envisaged a build-down to lower ceilings for each alliance in all five categories, totalling more than 47,000 major weapons out of holdings amounting to almost 200,000.²³⁸

(235) See note 223.

(236) Hartmann and Heydrich, 2000.

(237) See note 225.

(238) See note 224.

It was followed in 1992 by another treaty (CFE-1A) on military manpower limits. However, the rough parity between East and West aimed at in these treaties lost all meaning with the dissolution of the Warsaw Pact in 1989 and the Soviet Union itself in 1991, both of which produced an overwhelming western superiority. Hence the Russian demand for revisions to the treaty, which were finally achieved in 1999. However, the amended treaty has not yet entered into force for lack of the requisite number of ratifications, and in 2007 Russia announced its suspension of it.²³⁹ The OSCE was also placed in charge of working out the arms control elements of the Dayton Agreement of 1995 for Bosnia and Herzegovina, comprising both functional and structural arms control measures, that is, both CSBMs and ceilings on the holdings of major weapons systems based on the CFE precedent.²⁴⁰

The OSCE has also sought to regulate arms sales with a set of 'Principles Governing Conventional Arms Transfers' adopted in 1993 with the stated intention of furthering 'a new co-operative and common approach to security'. However, it contained only a few, insignificant implementable or enforceable constraints and seems to have had no influence on the behaviour of the signatory states. The same is the case for the initiatives in the fields of small arms control and security sector reform, where the OSCE has limited itself to issuing non-binding guidelines.

A Conflict Prevention Centre (CPC), also established under the Secretary General and the Chairman-in-Office of the OSCE, is tasked with implementation of early warning, crisis management and the like to the extent that the Organisation as such is involved in this. It maintains contacts with the various OSCE missions, plans future missions, stores all information exchanged between member states and maintains a computer network intended to facilitate communication between governments during crises.

The OSCE has also developed a number of 'mechanisms' (i.e. procedures) for dealing with issues such as 'unusual military activities' and 'hazardous incidents of a military nature', as well as one for 'early warning and preventative action'. The latter allows countries involved in disputes, as well as third parties and the OSCE institutions themselves, to raise matters of concern with a view to action by, for example, the Permanent Coun-

(239) Kelleher et. al. 1996; Sharp 2006, Hollis, D. B. (2007) 'Russia Suspends CFE Treaty Participation', *ASIL Insights*, vol. 11, no. 19, available at: www.asil.org/insights/2007/07/insights070723.html

(240) OSCE, 2007, pp. 8-9, 85-87.

cil. At the Valetta meeting in 1991, it was further decided to establish a mechanism for the peaceful settlement of disputes ('Valetta Mechanism'), consisting of persons, selected among a slate of candidates, who are able and willing to engage in mediation efforts. If need be, state parties can also take matters to the Court on Conciliation and Arbitration, which is not a permanent institution, but established on an ad hoc basis, though by the end of 2008 it had still not been convened.

Besides this, however, most of the conflict prevention initiatives taken by the OSCE are best categorised as political measures.

Political Aspects of Security

As conflicts are often initiated by disadvantaged national or other minorities, OSCE's High Commissioner on National Minorities (established in 1992) and the locally appointed 'OSCE Representatives on Tolerance and Non-Discrimination' are potentially important. The OSCE's institutions and activities devoted to the promotion and protection of human rights are also likely to promote 'human security' and may, likewise, make a resort to arms less likely by peacefully addressing the grievances that might otherwise motivate armed rebellion. The OSCE's Office for Democratic Institutions and Human Rights (established in 1990 as the Office for Free Elections) may play a significant role in this respect.²⁴¹

The promotion of democratisation may also be a contribution to security in the sense of preventing conflict and war, as entailed by the 'democratic peace theory'. If the OSCE can help democratise states – and there are good grounds for assuming that it can, at least to some extent²⁴² – it may thus also further peace and security. However, according to more pessimistic theories about the links between democracy and peace, democratisation actually makes armed conflict more rather than less likely.²⁴³ If the pessimists are right, the OSCE's endeavour may still be worthwhile for other reasons, but it would need accompanying efforts to ensure peaceful transitions from dictatorship to democracy – to which the aforementioned OSCE missions and its various human rights and minority protection instruments may contribute.

Economic and Civilian Aspects of Security

While there were initially hopes that the OSCE, with its Basket 2 decisions, might help promote such economic and other interdependence as would,

(241) OSCE, 2007, pp. 29-31.

(242) Flynn and Farrell, 1999.

(243) Mansfield and Snyder, 2005.

according to some theories, promote peace, not much has been accomplished in this field. No actual negotiations were undertaken during the Cold War, and since then the OSCE's activities have been quite insignificant compared to those of the EU and the World Trade Organisation (WTO).

The OSCE has held a couple of conferences on the economic dimension – now expanded to include environmental issues also – and established an Economic and Environmental Forum with a purely exploratory and consultative mandate, involving not only state representatives but also members of civil society and the business community. However, the impact of these seems to be very limited.²⁴⁴

The Current Debate and the Future Security Role

The CSCE was quite important in stabilising East-West rivalry and promoting *détente* during the Cold War, thus adding elements of collaboration and joint commitments to shared goals to the otherwise predominantly conflict-ridden relationship. The arrangement of issues in 'baskets' also proved a constructive way of ensuring reciprocity in asymmetrical relations such as those between East and West, as it allowed for one side's compensation for concessions by the other side to be paid in a different 'currency', for example, Soviet concessions in terms of human rights in return for Western concessions with regard to borders – all of which was embedded in quite a broad and comprehensive concept of security.

After the end of the Cold War, however, the CSCE's more institutionalised successor, the OSCE, has receded almost into oblivion, and its remit has been limited to such tasks, as more powerful organisations such as NATO and the EU have found it insignificant. It does not help that these two organisations have expanded their security agendas considerably, thus removing what may have been the CSCE/OSCE's comparative advantage, namely its comprehensive concept of security.

It is thus not easy to be enthusiastic, let alone optimistic, about the OSCE. This is not so much because there is anything fundamentally wrong with its agenda or setup or because it suffers from incompetence. The main problem is the lack of political will on the part of the major powers in both East and West to provide it with the authority and resources which alone would allow it to play a role commensurate with its official mandate as the supreme regional security organisation in and for Europe.

(244) Price, 2001.

Milestones of CSCE and OSCE

Figure 6.8: Milestones of CSCE/OSCE

Events	Year	Documents	Miscellaneous
	2008		
	2007		
	2006		
	2005		
	2004		
	2003		
	2002		
	2001		
	2000		
Istanbul Summit	1999	Charter for European Security	Adapted CFE Treaty
	1998		
	1997		
Lisbon Summit	1996	Common Security Model for Europe for the 21 st Century	
	1995		
Budapest Summit	1994	Toward a Genuine Partnership in a New Era	Change of name to OSCE
	1993		
Helsinki Summit	1992	The Challenges of Change	Institutionalisation
	1991		
Paris Summit	1990	Charter for a New Europe	
	1989		
Vienna Follow-up Conference (1986-89)	1988		
	1987		
Stockholm Conference on CSBMs (1984-86)	1986		
	1985		
	1984		
Madrid Followup Conference	1983		
	1982		
	1981		
	1980		
Belgrade Follow-up Conference	1979		
	1978		
	1977		
	1976		
Helsinki Summit	1975	Helsinki Final Act	
Negotiations on a European security conference	1974		
	1973		
	1972		

Past Operations

Figure 6.9: Closed OSCE Field Missions²⁴⁵

Name/Time	Mandate
Belarus	
OSCE Advisory and Monitoring Group in Belarus (Sept. 1997-Dec. 2002)	Promote democratic institutions.
Croatia	
OSCE Mission to Croatia (April 1996-Dec. 2007)	Assistance and expertise on human and minority rights; monitor democratic institutions; promote reconciliation, rule of law; return of refugees and IDPs.
Estonia	
OSCE Mission to Estonia (Dec. 1992- Dec. 2001)	Maintain contacts with authorities and NGOs; collect information on the status of the communities in Estonia; contribute to re-create civic society; promotion of local mechanisms to facilitate dialogue and understanding.
OSCE Representative to the Estonian Expert Commission on Military Pensioners (Nov 1994-Aug. 1996)	Participate in the work of the Government commission making recommendations on the issuance of residence permits.
Kosovo	
OSCE Kosovo Verification Mission (Oct. 1998-June 1999)	Verify compliance with UNSCR 1199; maintain close liaison with all relevant parties; supervise elections; report and make recommendations to the OSCE Permanent Council, the UN Security Council and other organisations on areas covered by UN Security Council Resolution 1199. (Withdrawn March 1999, core staff continued out of Skopje. Task Force Kosovo created June 1999, replaced by OSCE Mission in Kosovo July 1999).
Latvia	
OSCE Representative to the Joint Committee on the Skrunda Radar Station (April 1995-Oct. 1999)	Monitor and co-ordinate implementation; participate in decisions taken by the Joint Committee; participate in establishing the procedural and organisational modalities for the functioning of the Joint Committee.
OSCE Mission to Latvia (Nov. 1993- Dec. 2001)	Address citizenship issues; provide information and advice to parties with an interest in a dialogue on these issues; gather information and report on developments.
Russia	
OSCE Assistance Group to Chechnya (Apr 1995-Mar 2003)	Promote respect for human rights, democratic institutions and processes; assist in the preparation of new constitutional agreements and in the holding and monitoring of elections; facilitate the delivery of humanitarian aid; provide assistance for return of refugees and displaced persons; promote peaceful resolution of the crisis; pursue dialogue and negotiations with a view to establishing a cease-fire; support mechanisms guaranteeing rule of law, public safety, and law and order.

(245) Based on same source as in note 233.

Name/Time	Mandate
Tajikistan	
OSCE Centre in Dushanbe (Oct. 2002-June 2008)	Promote implementation of OSCE principles and commitments; promote development of legal framework and democratic political institutions; facilitate contacts and promote information exchange.
Ukraine	
OSCE Mission to Ukraine (June 1994-Apr 1999)	Establishing contacts with relevant actors; collecting information; analysing situation in the Autonomous Republic of Crimea (Ukraine); co-operating with the CSCE High Commissioner on National Minorities; preparing reports on human and minority rights; formulating proposals for economic programmes; monitoring and promoting free media.
Uzbekistan	
OSCE Centre in Tashkent (June 1995-Dec. 2005)	Promote the implementation of OSCE principles and commitments; facilitate contacts and promote information exchange; maintain contacts with relevant actors.
Yugoslavia	
OSCE Missions of Long Duration in Kosovo, Sandjak and Vojvodina (Sep 1992-July 1993)	Promote dialogue; collect information on violations of human rights; establish contact points; providing information on human and minority rights, free media and democratic elections.

Documents of Special Importance

Helsinki Final Act (1975)

www.osce.org/documents/mcs/1975/08/4044_en.pdf

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Chapter 7

Shanghai Cooperation Organisation: Multilateralism in Central Asia

By Liselotte Odgaard

During the Cold War, Central Asia was the backwater of the Soviet state and received almost no attention from other countries. This changed radically with the independence of the former Soviet republics of Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan and Turkmenistan in the wake of the implosion of the Soviet Union. The region's oil and gas resources, its proximity to the main theatre for the US war on terror in Afghanistan and its location as the geographical backyard of Russia and China swiftly transformed Central Asia into a hub for great power interests and demands. The Shanghai Cooperation Organization was created at China's initiative as an attempt to exercise some control over the growing great power competition for strategic and economic influence and over the radicalisation of Islamists in a region wracked by poverty, unstable economic and political conditions and little experience of dealing with the outside world. The SCO brings together China, Russia, Kazakhstan, Uzbekistan, Kyrgyzstan and Tajikistan in an attempt to establish policy coordination and cooperation on economic and military issues of interest to all parties. This chapter gives an outline of the interests that have shaped the SCO, describes how the institution works and assesses to what extent it has achieved its goals of policy coordination and cooperation.²⁴⁶

Historical Introduction

The Shanghai Cooperation Organisation (SCO), the grouping's official name from 2001, was established in 1996 as the Shanghai Five. The SCO arose out of negotiations held in the mid-1990s between China, Russia and the Central Asian states on border disputes. The long-standing tensions between the Soviet Union and China over their shared border became a multilateral issue with the independence of the former Soviet Central Asian republics in 1991. In 1994, China, Russia and the three Cen-

(246) The author wishes to thank Gul-Berna Ozcan for helpful comments.

tral Asian states bordering China – Kazakhstan, Kyrgyzstan and Tajikistan – first formed an arrangement, and in 1996, these countries signed the Shanghai Agreement on Confidence Building in the Military Field in the Border Area, followed in 1997 by the Agreement on Mutual Reduction of Military Forces in the Border Areas. These agreements set out measures of military restraint and transparency along all five states' mutual borders. The agreements formed the first multilateral bond between what became known as the Shanghai Five. The countries' relations were further stabilized by a series of bilateral agreements on frontier delineation, trade and cooperation.²⁴⁷ Border settlements have contributed to the ability of China and its neighbours to agree on more comprehensive and permanent mechanisms of policy coordination and cooperation.

The 2001 declaration on the creation of the SCO sets out the various goals of the organisation.²⁴⁸ However, the organisation was devised by China primarily as a mechanism for preventing separatism and for confronting terrorism by Islamic extremists, while expanding economic relations. It was the first time that China had taken the initiative in establishing a multilateral organisation. Although it served Chinese security interests in binding neighbouring governments to withhold support from opposition Muslim groups in Xinjiang, an autonomous region in the northwest of China, it also addressed regional concerns about the territorial integrity of the new states of Central Asia and promised concerted action against the perceived common threats of terrorism and Islamic extremists. Since the Cold War, separatists in Central Asia and in Xinjiang have become active again, reviving the goal of establishing an East Turkestan²⁴⁹ on the basis of Turkish ethnicity. Beijing sees the newly won independence of the former Soviet republics as the principal cause of the recent rise in nationalist sentiment among the Turkish-speaking Uyghurs.²⁵⁰

The Chinese attached much of their prestige to the SCO, which was named after a Chinese city, had its headquarters located in China and was mainly staffed by Chinese. The SCO is China's principal point of entry into Central

(247) Bailes et. al., 2007, p. 4.

(248) For more on the goals of the SCO, see the section on 'Treaties and the Legal Foundations' below.

(249) East Turkestan existed from 1939 to 1945 and was based on Uyghur national identity. Uyghurs are the oldest Turkic group that has literary and governing traditions. Their language is the oldest in the region. Thus, they enjoy considerable respect and sympathy among Muslim Central Asians. China has a large Uyghur ethnic minority based in Xinjiang. Political and economic hardship in China has led to a large exodus of Uyghurs from China into Central Asia. See Ozcan, forthcoming.

(250) Shulong, 2003, pp. 186-187.

Asia, and China is keen to build on it, despite its relative lack of power and influence in the region. Chinese influence in the region has been minimal in modern times, while Russian residual power from the days of the Soviet Union is still very great.²⁵¹

Issues regarding energy and energy pipelines play a central role in the history of the Central Asian political economy. Beijing hopes that the SCO will help China gain access to oil and gas reserves without engendering conflict. The founding declaration of the SCO lists as one of its goals cooperation in developing energy. The pipeline issue is relatively new in Central Asia. During the Soviet era of central planning, regional energy producers did not need to consider the issue of pipelines. Central Asia and the Caucasus have been producing oil since 1871. Before the Second World War, this area satisfied half of the world's crude oil demand. However, since after the Second World War the Soviet Union focused on developing the energy reserves of Siberia and on exporting these to Eastern and Western Europe, pipelines were constructed to meet these priorities. By contrast, Central Asian energy reserves, which are predominantly located in Kazakhstan and Turkmenistan, were either used locally or transported for short distances within the Soviet Union and subsequently refined. Consequently, Russia's oil and gas industries have been prioritised and developed, rather than the industry of the Central Asian republics.

When the Soviet Union imploded in 1991, foreign companies and countries began to make offers of trade. Foreign direct investments were strictly controlled in Turkmenistan and Uzbekistan, but encouraged in Kazakhstan and Kyrgyzstan. The newly independent states in Central Asia welcomed the attention of foreign entities because they expected to profit substantially from cooperating with them. These states did not have much else that might attract investments and capital, and without foreign direct investments it appeared impossible for them to undertake the modernisation and nation-building processes that were necessary to create domestic social and political stability. The SCO does not directly address these socio-economic issues, but it is designed as a confidence-building measure intended to prevent inter-state conflict from dominating relations due to competition over resources and investments.²⁵²

The value of the SCO as a confidence-building measure has proved limited. The institution has proved mainly to be a rhetorical device for postulat-

(251) Yahuda, 2004, pp. 213, 222, 302.

(252) Sznajder, 2006, p. 99.

ing progress on regional cooperation. The SCO mainly functions as an instrument for China to project influence into Central Asia and to keep US regional influence at bay. In addition, it is a device for policy coordination between China and Russia that allows them to ensure that their Central Asia policies do not conflict.

Treaties and the Legal Foundations

The SCO was set up as a formal institution in Shanghai on 15 June 2001. According to the Declaration on the Establishment of Shanghai Cooperation Organization, the SCO was created with the following objectives:

*'to strengthen mutual trust, friendship and good-neighbourliness between the member States; to encourage effective cooperation between them in the political, trade and economic, scientific and technical, cultural, educational, energy, transport, environmental and other spheres; and to undertake joint efforts for the maintenance of peace, security and stability in the region, and the building of a new, democratic, just and rational international political and economic order.'*²⁵³

Of these numerous objectives, the SCO's founding documents signalled that the member states would cooperate in the areas of the prevention, identification and suppression of acts of terrorism, separatism and extremism.²⁵⁴ According to the founding declaration, SCO member states abide by the principles of mutual respect for independence, sovereignty and territorial integrity, equal rights and mutual advantage, resolution of all issues through joint consultations, non-interference in internal affairs, non-use or threat of use of military force, and renunciation of unilateral military advantage in contiguous areas.²⁵⁵

According to the SCO's Charter, membership is open to other states in the region which undertake to respect its objectives and principles, and the admission of new members is decided by the heads of state. States violating the Charter can be suspended and expelled by the Council of Heads

(253) 'Declaration on the establishment of the Shanghai Cooperation Organization', 15 June 2001, Shanghai, *Xinhuanet*, available at http://news.xinhuanet.com/english/2003-05/27/content_889169.htm, accessed 26 January 2009.

(254) 'Shanghai Convention on Combating Terrorism, Separatism and Extremism', 15 June 2001, Shanghai, Official Website of SCO Summit, available at http://english.scosummit2006.org/en_bjzl/2006-04/20/content_87.htm, accessed 26 January 2009.

(255) 'Declaration on the establishment of the Shanghai Cooperation Organization', 15 June 2001, Shanghai, *Xinhuanet*, available at http://news.xinhuanet.com/english/2003-05/27/content_889169.htm, accessed 26 January 2009.

of States through consensus minus the vote of the offender. All members are declared to be equal, and decisions are otherwise taken by consensus. Dissenting views on concrete issues are recorded, but are not an obstacle to taking the decision. Should a member state not be interested in implementing a particular project of cooperation, this will not prevent the others from implementing it. The supreme decision-making body is the Council of Heads of State consisting of the respective presidents, which holds annual sessions.²⁵⁶ Articles 16-17 of the St. Petersburg declaration contain the main provisions for decision-making in the SCO.²⁵⁷

Shortly after its establishment as a formal institution, China suggested that the SCO be formally recognised as an institution under international law. This step served to underline the legality of Chinese foreign-policy initiatives involving multilateral activities and to counter accusations that the SCO was merely an excuse for the promotion of a military alliance opposing the North Atlantic Treaty Organisation (NATO). The SCO obtained formal legal status on 10 June 2002, when the Saint Petersburg Declaration was signed at the second SCO summit, transforming the SCO into a treaty-based institution subscribing officially to the Cold War interpretation of the UN principles of international order. Consequently, the St. Petersburg Declaration states that the member states recognise 'the need for observing and fulfilling the main goals and principles of the UN Charter and commonly recognised norms of the international law'.²⁵⁸ At this same conference, then Russian President Putin and then Chinese President Jiang Zemin confirmed that they considered separatists in Chechnya and Xinjiang to constitute a serious threat to Russian and Chinese security respectively and that their efforts to counter this threat form part of the war on terrorism that began in 2001. In addition, Russia and China stressed that they consider the SCO to be of central importance in ensuring that a multipolar world replaces global US dominance. Thus, the SCO is clearly conceived as an institution firmly grounded in global principles of state conduct and is opposed to US attempts to consolidate US pre-eminence without regard for the UN system of the Cold War.

(256) Oldberg, 2007, p. 11.

(257) 'Declaration of the Heads of the States Participating in the Shanghai Cooperation Organization', 10 June 2002, Saint Petersburg, Ministry of Foreign Affairs of the Russian Federation, Department of Information and Press, available at http://www.shaps.hawaii.edu/fp/russia/20030530_sco_decl.html, accessed 26 January 2009.

(258) 'Declaration of the Heads of the States Participating in the Shanghai Cooperation Organisation', 10 June 2002, Saint Petersburg, Ministry of Foreign Affairs of the Russian Federation, Department of Information and Press, available at http://www.shaps.hawaii.edu/fp/russia/20030530_sco_decl.html, accessed 26 January 2009.

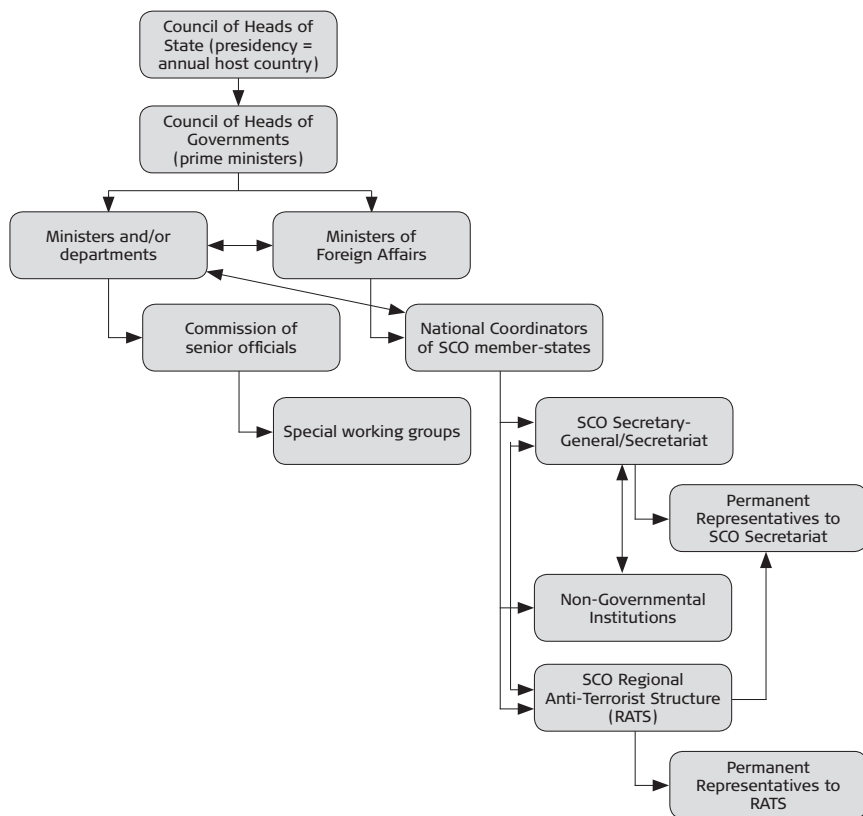
Since the SCO is open to new members, China has succeeded in consolidating a political framework for the governance of Central Asia which the US will find it hard to reject as a basis for regional order. Through the institutionalisation of the SCO and Sino-Russian relations, China has demonstrated its willingness to trade flexibility for influence on the legal basis of state conduct in Central Asia. The SCO institutionalises and implements policy coordination and military and economic cooperation. Although formally subscribing to the non-use of force, in the St. Petersburg Declaration the member states commit themselves to backing up the political framework with defence cooperation against attempts at unilateral military dominance. The SCO thus bears the seeds of an alliance system with China and Russia at its core. However, Russia is not likely to accept obligations to defend China, preferring looser arrangements allowing Russia to cooperate with China as well as the US. The SCO is therefore not much more than an institution for policy coordination between China and Russia. The majority of economic, military and political relations remain bilateral. This strengthens the regional influence of China and Russia over the weak Central Asian states, which have little influence on the institutional set-up of the region. It also means that very little multilateral cooperation has been established in Central Asia, which remains bogged down in unconstrained scrambles for military, economic and political influence. The SCO thus appears to be a paper tiger justifying Sino-Russian regional security co-management, rather than a device for mutual benefit and prosperity through cooperation.

Current Organisational Setup

The Council of Heads of Member States is a supreme body responsible for decision-making. It holds regular sessions once a year and makes decisions and issues instructions on all important matters of the organisation. The Council of Heads of Governments of SCO member states holds a regular meeting once a year to discuss the strategy of multilateral cooperation and priority directions within the SCO framework, to decide on actual matters of principle regarding economic and other cooperation, and to approve the following year's budget of the organisation. Besides meetings of the Councils of Heads of State and Heads of Government, there is also the mechanism of annual meetings of the ministers of foreign affairs, the economy, transport, culture, defence, security and general public prosecutors, as well as the heads of border controls and authorities in ministries responsible for emergencies. The Council of National Coordinators of SCO member states serves as the coordinating mechanism within the SCO framework. The SCO has two permanent bodies – the Secretariat

in Beijing and the Regional Anti-Terrorist Structure (RATS) in Tashkent. The Secretary-General and the Director of the Executive Committee are appointed by the Council of Heads of State for a period of three years.²⁵⁹ The St. Petersburg declaration sets out the organisational structure of the SCO.²⁶⁰

Figure 7.1: Organisational Diagram of SCO



(259) China Development Gateway, 'Brief Introduction to the Shanghai Cooperation Organisation', 2002, available at <http://www.china.org.cn/english/features/meeting/171489.htm>, accessed 15 April 2009.

(260) 'Declaration of the Heads of the States Participating in the Shanghai Cooperation Organisation', 10 June 2002, Saint Petersburg, Ministry of Foreign Affairs of the Russian Federation, Department of Information and Press, available at http://www.shaps.hawaii.edu/fp/russia/20030530_sco_decl.html, accessed 26 January 2009.

Members

China was the driving force in creating a multilateral, treaty-based organisation dealing with security cooperation in Central Asia. China, Russia, Tajikistan, Kyrgyzstan and Kazakhstan are founding members. Uzbekistan was admitted in 2001. Neutral Turkmenistan has not filed for admission.

From the Central Asian states' perspective, the creation of the SCO could potentially satisfy five important needs. First and foremost, the organisation helps to maintain the political balance between Central Asia's two most powerful and influential neighbours, China and Russia. Second, the SCO could provide desperately needed regional security and stability. Third, it could provide greater economic cooperation and aid, particularly assistance in the development of Central Asian energy resources, and through increased trade and direct investments from Russian and Chinese firms. Fourth, it could support the Central Asian regimes' survival by preserving the status quo. The SCO's goals strongly stress the value of 'non-interference' in a sovereign nation's internal affairs, hence satisfying the interests of the leaders of the Central Asian states. Fifth, the SCO could help increase regional cooperation in general and on issues of water distribution and border disputes in particular.²⁶¹

The indigenous Central Asian states have been positive regarding institutionalised cooperation in principle, but they focus on the role of external powers such as Russia and China, rather than on building relations with each other. Consequently, the small Central Asian states have not been good at cooperating with each other, either because this has not been a priority, or because their national interests have been at odds with expanding regional cooperation. The countries are rivals rather than partners, and the dominant pattern is one of working at cross purposes rather than cooperating. For example, Uzbekistan and Kyrgyzstan continue to have serious border skirmishes, and Uzbekistan has performed military operations against alleged Islamist militants on Tajik and Kyrgyz territory without the consent of the neighbouring governments.

The SCO is therefore dominated by Sino-Russian relations. Russia has a common interest with China in keeping the United States and NATO out of the area by means of the SCO, even though the Organisation is not directed against third states or alliances. Russia and China also have a common interest in fighting terrorism and separatism. In 2005, Russia stated that security issues and the fight against terrorism must remain a top priority

(261) Salimova, 2007, p. 20-21.

of the SCO. Russia also advocates SCO cooperation with other organisations. For example, Russia proposed to hold the 2007 SCO exercise in Russia together with the Collective Security Treaty Organisation (CSTO).²⁶²

China is often said to play the leading role in the SCO. The Organisation's name links it with China, and the secretariat is located in Beijing and is mainly staffed by Chinese. For China, the SCO has become a tool for gaining access to and increasing its influence in Central Asia, where it previously had neither. In particular, China sees the SCO as an instrument for advancing its economic and energy interests in the region. Being multilateral, the Organisation also serves to assuage fears about China's ascent as a global and Asian power. Beijing has focused on accommodating Russian reservations about accepting the SCO as the dominant regional security institution. Moscow is concerned that the SCO might be used to promote a Sino-centric order which is at odds with Russia's attempt to maximise its national interests by means of cooperation with NATO and the CSTO, as well as the SCO, without allowing any of these institutions to dominate Central Asia. Moscow does not accept the status of a junior partner of China; Russia is scared of China's rise and can only envisage an alliance with China if Moscow and Beijing are approximate equals in economic and military terms.²⁶³ For its part, China seeks to accommodate Russian reservations about Chinese intentions by keeping its military presence in Central Asian countries to a minimum. With regard to military cooperation, the SCO serves the purpose of legitimising Chinese multilateral and bilateral exercises with the Central Asian states along with Russia.²⁶⁴

Security Cooperation

The SCO has admitted four states as observers: Pakistan, Iran, India and Mongolia. Mongolia became an observer in 2004, and the others were invited to become observers in 2005. Their common interest in Central Asia is the expansion of trade ties and joint approaches to energy deliveries and infrastructure.²⁶⁵ For Pakistan, SCO observer status is necessary to balance India's influence, and the SCO also provides a potential platform for security dialogue with India. Moreover, the SCO may facilitate closer Russo-Pakistani relations, which have traditionally been hampered by close Indo-Russian ties. The SCO may also contribute to the development

(262) Oldberg, 2007, pp. 25-29.

(263) For an analysis of Russia's relatively weak position in Central Asia compared to China, see Ross, 2009.

(264) Oldberg, 2007, pp. 29-34.

(265) Bailes, 2007, p. 18.

of Pakistan's anti-terrorism capabilities. Pakistan envisages its long-term role in the SCO as that of a trade-economic corridor, connecting the Eurasian heartland with the Arabian Sea and South Asia.²⁶⁶

Iran is interested in joining SCO to signal closer security cooperation with China and Russia, which have supported Iran's insistence that it has a right to pursue a peaceful nuclear programme without being subject to punitive UN Security Council sanctions. The SCO provides an alternative multilateral model to the Western power faction in the UN based on mutual non-interference and national interest. In addition, Iran is an oil- and gas-producing state with interests in energy deliveries and infrastructure, as well as in energy exploitation and development in neighbouring Central Asia. Iran is also concerned to cooperate in combating drug-trafficking. More urgently, Iran is looking for uranium supplies from Kazakhstan, which has approximately fifteen percent of the world's deposits.

India is interested in playing a wider role as a determinant of Asia's security architecture and hopes that the SCO will provide a platform for exercising this type of influence. Issues of terrorism and insurgency are also at the centre of Indian security concerns, and as such it has an obvious interest in cooperating with the SCO in combating these concerns. Issues of military confrontation and border management, which also figure prominently in Indian security concerns, can also be addressed through the SCO framework. Finally, nuclear cooperation is a tangible and central Indian interest that gives New Delhi ample incentives to be an observer in the SCO. India and Kazakhstan have signed a civil nuclear cooperation accord that provides India with much-needed uranium to fuel its nuclear power plants.

Mongolia has an interest in using the SCO to multilateralise its own highly asymmetric and sometimes sensitive strategic relations with China. Mongolia's foreign policy is generally marked by an inclination towards multilateral approaches to peace and confidence-building, and becoming an observer to the SCO is a natural adjunct to this policy.²⁶⁷

Finally, the SCO has general-purpose cooperative arrangements with the Commonwealth of Independent States (CIS) and the Association of South East Asian Nations (ASEAN) to prevent overlap and competition between these organisations. In October 2007, the SCO signed an agreement with

(266) Zeb, 2006, pp. 51-60.

(267) Bailes, 2007, pp. 18-19.

the CSTO to broaden cooperation on security, crime and drug-trafficking. The SCO and the Eurasian Economic Community (EURASEC) signed a memorandum of understanding in 2003 to improve energy and transport cooperation with the aim of facilitating regional trade. The SCO Inter-Bank Association has established partnership relations with the Eurasian Development Bank.

The SCO's security programmes centre on supporting military cooperation between member states and on countering new transnational threats such as drug-trafficking, arms-trafficking, transnational organized crime and terrorism. These two aims often overlap in practice since the approach of member states to countering new transnational threats is typically military. For example, joint ground, air and naval exercises are conducted with the explicit purpose of training how to combat terrorism, separatism and extremism. While this is no doubt part of the aim, the design of full-scale exercises points to the added aim of traditional defensive-offensive exercises in inter-state warfare. Specifically, the exercises appear to be directed against US involvement in Central Asian affairs. In addition to the traditional military security programmes, the SCO addresses terrorism, separatism and extremism, as well as drug-trafficking, cyber-sabotage and aspects of weapons of mass destruction proliferation by facilitating dialogue and information exchange, joint training and the drafting of legal documents. In addition, the SCO has an economic cooperation dimension that is intended to stabilize member states by helping them benefit from joint efforts in areas such as electronic trade, customs, the inspection of goods and unification of standards, and investment cooperation.

Current Missions and Operations

SCO missions and operations are predominantly at the stage of defining objectives, designing an institutional framework and gathering resources to carry out programmes.

Military Cooperation

SCO member states aim to promote regional security and internal stability by fighting the 'three evils' of terrorism, separatism and extremism. Mainly in order to fight terrorism, they have held several military exercises, both multilateral and bilateral. The first large-scale Russo-Chinese exercise, most of which took place on China's eastern coast, was held under the aegis of the SCO, and only observers from the SCO were admitted. The declared motives for military cooperation are obvious. All the SCO member states fear separatism among their ethnic minorities, which are divided by

borders. China is faced with separatism among its Muslim Uyghur minority in Xinjiang, who have ties with Uyghurs abroad, mainly in Kazakhstan and Kyrgyzstan. Special forces from Kazakhstan and China acting under an SCO mandate were credited with tracking down Uyghur separatist leaders in 2001. Further, in 1999-2000 the Islamic Movement of Uzbekistan, which is said to contain Uzbeks, Uyghurs, Tajiks, Kyrgyzes and Chechens, came to be seen as a major threat in Russia and China also after it launched raids from Tajikistan into Uzbekistan. Also, the fundamentalist Hizb-ut-Tahrir organisation, which has spread across Central Asia, is seen as a terrorist organisation.

The 2006 treaty between the five Central Asian states (in this case including Turkmenistan) created a nuclear weapons-free zone. The members pledged not to produce, acquire or deploy nuclear weapons or components for such weapons. The fact that the treaty was endorsed by the SCO, including the nuclear powers Russia and China, can be seen as a confidence-building measure.²⁶⁸ It should be noted that, even though military cooperation may be growing, there are no common military forces, no joint command nor even a combined planning staff.

Figure 7.2: Exercises using military forces in anti-terrorist scenarios

Year	Events
2002	A China-Kyrgyzstan joint border-security exercise.
2003	A multilateral exercise in eastern Kazakhstan and Xinjiang in western China, with over 1000 personnel and all SCO members represented except Uzbekistan.
2005	An anti-terrorist exercise with Russian and Chinese participation on China's eastern coast. Only observers from the SCO were admitted.
2006	A multilateral exercise, East Anti-Terror 2006, hosted by Uzbekistan which tested the ability of special forces and law enforcement agencies to defend local infrastructure and rescue hostages.
2007	A major anti-terrorist exercise held in the part of Russia close to Kazakhstan called Peace Mission 2007. All six member states were involved for the first time. The treaty on Long-Term Good-Neighbourliness, Friendship and Cooperation of SCO members, signed on 14-18 August 2007 during the SCO summit in Bishkek, Kyrgyzstan, formalizes annual military exercises within the SCO framework.
2008	A major anti-terrorist exercise held involving soldiers from Russia, China and Central Asia.
2009	A major anti-terrorist exercise held in Tajikistan for three days involving more than a thousand soldiers from Russia, China and Central Asia.

(268) Oldberg, 2007, pp. 13-16.

SCO member states have warned that modern information and communication technologies could be used to interfere in internal affairs for criminal, terrorist, military and political purposes, which might cause a catastrophe for the entire world, tantamount to that from the use of weapons of mass destruction. The SCO has called on the UN to take collective action to eliminate these threats and decided to form an expert group to develop a detailed action plan within the SCO framework.

Some examples of military cooperation include:

- 1) 2004: the Regional Anti-Terrorism Structure includes planning a shared databank on terrorist, separatist or other extremist organisations (their structures, leaders, members, operational channels and financial resources, contributing to command and tactical-operational training, and helping to draft international legal documents concerning the fight against terrorism).
- 2) 2006: an SCO group of information experts formed.

Economic Cooperation

The SCO has increasingly broadened its agenda to include regional cooperation with regard to trade, the environment, science and technology. According to Article 1 of the Charter, the aim is to achieve balanced economic growth and social development with the goal of raising living standards and conditions. To this end, in 2003 the Organisation adopted a programme of multilateral trade and cooperation, followed by an action plan on its execution in 2005. The Tashkent declaration of 2004 considered progressive economic development and satisfaction of the populations' essential needs as a guarantee of stability and security. The SCO declared the goal of realizing the free flow of goods, services, capital and technology within a time-frame of twenty years, starting in 2005. The 2006 Shanghai summit designated energy, information technology and transport as priority areas. The SCO also initiated a great number of projects and established an SCO Development Fund, a sort of investment bank for joint projects, a business council to promote private-sector involvement and an Interbank Association. Several large economic forums have been held. In the scientific field, an SCO Forum consisting of the various national strategic research centres was set up to promote research and organize conferences. In recent years, energy issues have become very important at SCO meetings. In 2006, Russia launched the idea of creating an 'energy club' of SCO members, which could be perceived as a warning to NATO and EU members.²⁶⁹

(269) Oldberg, 2007, pp. 18-19.

Some examples of economic cooperation include:

- 1) 2004: A work programme set up to build, by 2020, a zone favourable for the free movement of products, capital, technology and services, including four working groups on electronic trade, customs, inspection of goods and unification of standards, and investment cooperation, which has had more than a hundred related multilateral projects approved.
- 2) 2004: China establishes a large credit fund of \$900 million for its Central Asian partners, endorsed by the SCO as a possible aid to expanding regional cooperation.
- 3) 2005: The SCO Inter-Bank Association established between the authorized banks of SCO member states to create funding for the SCO. Member banks include the JSC Development Bank of Kazakhstan, the State Bank Development of China, the State Corporation Development Bank and Foreign Trade Affairs (Vnesh-Econom Bank) in Russia, the Settlement and Savings Company in Kyrgyzstan, the Tajikistan National Savings Bank or Amonatbank, and the Uzbekistan National Bank for Foreign Affairs.
- 4) 2006: A special working group set up and instructed to discuss the establishment of an Asian Energy Club with the aim of uniting energy producers, consumers and transit countries.

Cultural and Political Cooperation

The SCO has focused more on political than on cultural cooperation. An important common interest among SCO members is to secure the stability of their more or less authoritarian regimes from Western-type democratic upheavals. Especially after the Rose revolution in Georgia and the Orange revolution in Ukraine in 2003-05, which brought Western-oriented democrats to power, SCO leaders have feared that something similar will happen in, for example, Central Asia. Kyrgyzstan had its Tulip Revolution in 2005. However, the ouster of President Akaev and the coming into office of the Russia-loyalist Bakiev did not result in fundamental regime changes, but only in changes of personnel.

The words in the SCO Charter and other declarations about non-interference in internal affairs are to some extent directed against Western exports of democracy. Democracy is only mentioned in the Charter as a goal in international relations. The promotion of human rights only appears far down the list of goals, and is then made conditional on national legislations, while non-governmental organisations are not mentioned at all. The 2006 SCO declaration made a point of stressing that differences in cultural traditions and in political and social systems should not be taken as pretexts to interfere in other countries' internal affairs. Models of social

development should not be exported.²⁷⁰ The SCO has created a cadre of election observers as an alternative to the OSCE election observers who are sent to assess elections in Central Asian states. This cadre is seen as a tool for emphasising that the SCO has developed an understanding of legitimate political succession procedures that differ from Western understandings of democracy which provides no reason to criticise regimes for their management of domestic political authority.

Some examples of cultural and political cooperation include:

- 1) 2005: A cadre of election observers was established, which has endorsed every election held in a member state.
- 2) 2009: A fashion show, a children's art exhibit, a tennis tournament (the SCO holds such cultural events annually in connection with the summit).

The Toolbox

Military Tools

Military cooperation between China, Russia and the Central Asian states of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan was institutionalised by treaty in 2001, which legalized the projection of Chinese troops into Central Asia. The development of military instruments to conduct anti-terrorist, anti-separatist and anti-extremist cooperation by carrying out high-level military exercises is a central feature of the SCO, which has made a real difference in exhibiting the SCO states' determination to fight terrorism, separatism and extremism. Fighting these three so-called evils has a high priority since there was a surge in terrorism, separatism and extremism after the disintegration of the Soviet Union. Joint military exercises with this purpose have raised Russia's and China's faith in Central Asian governments' willingness and ability to fight these threats in their own territories, and China and Russia both use military cooperation as a way of participating in efforts to fight terrorism in Central Asia. Although the joint military exercises are principally a tool for Russia and China to project their military power into Central Asia, in the SCO context such exercises have helped the indigenous states to become better at cooperating in fighting common threats. The exercises have provided the member states with a framework for developing common strategies through information- and knowledge-sharing, as well as through exercises that serve to integrate the military practices of the different countries. Also, the Central Asian countries participating in the joint military operations obtain much need-

(270) Oldberg, 2007, p. 16.

ed supplies from Russia and China, such as vehicles, spare parts and communications equipment. Militant Islamists who are operating from all the Central Asian SCO member states are countered by force in those states. Nonetheless the inability of Central Asian governments to patrol their territories and police their borders has created fertile ground for militant Islamists to operate in.²⁷¹ The Ferghana Valley, which is divided between Kyrgyzstan, Tajikistan and Uzbekistan, has long been seen as a breeding ground for militant Islam because the respective governments are unable to control its spread in the area.

For Russia and China, SCO joint exercises provide a framework for integrating their armed forces, enabling them to perform joint operations and deter foreign powers from performing operations in Central Asia that are at odds with their interests. The US invasion of Afghanistan in 2001 brought US armed forces into Central Asia. Although Russia and China have welcomed US efforts to combat terrorism in South Asia, US deployments of troops in Central Asia have caused concern that the US might attempt to become a central regional power pursuing interests that are at odds with those of Russia and China.

In the defence sector, the SCO Forum brings military officials together to discuss how to step up defence cooperation among members and observers, thus assisting the governmental level in implementing decisions on military cooperation. So far, this has mainly been a rhetorical device of little practical value.

Political Tools

Various frameworks for multilateral cooperation exist in Central Asia. Of these, the principal ones are the CSTO because it is favoured as the main forum for policy coordination and cooperation by Russia, and the SCO because it is favoured by China as the most important regional multilateral institution. China's emphasis on multilateral regional institutions as a key element of its foreign and defence policies is much more pronounced than Russia's. This characteristic, combined with Central Asia's growing importance in China's foreign policy priorities and China's relative economic and military rise compared to Russia's, imply that the SCO is being consolidated as the principal treaty-based security framework of Central Asia. Although concerned about the possibility that China might dominate the region in future, the SCO has considerable political value for Moscow too, since it gives Russia an opportunity to present itself as the *de facto*

(271) For an analysis of militant Islam in Central Asia, see Rashid, 2002.

co-leader of a regional coalition, thereby adding to its international political standing.²⁷² In view of the CSTO's weaker international standing, the benefits derived by Moscow from its SCO membership contribute to Russia's continued interest in developing the SCO.

For China, the legality of the institution is crucial, because it allows Beijing to demonstrate that its commitment to the UN system is not merely symbolic. For example, the SCO's demand that international society accepts that force may be used to fight domestic Muslim separatists supports China's efforts to argue that absolute sovereignty and non-interference in the domestic affairs of other states should continue to form the basis of the UN system, on the grounds that different views exist on the legitimate means to fight threats against states and regimes. The use of force against Muslim separatists has quite a lot of support in other countries and therefore wins China points in its efforts to preserve the principles of the old UN system. Equally, the SCO's commitment to the existing Central Asian regimes is portrayed as a commitment to the principle of effective control, a point of view which wins support in many developing states. This policy is said to contrast with that of Washington, which is accused of supporting illegitimate opposition groups planning to overthrow incumbent governments, as in the ouster of Akaev from the presidency in Kyrgyzstan in 2005. Finally, the SCO demands that Western states only maintain troops in Central Asia for purposes of UN-mandated operations in Afghanistan. This demand constitutes an attempt to demonstrate a commitment to the UN Security Council's authority on issues of importance for international peace and stability. Incidents such as the US demands for investigations into the 2005 Andijon killings in Uzbekistan, where the government shot civilians at random on the pretext of fighting terror, is seen as illegitimate interference in the internal affairs of Uzbekistan, and is not accepted as a legitimate defence of universal human rights. Hence, the SCO advocates the Cold War interpretation of the UN system, according to which absolute sovereignty cannot be compromised, in contrast to US post-Cold War attempts to modify the system to accept peace-making in the event of grave human rights violations such as genocide.²⁷³

The SCO's policy on the UN corresponds to that of China, which is equally intent on preserving the old version of the UN system, both to avoid unwittingly legitimising unilateral Western attempts to revise the UN system, and to ensure that the West cannot use human rights clauses to interfere

(272) Interview with Alexey G. Arbatov, Scholar-in-Residence, Carnegie Moscow Center, 10 March 2005.

(273) Lukin, 2007, p. 31-40, *RFE/RL*, 2005.

in the domestic politics of China and neighbouring authoritarian states aligned with China. Beijing continuously emphasises that respect for state sovereignty should be the basic principle adhered to in the international system, and that the UN system should continue to safeguard international peace and stability as long as there is no viable alternative to the present institutional global order. NATO's bombardments in Kosovo and Serbia in 1999, which did not have a clear UN mandate, is often cited as an example of the dangers of relaxing the conditions for justifying humanitarian interventions without having presented the international community with a coherent moral argument that has obtained prior global approval.²⁷⁴

Economic Tools

The economic toolbox of free movement and funding options has the potential for enhanced integration, but it remains to be seen whether SCO member states decide to act on these opportunities. In the economic sector, the member states are in the phase of exploring which instruments might help them to benefit economically. One avenue of increased prosperity might be cooperation over power infrastructure: the development of hydroelectric power and electricity networks would meet regional energy needs. Energy cooperation may also be used by China to secure itself additional supplies and by Russia to secure its control over regional energy logistics and to show the Europeans that Russia can establish alternative partnerships. The Central Asian countries will also have more alternative energy partnership options in the event that energy cooperation is established. Road and rail transport projects would decrease the isolation of states such as Tajikistan and Kyrgyzstan.²⁷⁵

Civilian Tools

The NGOs of the SCO are the SCO Business Council, the SCO Interbank Consortium and the SCO Forum. In practice, the NGOs are controlled by the ruling political establishments of the SCO member states. The SCO Business Council discusses the feasibility of realizing plans for enhancing Central Asian trade and economic cooperation in the region. It provides a forum for discussion on how to implement governmental decisions that might help promote economic integration, but also to give the false impression that the SCO listens to the concerns of its populations outside of government. The SCO Interbank Consortium has a cooperation agreement with the SCO Business Council that is to result in a database on investment projects that are planned to be carried out within the SCO frame-

(274) Xiaocheng, 2003, pp. 170-171.

(275) Bailes, 2007, pp. 16-17.

work, exchanging business offers, coordinating actions in the information sector to provide coverage of economic cooperation, and cooperation on personnel training and in working out economic specialist development programmes.

The Current Debate and the Future Security Role

The dominant issue for the SCO's future is its viability as a platform for devising the rules of right and wrong conduct in Central Asia. China is keen to consolidate the SCO as the leading institution of regional governance, so the question is the role that Russia and the US envisage for the future. The US relies on NATO's principles of state conduct, putting a premium on the promotion of democracy and human rights, and supporting non-Islamic political opposition groups and human rights investigations. This approach contrasts with that of China, which has been the driving force behind the creation of the SCO and propagates the Cold War interpretation of the UN principles of state conduct in an attempt to crowd out US attempts to promote liberal definitions of democracy and human rights. Russia supports this policy, but Moscow is concerned that China intends to use the SCO as a platform for establishing a Sino-centric order in Central Asia.

Ideally, Moscow would like to see the CSTO become the dominant institution in Central Asia. The remaining CSTO member states are Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan. The CSTO excludes both China and the US and hence allows Russia the greatest freedom of action. However, since the CSTO is gradually losing influence, it is not a sufficient basis for exercising influence. As a secondary power without the means to determine the rules of the game of regional politics, Russia instead has to look to other powers and institutions to increase its influence, playing on its attractions as a partner for the US and NATO, as well as for China and the SCO. At the moment, Russia is prioritising the SCO and its strategic partnership with China. However, Russia maintains links with NATO because that will allow Moscow to revert to siding with the US in the event that China starts to use the SCO as a vehicle for determining a Central Asian order on Chinese terms. On the one hand, Russia prefers a NATO presence to a unilateral US presence because NATO encompasses European civilian powers that are often critical of US attempts to create a *Pax Americana*. On the other hand, NATO rests on liberal democratic values which Moscow is less than keen to introduce as a basis for order in Central Asia. Russia contributes to the preservation of both the SCO and NATO by maintaining institutionalised cooperation to both sides.

Moscow's half-hearted preference for competing institutional frameworks contributes to the maintenance of an unstable balance of power, since Russia supports China's ambition to cooperate in defining a regional order for Central Asia that pre-empts US attempts to dominate the region's security architecture. At the same time, concerns about the emergence of a Sino-centric order in its backyard encourage Moscow to maintain links with NATO. For the weak Central Asian member states, this situation implies that they will continue to have access to alternative partnership agreements due to the regional presence of great powers with many conflicting interests and demands. This situation allows the small regional powers to maximise their returns on security and economic partnerships, but without much prospect of developing intra-regional cooperation in the SCO between Kazakhstan, Uzbekistan, Tajikistan and Kyrgyzstan.

Milestones of SCO

Figure 7.3: Milestones of SCO

Year	Events
1991	Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan become independent.
1996	The Shanghai Five is established.
2001	The US-led invasion of Afghanistan.
	The Shanghai Cooperation Organisation is established with the 15 June Shanghai Declaration.
2002	The SCO obtains formal legal status with the 10 June St. Petersburg Declaration.
2004	Mongolia becomes an observer.
2005	China and Russia agrees to create a bilateral mechanism of national security consultations.
	Pakistan, Iran, India become observers.
2007	All SCO member states participate in joint anti-terrorist exercise.
	Annual joint military exercises are formalized with the 14 August Bishkek Declaration.

Documents of Special Importance

For the 'Declaration of the Heads of States Participating in the Shanghai Cooperation Organisation', see:

http://www.shaps.hawaii.edu/fp/russia/20030530_sco_decl.htm

For the 'Declaration on the establishment of the Shanghai Cooperation Organisation', see:

http://news.xinhuanet.com/english/2003-05/27/content_889169.htm

Further Reading

For further reading on the SCO in general, see:

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Flemming Splidsboel Hansen, 'The Shanghai Co-Operation Organisation: Probing the Myths', *FAK Brief*, Copenhagen: Royal Danish Defence College, 2008.

Ingmar Oldberg, *The Shanghai Cooperation Organisation: Powerhouse or Paper Tiger?*, Defence Analysis, FOI-R–2301–SE, Stockholm: Swedish Defence Research Agency, June 2007.

Weblinks

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Chapter 8

Collective Security Treaty Organisation: An Entangling Alliance

By Karsten Jakob Møller

The Collective Security Treaty Organisation or CSTO (in Russian: *Organizatsiya Dogovora o Kollektivnoy Bezopasnosti*, or *ODKB*) is a political and military alliance comprised of seven countries, all of which are also members of the Commonwealth of Independent States (CIS): Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan. The Collective Security Treaty (CST) of 15 May 1992 provides the foundation of CSTO, launched on 14 May 2002 as a regional security organisation. In December 2004, the organisation obtained observer status at the General Assembly of the United Nations. The mission of CSTO is to guarantee the security of each of the Treaty's member states and the defence of their territorial integrity. CSTO is the result of a long and complicated process to develop the security architecture of the post-Soviet space, which reflects different and shifting perceptions of the regional security needs, commitments, participants and institutional requirements of the former Soviet republics. The contemporary security architecture, of which CSTO is an important part, can therefore only be understood in a historical context.

Historical Introduction

From CIS to CST to CSTO

To put it mildly, the dissolution of the Soviet Union can be described as having been inadequately prepared and negotiated. The fateful and decisive step to dissolve the Soviet Union was taken at a secret meeting held on 8 December 1991 in Belovezhskaya Puscha in Belarus. The participants at this meeting – Belarus, Russia and Ukraine – had only a vague idea of the kinds of institutional design that should replace the Soviet Union.²⁷⁶

(276) An excellent account of the events leading up to the dissolution of the Soviet Union and the formation of CIS can be found in Dunlop, J.B. (1993) *The Rise of Russia and the Fall of the Soviet Union*, see especially chapter 6.

In the Belovezh Accords, which were ratified on 12 December 1991, it was agreed to establish a rather loose organisation: the Commonwealth of Independent States (CIS). CIS should be seen as an organisation with a dual purpose: first, to ensure the 'civilised divorce' of the former Soviet republics; and secondly, to ensure that the new republics would still have a common security agenda. According to the agreement on the creation of CIS, signed in Minsk on 8 December 1991, eleven of the former fifteen Soviet republics²⁷⁷ committed themselves to maintaining a single strategic military space and unified control over nuclear armament. Furthermore, they agreed to coordinate their external policies and fight organised crime.²⁷⁸

The Charter of the Commonwealth of Independent States was adopted at a summit in Minsk on 22 January 1993, where nine of the eleven states ratified the Charter.²⁷⁹ The member states committed themselves to coordinate their security and defence policies and to support security in the Commonwealth. From its very beginning, CIS was characterised by profound disagreement over various central political and security issues. Russia tried hard to preserve the integrity of the former Soviet armed forces, but was met by fierce opposition from Azerbaijan, Turkmenistan, Ukraine and Uzbekistan, who were all eager to create their own national armed forces. Furthermore, there was profound disagreement among the member states concerning the role of CIS in the serious conflicts that occurred in the wake of the break-up of the Soviet Union: South Ossetia (1991-1992), Nagorno-Karabakh (1992-1994), Abkhazia (1992-1994) and Transdnestria (1992), and the civil war in Tajikistan from 1992-1997. All these conflicts have had a tremendous negative impact on the possibilities for the development of the Commonwealth.²⁸⁰

Another factor negatively influencing CIS is the fact that it has no power to implement decisions. Its weakness derives from the profoundly different national interests of its member states. The declared level of ambitions is high, but at the end of the day the organisation is a 'paper tiger', which might look good on paper, but in reality its stated level of ambitions

(277) Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. The three Baltic States and Georgia did not join. After Eduard Shevernadze came into power in Georgia the country joined the CIS in 1994. After the war in South Ossetia in August 2008 Georgia left the CIS again, with effect from 17 August 2009.

(278) Sakwa, 2002, chapter 18.

(279) Turkmenistan and Ukraine refrained from doing so and have never ratified the Charter. For more see: http://untreaty.un.org/unts/120001_144071/6/8/00004863.pdf

(280) Nygren, 2008, pp. 25-26.

cannot be reached. Nonetheless the CIS Charter foresaw future military cooperation. Chapter III of the Charter is titled '*Collective Security and Military-Political Cooperation*', which among other things commits the member states to coordinate their security and defence policies and describes the military-political institutions needed for such cooperation. The Charter was ratified by all the member states except Turkmenistan and Ukraine. But the reality was that only half of the eleven initial member states saw this need and were prepared to undertake security and defence commitments. The other half saw no need for closer cooperation and feared the return of Russian hegemony.

On 15 May 1992 a new treaty was signed, the Collective Security Treaty (CST), or the 'Tashkent Treaty', as it became known, was originally signed by Armenia, Kazakhstan, Kyrgyzstan, Russia, and Uzbekistan at a meeting in Tashkent.²⁸¹ Subsequently Tajikistan joined. This came into force in 20 April 1994²⁸² and was to be effective for five years, with the possibility of prolonging it for another five-year period. In 1993, Azerbaijan, Belarus and Georgia joined.²⁸³ CST can thus be said to be affiliated to CIS. CST should be seen as a defence pact formed to a certain extent on the example of NATO. The Treaty provides that the member states will consult each other on all important issues of international security infringing on their interests and coordinate their positions on these issues. However, considering CST and its activities during its first five years, it is clear that it hardly took the form of an integrated defence organisation capable of countering external threats. In reality, it consisted of three different army groups: a Russian-Belarusian group in the West, a Russian-Armenian group in the Caucasus and a Russian-Kazakh-Kyrgyz-Tajik group in Central Asia. The reason why CST, like CIS, became another 'paper tiger' might be explained by the existence of different interests among the member states and their profound disagreement on a series of important questions and the widespread fear of Russian hegemony. Either way the Russian security establishment was more inclined to look at the traditional threat from NATO – which had just started its enlargement process – by using CSTO to counterbalance NATO. The functions of CST were therefore reduced to organising symbolic exercises and regulating small arms trade.²⁸⁴

(281) For more see: *Sbornik dokumentov 1990-1992*, Moskva 1996, p. 360. On this occasion Turkmenistan, Moldova and Ukraine, refrained from joining the initiative. <http://www.fas.org/nuke/control/cfe/text/tashka.htm>

(282) http://www.odkb.gov.ru/start/index_aengl.htm

(283) Sakwa, 2002, chapter 18.

(284) Tsygankov, 2006, pp. 112-113.

By 1999, when the renewal of the Tashkent Treaty was supposed to take place, CST was in deep crisis. This time only six of the nine members signed a Protocol on Prolonging CST on 2 April, since Azerbaijan, Georgia and Uzbekistan decided to leave the treaty. Uzbekistan was upset because of Russia's involvement in the civil war in Tajikistan, while Azerbaijan was discontent with the Russian position vis-à-vis the conflict in Nagorno-Karabakh, where Russia almost openly supported Armenia against the Azeri. Georgia was dissatisfied with the Russian involvement in Abkhazia and South Ossetia and the slow withdrawal of Russian troops from other parts of Georgia.²⁸⁵ At the same time new and serious threats had been emerging. Russia and Belarus were deeply concerned by the prospects of a further NATO enlargement after the admittance to the Alliance of the Czech Republic, Hungary and Poland in 1999 and by the NATO air strikes against Serbia and Kosovo the same year. The new military doctrine and National Security Concept, signed by president Putin in the spring of 2000, reflected these concerns.²⁸⁶

At the same time, a major threat of destabilisation materialised in Central Asia. In Afghanistan, the Taleban had been expanding since the middle of the 1990s, and by 1998 it ruled almost all of Afghanistan. The Taleban, in cooperation with Al-Qaeda, formed coalitions with different radical Islamic groups in Central Asia. The most powerful of these movements, the Islamic Movement of Uzbekistan, tried in 1999-2000 to occupy the Kyrgyz part of the Fergana Valley and to set up a base for attacking Uzbekistan. CST members and Uzbek forces repelled the attack. However, it was not until the US-led 'Operation Enduring Freedom' in 2001 that the Islamic Movement of Uzbekistan was destroyed.²⁸⁷

After the 9/11 terrorist attacks on the US, the issue of fighting international terrorism had already been placed at the top of the agenda in CIS, CST and the Shanghai Cooperation Organisation (SCO). For Russia, it was important to show the link between international terrorism and the insurgency in Chechnya and to join 'the war on terror'. For the Central Asian states, especially Kyrgyzstan and Uzbekistan, it created an opportunity to widen cooperation with the United States and the Western world. It should be noted that the Central Asian states had been participating in NATO's Partnership-for-Peace Programme almost from its very beginning. The expectations of economic benefits from the new situation were high

(285) Jonsson, 2004, pp. 49-60.

(286) Møller, 2000.

(287) Jonsson, 2004, pp. 56-58.

in Central Asia, and very soon Russia recognised that its influence in the area was declining rapidly.²⁸⁸

At a summit in May 2002, which marked the ten-year anniversary of CST, the foreign and defence ministers of the member states proposed that CST should be transformed into a regional organisation: the Collective Security Treaty Organisation (CSTO). Later the same year on 7 October, at a summit in Chisinau, Moldova, the six presidents of Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan signed the Charter of the Collective Security Treaty Organisation, which entered into force on 18 September 2003. On 23 June 2006, Uzbekistan became a full member of CSTO, and its membership was formally ratified by the Uzbek parliament in March 2008. The upgrading of CST to CSTO, characterised by some experts as a 'quasi-alliance', was the initial Russian counter-move to the West's, and especially NATO's and US influence in Central Asia. Russia saw the goal of CSTO to be the strengthening of the political and security ties between Russia and the Central Asian states.²⁸⁹

Figure 8.1: Matrix on Membership of CIS, CST and CSTO

CIS	CST	CSTO
Armenia	Armenia	Armenia
Azerbaijan	Azerbaijan ²⁹⁰	
Belarus	Belarus ²⁹¹	Belarus
Georgia ²⁹²	Georgia ²⁹³	
Kazakhstan	Kazakhstan	Kazakhstan
Kyrgyzstan	Kyrgyzstan	Kyrgyzstan
Moldova		
Russia	Russia	Russia
Tajikistan	Tajikistan	Tajikistan
Turkmenistan ²⁹⁴		
Ukraine ²⁹⁵		
Uzbekistan	Uzbekistan ²⁹⁶	Uzbekistan ²⁹⁷

(288) Jonsson, 2004, pp. 63-82.

(289) Berryman, 2007, pp. 162-167.

(290) Azerbaijan signed the Treaty on 24 September 1993 and withdrew in 1999.

(291) Belarus joined the Treaty on 31 December 1993.

(292) Since the war between Russia and Georgia in August 2008, Georgia has withdrawn from the CIS with effect from 17 August 2009.

(293) Georgia joined the Treaty on 9 December 1993 and withdrew in 1999.

(294) Turkmenistan has not ratified the CIS Charter and has changed its CIS standing to associate member as of August 2005 in order to be consistent with its international neutrality status, recognised by the United Nations

(295) Ukraine has never ratified the CIS Charter and is thus legally not a member of the organisation. Ukraine has for some time been considering cutting back its financial contribution to CIS.

(296) Uzbekistan suspended its participation in 1999.

(297) Uzbekistan joined CSTO on 23 June 2006.

Treaties and the Legal Foundations

The 'founding' document of CSTO is the basic document of CST: the Tashkent Treaty. However, in the case of CSTO, the Treaty is supplemented by the Charter of the Collective Security Treaty Organisation, which was signed on 7 October 2002. By referring to the Tashkent Treaty in the Charter, the member states of CSTO still commit to the so-called 'Musketeer Oath' (Article 4), obliging them to assist if one or more of them is threatened or attacked. NATO's founding document, the North Atlantic Treaty, also has such a 'Musketeer Oath', Article 5, which obviously served as an inspiration for the Tashkent Treaty.

'The States Parties to the Treaty on Collective Security of 15 May 1992 (...) Reaffirming their commitment to the purpose and principles of the [Tashkent] Treaty and the international agreements and decisions adopted within its framework (...) Setting themselves the objective of maintaining and nurturing a close and comprehensive alliance in the foreign policy, military and military technology fields and in the sphere of countering transnational challenges and threats to the security of States and peoples.'

Preamble, Charter of the Collective Security Treaty Organisation, 2002.

The Charter describes the purposes of the organisation to be the strengthening of peace, international security and stability, and to ensure the collective defence of the member states' independence, territorial integrity and sovereignty. To achieve these objectives, member states must, in all circumstances, give priority to political measures before resorting to others, as stated in Article 3.

Under Article 9, member states must also agree and coordinate their foreign policy positions regarding international and regional security problems, using, *inter alia*, the consultation mechanisms and procedures of the organisation. This article was especially invoked by Russia in the Russian-Georgian war in August 2008, where Russia wanted support for its decision to recognise South Ossetia and Abkhazia as independent states. However, much to Russia's disappointment, the other member states reacted somewhat reluctantly, as they understood Russia's decision, but did not want to support it.

As one of the main driving forces behind CSTO was international terrorism, or rather the contemporary security threats of the 21st century, in Article 8 the Charter naturally also mentions that member states shall coordinate and harmonize their efforts in combating international terror-

ism and extremism, drug-trafficking, organised crime, illegal migration and other threats to them. CSTO sees fighting these security threats as the most important task of the whole organisation. In order to attain these objectives, member states are obliged to take joint measures to organise an effective collective security system by creating a military infrastructure, training military staff and specialists for the armed forces, and providing the necessary arms and military technology.

Regional groups of military forces have also been established: a Western group (Russia and Belarus), a Caucasus group (Russia and Armenia) and a Central Asian group (Russia, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan), which resemble the former army groups under CST.

There is some doubt, however, about the substance of this regional structure, as it mainly looks like a series of bilateral relationships between Russia and the other member states.

Current Organisational Setup

As already mentioned, CSTO is comprised of seven member states: Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan. The first six members met at a summit at Chisinau in Moldova and signed the charter of the Collective Security Treaty Organisation, which entered into force on 18 September 2003. The seventh country, Uzbekistan, joined as a full member in June 2006 and had its membership fully ratified in March 2008.²⁹⁸

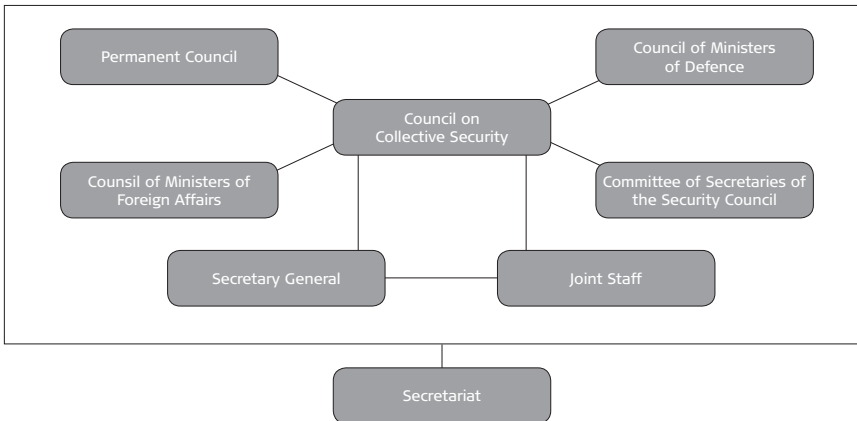
(298) Jonsson, 2004, pp. 110-112.

Map 8.1: CSTO Member States²⁹⁹



In examining CSTO's institutional arrangements, it is quite obvious that they have been modelled along the lines of NATO's political and decision-making structures.

Figure 8.2: Organisation of CSTO



(299) Source: Global Research: <http://www.globalresearch.ca/articlePictures/CSTO.jpg>

The supreme decision-making body of CSTO is the Council on Collective Security, which consists of the leaders of the member states, where the post of chairman rotates. The Chairman is the Head of State of the country in which the current session is taking place, and he or she retains this post until the next session. The Council considers the main questions concerning the activities of CSTO and takes decisions aimed at achieving its objectives and fulfilling its purpose. During the periods between the sessions of the Council, the above-mentioned activities are carried out by the Permanent Council of CSTO, which works as the 'daily board'. The Permanent Council consists of ambassadorial representatives from each of the member states and can be seen as quite similar to the permanent representatives in the NATO Council.

CSTO has three advisory and executive organs, each charged with different areas of responsibility. The first is the Council of Ministers of Foreign Affairs, which is charged with being CSTO's advisory and executive organ in coordinating joint activities in the field of foreign policy. Secondly, the Council of Ministers of Defence is CSTO's advisory and executive organ concerning joint activities in the fields of military policy, military structures and cooperation in military technology. Thirdly, the Committee of Secretaries of the Security Council of each of the member states acts as CSTO's advisory and executive organ concerning the overall coordination of joint activities.

All decisions made in each of the two Councils and the Committee of Secretaries is to be taken by consensus. Additionally, these decisions are binding on the member states and are to be implemented according to the procedures established by national legislation. If a member state does not adhere to the Charter and as such does not implement decisions taken in either of the Councils or the other organs of CSTO, the Council on Collective Security may suspend the participation of the member state in the workings of the organs and, in case of persistent non-fulfilment, it may expel the member state. This is probably one of the most significant differences between CSTO and its predecessor, CST.

The Secretariat, situated in Moscow, is the permanent working body of CSTO, and provides organisational, information, analytical and advisory services for the organs described above. It also prepares draft decisions and other documents for the different organs and is composed of officials from the member states. The number of officials from each member state is based on the contribution of each member state's contribution to CSTO's budget.

The Secretary-General is the highest administrative official as the head of the Secretariat. He is appointed by a decision of the Council for a three-year period. He participates in the meetings of all the Councils, is responsible for coordinating and preparing relevant draft proposals and documents of the organs, and maintains working contact with other international intergovernmental organisations, as well as with states which are not members of CSTO. Currently, the Secretary-General is Nikolay Nikolayevich Bordyuzha of Russia, who was appointed for a five-year period in April 2003. In February 2009 at the CSTO Summit, he was appointed for another five-year term.³⁰⁰

Security Cooperation

The development of CSTO looked quite promising in comparison with other security arrangements in the post-Soviet space. Russia had obviously decided to concentrate its efforts on this organisation and had set its level of ambitions quite high. CSTO has been promoted as an important regional organisation, and Russia and CSTO's Secretary General, Nikolay Bordyuzha, has repeatedly suggested cooperation between NATO and CSTO on Afghanistan. CSTO has criticised NATO's efforts in Afghanistan, characterising it as a failure and inefficient, especially concerning the prevention of drug-trafficking and crime. Despite the fact that, since 2004, the UN has fully recognised CSTO as a regional security organisation, NATO has not accepted CSTO as an equal partner. In December 2007, Russia suggested an agreement between CSTO and NATO on military transit to Afghanistan, but this was rejected by NATO.³⁰¹

CSTO has made serious efforts to establish formal cooperation with the Shanghai Cooperation Organisation (SCO) on security and defence matters. On the evening of the CSTO summit in October 2007 in Dushanbe, Tajikistan, a Memorandum of Understanding concerning cooperation between CSTO and SCO was signed by the secretary-generals of the two organisations. The Memorandum referred in broad terms to cooperation on anti-terror activities, and in combating trade and trafficking in drugs, the proliferation of nuclear, chemical and biological material, religious and political extremism and transnational crime. The Memorandum also mentions regional and international security and stability as areas of future cooperation.³⁰² As described in another chapter in this book, SCO is not

(300) Socor, 2009a.

(301) Møller, 2007a, pp. 6-7.

(302) Møller, 2007a, p. 7.

a military and hardly a security organisation; its purpose is first of all to promote cooperation and relations in the fields of the economy, trade, science, education and culture. The member states of SCO and CSTO are identical except for Belarus, Armenia and China, in which the latter is the leading state in SCO.

However, military exercises have been conducted within the framework of SCO from time to time. In August 2007, a big exercise, 'Mirnoy Misii 2007' (Peace Mission 2007), took place in China and Russia with the participation of 7000 troops. The exercise ended just as the SCO summit started. During spring and summer 2007, Russia proposed that CSTO should become part of the exercise and suggested a formal agreement on military and security cooperation between SCO and CSTO should be drawn up. The proposal was rejected by China, probably in tacit agreement with some of the Central Asian countries. Another Russian proposal to co-locate SCO's Regional Anti-Terror Structure (RATS) in Tashkent with the CIS anti-terror centre (ATC) in Moscow, with an important branch in Bishkek, Kyrgyzstan, was rejected as well.³⁰³

The two organisations are working on some of the same issues, and from a resource and efficiency point of view it would be a reasonable solution to establish close cooperation between them, but the political reality is very different. Russia has been working hard for the development of SCO as an organisation, as from the Russian perspective it would be a promising instrument counter-balancing the influence and presence of NATO and the United States in Eurasia. China, on the other hand has reservations, and it is hardly in Chinese interests to be brought on a collision course with the United States and the Western world. China obviously wants to play an important political role, but it is not interested in binding military commitments, which could imply security guarantees to other countries in the region.

The Organisation for Security and Co-operation in Europe (OSCE) is another regional organisation which CSTO engages with. As the Secretary-General of OSCE, Marc Perrin de Brichambaut, has stated, cooperation between CSTO and OSCE is mutually beneficial, and OSCE is determined to continue its cooperation with CSTO, especially since Central Asia is an important region for both organisations.³⁰⁴ At the OSCE ministerial conference held in Madrid in November-December 2007, the Secretary General

(303) Møller, 2007b.

(304) OSCE Press release '*Intensifying OSCE and CSTO co-operation mutually beneficial, OSCE Secretary General says*': http://www.osce.org/sg/item_1_27049.html.

of CSTO, Nikolay Bordyuzha, was invited as one of the guest speakers. This was a break-through for CSTO in its efforts to deal directly with other international organisations. In his speech, Bordyuzha advocated turning the OSCE into a fully fledged international organisation by enhancing its military-political dimension in order to counterpose it to some of NATO's roles. Russia wants OSCE to align with Russian security policies in Eurasia, otherwise she will probably continue to erode OSCE's substance from within. Bordyuzha also informed the audience that the Domodedovo Police Training Centre had attained status as a CSTO institution. At this centre, a pilot programme for the training of Afghan anti-narcotics police is being carried out with assistance from OSCE. He also suggested direct consultations at the expert level between OSCE and CSTO on anti-terrorism and conflict-prevention. Cooperation between the two organisations may be developing in spite of fierce resistance from NATO and EU countries, who prefer to deal bilaterally with the Central Asian countries.³⁰⁵

The Toolbox

The backbone of NATO cooperation is the integrated military structure with joint planning staff and operations staff at the different levels. Military cooperation in CSTO is of a more detached nature and can hardly be called a joint structure: as mentioned above, it looks more like a series of bilateral relationships between Russia and the other member states. CSTO does have a joint headquarters, which is headed on rotation basis by the chiefs of the general staffs of the member states, but it has no integrated military structure.

Its military and technical cooperation is probably the most important aspect of CSTO. Russia provides almost all the arms and military equipment to the other member states at the same prices that are charged to the Russian armed forces. In 2005, CSTO formed an interstate commission on military and technical cooperation. The commission is also supposed to coordinate national military research and development, and to organise and finance the joint development of arms and equipment. For Russia, this cooperation is important for the cohesion of the organisation, but it is also very costly, as Russia is the main financial contributor. On the other hand, the other member states have the advantage of access to cheap arms and equipment for their armed forces.³⁰⁶

(305) Socor, 2007.

(306) SIPRI, 2007, pp. 176-177.

One achievement for CSTO is the creation of the Collective Rapid Deployment Force (CRDF; in Russian: Kollektivnye Sily Bystrogo Razvertyvaniya, or KSBR), established in 2001. Initially, Russia, Kazakhstan, Kyrgyzstan and Tajikistan each contributed one battalion (a force of 1500 troops and their equipment). In 2005, it was decided to expand the force to 4000 soldiers, to which Russia and Tajikistan are now contributing three battalions, with Kazakhstan and Kyrgyzstan contributing two each. CRDF has an air force component in Kyrgyzstan, which is a Russian air force unit consisting of 10 aircraft, 15 helicopters and roughly 500 servicemen. The other units of CRDF will remain stationed in their own countries under national command until deployment.³⁰⁷ CRDF conducts two exercises annually, *Rubezh* (Border), which is an anti-terror exercise, and *Kanal* (Channel), an exercise primarily for police forces, which focuses on combating illicit drug and narcotics trafficking across the Afghan border. In 2006, *Rubezh* was conducted in Kazakhstan using a scenario similar to the terrorist action in Beslan, North Ossetia, in 2004. In 2008, *Rubezh* was conducted again, this time in Russia and Armenia, with 4000 participating troops. The actual participants in the exercise came from Russia, Armenia and Tajikistan, while Kazakhstan, Kyrgyzstan, Uzbekistan and Belarus were represented by military staff from the respective defence ministries.³⁰⁸ The number of participating nations in the exercise clearly demonstrates the problems of cohesion and integration in the organisation.

In the wake of the CSTO summit in October 2007, Secretary-General Nikolay Bordyuzha hinted at the possibility of CRDF reaching operational status during 2008. However, this turned out not to be the case, as there seems to be some disagreement about how this should take place. This can be seen from an informal presidential meeting that was held in December 2008 with the goal of discussing the future of military cooperation within CSTO.³⁰⁹ Russia, Armenia, Kazakhstan, Kyrgyzstan and Tajikistan were represented, but Belarus and Uzbekistan were absent, thereby clearly sending a signal of discontent regarding the possible conclusions of the meeting.³¹⁰

However, a document on the establishment of the Collective Rapid Reaction Force (CRRF; in Russian: Kollektivnye Sily Operativnogo Reagirovniya, or KSOR), was signed by all CSTO members in Moscow. This new force will

(307) SIPRI, 2007, pp. 175-177.

(308) Nygren, 2008, p. 35-36, 'Rubezh 2008: The First Large Scale CSTO Military Exercise.' *RIA Novosti*, 6 August, 2008.

(309) Blagov, 2008.

(310) Socor, 2009b.

be established on the basis of CRDF. CRRF differs in some respects from CRDF. First, the number and composition of participating units is different, since divisions and brigades and a number of Special Forces will be assigned to it. Secondly, while CRDF was primarily established to counter minor armed conflicts and border conflicts, CRRF has more ambitious objectives, being intended for use to repulse military aggression, conduct anti-terrorist operations, fight transnational crime and drug-trafficking, and neutralise the effects of natural disasters. The force is supposed to be permanently based in Russia and placed under a single command. Uzbekistan signed the document, but with reservations, as it could not accept a provision whereby all Special Forces, including emergency services, are to be part of the collective force. It has been suggested that Uzbekistan would not participate in the collective force on a permanent basis, but would 'delegate' its detachments to take part in operations on an ad hoc basis.

A consideration of the official position of Uzbekistan reveals that it does not want to assign any kind of Special Forces to CRRF on a permanent basis, as it does not believe that this would be very beneficial. Uzbekistan's position is that the Collective Security Council should decide the deployment of these forces on a case-by-case basis. Furthermore, the official Uzbek position also states that their reservations will not be an obstacle to the implementation of the project. Russia clearly could not have been satisfied with this meeting, as its concern was to take the decisive step to transform CSTO from a loose alliance serving primarily as a forum for security consultations into a military organisation which might develop into a credible counterweight to NATO. The Russian military press has even expressed doubts about the motives and intentions behind the Uzbek reluctance, suggesting an American hand behind the scenes. Russian ambitions clearly had to be reduced, however, as not only Uzbekistan, but also the other member states were wary of placing their elite forces under Russian command on Russian soil, as this could be extremely dangerous for most of these regimes, not all of which are necessarily founded on popular support. The President of Belarus, Alexander Lukashenko, signed the document without reservations, but national legislation does not permit the deployment of Belarusian forces outside their own territory.

Another military 'tool' that seems to be developing is the integrated air defence system, which apparently is gradually being transferred from CIS to CSTO. Due to the fact that Russia and the other member states have had serious problems in covering and protecting their airspace since the dissolution of the Soviet Union and its Air Defence Forces, this is also a

highly prioritised military plan within CSTO for future development. Furthermore, a coordination committee of commanders of chemical, biological and radiation protection forces and services has been established.³¹¹

In June 2004, CSTO adopted a concept for peacekeeping operations, and at the summit held in Dushanbe in October 2007, an agreement was reached on a concept document for the peacekeeping activities of CSTO. The document makes the distinction between peacekeeping and peace-supporting activities, which take place inside the area of responsibility of the organisation, namely the national territories of the seven member states, the decision to deploy forces being made by the heads of states acting in consensus. Peacekeeping and peace-support operations outside CSTO's areas of responsibility can only take place on a mandate from the United Nations Security Council or after direct request from a country in the region.

Each member state assigns forces for participation in peace-keeping operations, but they will remain in their parent country under national command until they are deployed in a peace-keeping operation, after which they will be under joint command, which in practice means under Russian command. The assigned forces are supposed to carry out a special training programme and from time to time participate in joint exercises under joint command in the different countries.³¹²

Lastly, CSTO is also involved in the fight against international terrorism. In April 2004, a so-called 'International anti-terrorism media forum' was established with the purpose of collecting information to support the fight against international terrorism. In June 2005, it was decided to produce a list of organisations related to terror and extremism.³¹³

As can be seen, CSTO has high military ambitions, especially regarding CRDF and CRRF, but the development of these two forces is being hampered by internal disagreements and mistrust of Russian ambitions. It seems that CSTO is more successful in developing 'soft tools', such as the international anti-terrorism and media forum, where sensitive issues such as under whose command forces should be placed are not involved. Many of the tools, especially those involving sensitive issues, will probably not be developed to their full potential.

(311) SIPRI, 2007, p. 176.

(312) SIPRI, 2007, pp. 175-176.

(313) SIPRI, 2007, p. 177.

The Current Debate and the Future Security Role

Political developments in Afghanistan in the late 1990s were a determining factor in the five Central Asian countries supporting a reactivation and strengthening of security and defence cooperation in CST. It is also the developments in Afghanistan which has made it possible for Russia to argue against NATO's and the United States' presence in the region, as it has criticised Western troops for being inefficient. Furthermore, the US invasion of Iraq in 2003 was a turning point in Russian efforts to strengthen security cooperation in Central Asia.

Central Asian support for the development of CSTO has been advanced by a number of different contemporary circumstances: terrorism, extremism, separatism, the perception of Western interference in the area, fear of American intentions, and the perception that Russia enjoyed the only credible potential for counterbalancing the influence of the Western world. On the other hand, by concentrating Russian efforts on CSTO, Russia has achieved the institutionalisation of its influence in the area. The minor states in CSTO are able to preserve a considerable degree of independence by participating in a multinational regional organisation. Russia has been perceived as a more transparent and credible partner, one that unconditionally supports the existing power structures in the region. To date, the US and the rest of the Western world have been perceived as potentially dangerous partners that might be working to 'democratise' the countries in the region and thus undermine their present political elites. However, it remains to be seen what the newly elected US President Obama will bring to the table, as he might help lessen external pressure on the organisation.

CSTO is clearly an instrument for Russian security and geopolitical interests, but it is not an organisation kept together by ideological ties. The minor member states are far from being just satellites or being completely dependent economically on Russia. Kazakhstan and Uzbekistan have considerable influence in the region and therefore also in CSTO.

As mentioned previously, CSTO consists of three very different regions with different security interests in relation to Russia. The Russia-Belarus region is important for defence against a possible threat from the West. It is important for both parties, but probably mostly for Belarus and its present political elite. The Russia-Armenia region provides Russia with a stronghold in the Trans-Caucasian area, but for Armenia it is of vital importance in the continued conflict with Azerbaijan over Nagorno-Karabakh, a conflict which might lead to another war: Russia is the ultimate

guarantor of Armenia's security. For Russia, the Central Asian region is by far the most important. Russia has vital interests in Central Asian energy resources, and the Central Asian countries need a partner who can balance the influence of China and to a certain extent the West.

CSTO is an expression of the fact that Russia will eventually re-establish its traditional geopolitical position, first and foremost in Central Asia. During the 1990s, the fear of a resurrection of Russian hegemony was a decisive factor in the development, or rather non-development, of CST. At the beginning of the new millennium, it was the threat posed by international terrorism which led to the strengthening of security and defence cooperation in CSTO. By 2002, a fear of the real intentions of the United States and the West emerged, which nourished strong anti-Western sentiments among the political elites in the member states. The return of a degree of Russian dominance was considered the lesser evil. Under these conditions, CSTO had a certain potential for developing into an efficient regional security and defence organisation. It seems, however, that the weakening of the Western financial and military position has led to a more relaxed perception of the potential Western threat. In addition, the Russian-Georgian war in August 2008 seems to have stimulated caution among the other member states, which have apparently grown suspicious of Russia's great-power aspirations. In February 2009, a CSTO summit was held at which the member states met, among other things, to discuss future military cooperation and CRRF. The actual outcome of the summit has not been made entirely clear, but it seems that the units committed to CRRF will remain under national command and on national territory. The result of the summit must have been disappointing for Russia. On paper there is an agreement, but in reality very little has changed. Russia is the provider of security and is contributing the most towards the expenses of CSTO, whereas the other member states are taking advantage of this and not contributing much in return.³¹⁴

It will be interesting to see, in the near future, whether CSTO manages to save itself from its internal issues and avoid becoming a paper tiger. It needs to become a respected international security organisation, but for this to take place, the West and other international organisations need to take it seriously and see it as an actor in its own right. However, it remains to be seen whether this will happen.

(314) Felgengauer, 2009.

Milestones of CSTO

Figure 8.3: Milestones of CSTO

Year	Events
8 th December 1991	Belovezh accords (Belovezhskaya Pushta, Belarus, Russia and Ukraine)
21 th December 1991	Belovezh accords signed by the Presidents of Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.
May 1992	Tashkent Treaty on Collective Security (Russia, Belarus, Georgia, Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, Uzbekistan and Tajikistan) (except for the three Baltic states, Ukraine, Moldova and Turkmenistan) (1994-99). In 1999, Georgia, Azerbaijan and Uzbekistan leave the treaty.
1992	Agreement on a peace-keeping function, complemented in 2000 with an anti-terrorism function.
January 1993	The Charter of the Commonwealth of Independent Nations adopted in Minsk.
1993	The Russian President signs the document: Basic Directions of Foreign Policy.
1994	Russian Peacekeeping Forces in Tajikistan, Georgia and Moldova. Attempt to create a joint CIS Security Council and to integrate military forces fails.
1997	Taliban in power in Afghanistan and NATO-enlargement process.
1999	NATO air strikes in former Yugoslavia, attempts to find a common CIS defence platform.
June 2000	CIS Antiterrorist Centre established in Bishkek (Kyrgyzstan).
October 2000	Agreement on creating a CST Rapid Reaction Force.
April-May 2001	The six presidents agree to proceed with the project (3,000 soldiers and a HQ in Bishkek) focusing on the Taliban threat.
9 th September 2001	President Bush announces war against terror. Vladimir Putin accepts U.S. Air Force bases in Uzbekistan and Kyrgyzstan.
20 th September 2002	National Security Strategy of the United States (the 'Bush Doctrine') is published.
May 2002	In Chisinau (Moldova), at a summit marking the tenth anniversary of the CST, the foreign and defence minister suggest the Treaty should transform into an international regional security organisation, the Collective Security Treaty Organization.
April 2003	The CSTO Treaty is signed by the presidents and enters into force in 2004.
20 th March - 1 st May 2003	The US-led invasion and campaign in Iraq.
November - December 2003	'The Rose Revolution' in Georgia.
August 2004	Joint exercise 'Rubezh 2004' takes place in Kazakhstan and Kyrgyzstan with more than 2000 troops.
November 2004 - January 2005	'The Orange Revolution' in Ukraine.

Year	Events
December 2004	CSTO is recognised by United Nations as a regional security organisation and obtains observer status at the General Assembly of the United Nations.
April 2005	'Rubezh 2005' takes place in Tajikistan.
Spring 2005	'The Tulip Revolution' in Kyrgyzstan.
May 2005	'The Andijan Massacre' in Uzbekistan.
August 2005	Several functions of the CIS defence cooperation are moved to CSTO, including air defence, military exercises, formally under CIS flag, but only with participants from CSTO countries.
October 2005	CSTO's Secretary General, Nikolay Bordyuzha, declares that a large group of forces will be created in Central Asia like the Armenian-Russian and the Belarusian-Russian integrated army groups.
November 2005	CSTO made open to new members, and Russian Foreign Minister Lavrov urges cooperation between NATO and CSTO.
Summer 2006	Uzbekistan leaves GUUAM and joins CSTO.
August 2006	CIS exercise 'Rubezh 2006', but only with participants from CSTO.
Autumn 2007	Memorandum signed between CSTO and SCO on the possibilities of military cooperation between the two organisations.
August 2008	Exercise 'Rubezh-2008' in Armenia and Russia with 4000 troops.
December 2008	Informal CSTO presidential meeting in Kazakhstan concerning the future of the organisation
February 2009	CSTO summit in Moscow. President Medvedev announces the establishment of a strong Collective Rapid Reaction Force, CRRF.

Documents of Special Importance

The Alma Alta Declaration 1991:

http://memory.loc.gov/frd/cs/belarus/by_appnc.html

Agreement on the Establishment of the Commonwealth of Independent States 1991:

<http://www.eurasianhome.org/xml/t/databases.xml?lang=en&nic=databases&legalact=4&pid=16>

Charter of the Collective Security Treaty Organisation 1992:

http://www.odkb.gov.ru/start/index_aengl.htm

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Weblinks

For the official CSTO website, see:

http://www.odkb.gov.ru/start/index_aengl.htm

For information about the CIS members, see:

<http://www.cisstat.com/eng/>

For articles, reports and the like on Eurasia, see:

<http://www.eurasianet.org/index.shtml>

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International organisations are playing an increasingly important role in settling disputes. Progress in conflict management shows that more disputes than ever are being settled by negotiation and not on the battlefield. Therefore, there needs to be an increased focus on the 'tool boxes' of international organisations in the peace and security realm. However, at the same time the complexity of contemporary conflicts and conflict management is posing great challenges for the structures, resources and roles of most international organisations.

This book deals with seven of these international organisations: the United Nations (UN), the European Union (EU), the North Atlantic Treaty Organisation (NATO), the African Union (AU), the Organisation for Security and Co-operation in Europe (OSCE), the Shanghai Cooperation Organisation (SCO) and the Collective Security Treaty Organisation (CSTO). This wide range of international organisations operate in different regions of the world and have different histories, legal foundations, security partners and resources for conflict management – all elements dealt with in this book.

It is our hope that the book will provide readers with a deeper understanding of these international organisations, their establishment, how they have evolved and the tools of conflict management they use.

