Determinants of Regional Organisation's Global Role in Peace and Security

Stephen Kingah & Luk Van Langenhove

Working Paper N° 30

January 2012

EU-GRASP

Changing Multilateralism: the EU as a Global-regional Actor in Security and Peace, or EU-GRASP in short, is an EU funded FP7 Programme. EU-GRASP aims to contribute to the analysis and articulation of the current and future role of the EU as a global actor in multilateral security governance, in a context of challenged multilateralism, where the EU aims at "effective multilateralism". This project therefore examines the notion and practice of multilateralism in order to provide the required theoretical background for assessing the linkages between the EU's current security activities with multi-polarism, international law, regional integration processes and the United Nations system.

Partners

EU-GRASP is coordinated by the United Nations University – Comparative regional Integration Studies (UNU-CRIS). The other partners of EU-GRASP are based worldwide and include: University of Warwick (UK), University of Gothenburg (Sweden), Florence Forum on the Problems of Peace and War (Italy), KULeuven (Belgium), Centre for International Governance Innovation (Canada), Peking University (China), Institute for Security Studies (South Africa) and Ben-Gurion University of the Negev (Israel).

Disclaimer

All views and opinions are those of the authors. This paper is work in progress. Any comments are welcome and can be sent to the authors.

Abstract

This paper presents a conceptualisation of the determinants of the influence that regional organisations have at the global level in the area of peace and security. It is aimed at initiating and provoking debate on the understanding of the factors that are preponderant in shaping the manner in which regional organisations exert influence at the global level in the realm of international peace and security. The factors or determinants treated include the willingness of the regional organisation to act, the acceptance of its actions and its capacity to discharge such peace related tasks. The determinants are contingent on ten sub-determinants.

About the Authors

Stephen Kingah is Research Fellow at the United Nations University institute on Comparatve Regional Integration Studies (UNU-CRIS).

Luk Van Langenhove is Director of UNU-CRIS and Academic Coordinator of EU-GRASP.

Table of Contents

DETERMINANTS OF A REGIONAL ORGANISATION'S GLOBAL ROLE IN PEACE AND SECURITY

Stephen Kingah and Luk Van Langenhove

UNU-CRIS

1. Introduction

Regional Organisations (ROs) or regimes are created by states with the purpose of contributing to governance inside their own geographical area. In many an instance, this is related to economic issues (e.g. in the case of regional trade arrangements) and sometimes also to the governance of certain public goods, including security. It is, however, also possible that an RO engages in actions beyond its own region. In such cases, the RO becomes a regional or even global actor or power, comparable to certain states that have a capacity or ambition to act "out of area." The EU, for instance, is increasingly regarded as an RO that qualifies as a regional/global power.[1] But in principle, the playing field of international relations is still constituted by states and not by regional organisations. Only states can for instance be full members of the UN. However, there seems to be a growing space for ROs in what has been labelled "multilateralism mode 2.0:" a multilateral system with not only states as actors and with many different playing fields (Van Langenhove 2010). It is within that context that the influence of ROs needs to be assessed.

As important as the United Nations Security Council is in deciding matters of international peace and security, regional organisations also matter in this regard.[2] This paper argues that the role of an RO[3] as a global actor is a function of three determinants: willingness to act as such, acceptance of its actions beyond its own region and its capacity to mobilise internal resources. In the past many commentators have discussed certain elements of such determinants within other frameworks. Allusions have been made to elements that fashion expectations, as in the case of the European Union. For instance, Hill dwells more on mutual obligation, operational capacity and resources (Hill 1993). Discussing the growth of regional organisations and the role of the United Nations, Henrikson instead emphasises individuality, autonomy and capability of the organization (Hendrikson 1995). Sidhu (2007) on his part expounds on the conditions of differentiating regional organisations on the bases of mandate, peacekeeping capability and geographical scope of the mandate. In their presentation of the EU as global actor, Bretherton and Vogler (2002: 5) focus on presence (that is, "ability to exert influence; to shape the perceptions and expectations of others");

---

[1] For a discussion of the regional/global actorness of the EU, see: Soderbaum and Van Langenhove (2006); Van Langenhove and Costea (2007) and Van Langenhove and Marchesi (2008)

[2] For important literature and references on the interactions between ROs and the UNSC in fostering international peace and security, see Simma (2002), especially chapters on Regional Arrangements in Chapter VIII: 806-895; Abass (2004), Graham and Felicio (2006).

[3] Tavares (2010: 5) identifies 38 ROs that are relevant in the discussion on international peace and security.

opportunity and capability (that is, "capacity to respond effectively to external expectation and opportunities.").

In this paper the focus rests upon the complex relations between states and regional organisations. This complexity is a result of the fact that the latter are always created by the former: states are region-builders. But states have entrusted regions with some statehood properties. As a result, regions and regional organisations can act to a certain extent autonomously and independently of their creators.[4] But states are still in command too: they can intervene in the autonomy of ROs. This means that there are two dimensions to the influence of ROs in global affairs: the extent to which they can act as autonomous players and the extent to which they can be used as instruments by states. In both cases their influence is a function of three determinants: willingness, capability and acceptance.

The first determinant treated is willingness, which in turn is related to the power that member states entrust upon an RO. This can be partitioned into three sub-determinants including: unambiguous empowerment of the RO through regional treaties and protocols; presence of an active core group of leaders willing to act as drivers of the process; and the desire of supranational bodies to activate the mandate as bestowed by the legal texts or sanctioned by political masters.

The second determinant (acceptance) relates to the place of the RO in the multilateral playing field. This is also based on a number of sub-determinants. They include: the existence of an institutional collaboration with the United Nations; reliance by the UN on the RO for legitimacy in given actions; acceptance of such a role by four UN Security Council Members and the acceptance or concurrence of the citizens of the region with the active role of the region at the regional and global levels.

The third determinant is a function of the organisational capacities and operational experiences of ROs. The sub-determinants under this heading include: strong institutional framework, ability for troop deployment and sophistication of command structure. The paper presents an overview of these three determinants and ten sub-determinants applied to issues related to the maintenance of international peace and security by ROs.

When an RO is willing, capable and allowed to act as a regional/global security actor, this can occur in different forms. Firstly, the RO can act in a bilateral way and intervene in any part of the world. Secondly, the RO can act in an inter-regional way and develop relations with other ROs. Thirdly, the RO can act in a multilateral way and operate within and/or under the umbrella of the UN. This paper will deal especially with the latter: the relationship between ROs and the UN.

Independently of the existence of some of the elements or conditions for action by regional actors as considered above, there is still no systematic analysis or assessment of the manner in which ROs are influential at the *global level*. Through this paper we hope to contribute in designing and collating the conditions under which ROs can exert leverage at the global level. While it may be true that the determinants can simply be regarded as conditions for the region's *regional* activities, the faculty of acting out of area as endorsed by the UN provides a unique perspective of the region's gravitas as a *global* player.

---

[4] The region building argument is developed in detail in Van Langenhove (2011).

ROs are gaining more traction in global affairs, not least because of the legitimating element that can accompany their involvement in bringing about peace and security. Increasingly, actors would be keen to understand the underlying factors that accord some regions more global influence than others. As such the study is not only theoretically useful but it is also worthwhile for thinking about and shaping policy.

One aspect that is important in these debates is the issue of perception. The real power or influence of a regional body at the global level is all about how the regional organisation is perceived by states and other international and regional organisations. If the organisation exhibits a lackadaisical attitude in terms of zeal and desire to bring about peace in its region (and even beyond if allowed) the proclivity for others to take it seriously will be diluted. In equal measure, few actors will accept such an entity as globally relevant. This is also compounded in those instances where the organisation is bereft of the resources to exert such influence in terms of critical mass of human resources and material assets necessary to bring about peace and security. The flip side of perception in the global role of a region is the real possibility that specific countries within a region keen on global reach can use or give the impression of using a regional organisation to project specific provincial interests.

One should not be under any illusions as to what can be attained. There is always a mismatch between what can be expected from regions and what they can actually deliver. Regions are composed of states. Although the converse may not always hold, weak states are unlikely to produce strong regions poised to exert influence at the global level. The expectations that many have in terms of what regions can deliver tend to be very high. This is often inversely proportional to what the regions can actually *do* given the lack of consistency in the desire to act, the weak levels of compliance or legitimacy which the regions can muster and the resource limitations of such organisations. It makes little sense to demand of a region to produce at the global level what it finds hard to deliver in its own neighbourhood.

Within the legal framework that governs the actions of regions in this area the UN Charter in its Chapter VIII makes clear demarcations in terms of the confines within which ROs[5] can act in forging peace and security. Article 52 of the Charter stipulates that regional arrangements or agencies can exist to deal with peace and security if their activities are in line with the aims and principles of the UN. While recognising the fact that they should deal with problems at the regional level before reverting to the United Nations Security Council (UNSC), the Charter unequivocally provides in Article 53 that any actions taken by such ROs must (except in the case of actions against enemy states) be taken with the full authorisation of the UNSC. This stringent obligation is extended to the duty of the ROs to inform the UNSC of any enforcement actions taken as ordained in Article 54 of the Charter. Kodjo argues that Article 24(1) of the UN Charter gives the Security Council a principal yet non exclusive responsibility on issues of international peace and security. He further notes that on the kinds of actions which regional organisations might take, the Charter is silent. In Articles 41, 42, and 43, relating to the kinds of actions that the UNSC may take, ROs are not mentioned; an

---

[5] ROs will be used in the paper to refer to what the UN Charter characterise jointly as Regional Arrangements and Agencies.

omission he qualifies as a great lacuna because such are the areas where the Charter could have carved out a clear and long-term mandate for ROs (Kodjo 1991).

Having presented the determinants in the introduction, part two sets out the context of the issues at the global level. It considers some of the strides made by the UN to enhance ties with ROs in the field of peace and security. Parts three, four and five then consider the determinants in greater depth. These chapters elaborate on the sub-determinants for each of the determinants. The conclusion presents what could be regarded as possible weaknesses of the concepts hereby developed. It also explores options and avenues for fine tuning the notions for a better understanding of the influence that ROs have at the global level.

2. Context

The leverage that ROs have at the global level falls within the debate on the interactions that exist between ROs and the United Nations (UN). Important discussions on this interaction actually predate the creation of the UN itself. Shortly before the creation of the UN's predecessor (the League of Nations) there were important discussions on the role that regional bodies should play in the world body (Villani 2001: 239). There was a sterling push from developing countries for a strong say of regional entities in the League. These discussions became more cogent prior to the creation of the UN. During the Dumbarton Oaks talks, as well as the parlays at San Francisco, there were important exchanges as to the role that regional entities should play in the functioning of the UN. At Dumbarton Oaks the majority of the participants from the Arab world and Latin America were keen to have strong regional entities alongside the world body (Kodjo 1985: 798). But the general proclivity at the Dumbarton Oaks talks in the universalist/regionalist dichotomy leaned in favour of the universalist approach to peace and security. At the Tehran and San Francisco Conferences that preceded the UN's birth strong voices supporting the inclusion of ROs had taken a clear upper hand (Simma 2002: 814).

Since the 1990s the relationship between the UN and ROs has been articulated mainly as that between ROs and the Secretariat, on the one hand, and ROs and the UNSC on the other. Important milestones have occurred at the UN in terms of the relations between ROs and the Secretariat in the area of peace and security. Discussions between the ROs and the Secretariat assumed an important crescendo in 1992 when UN Secretary General Boutros Boutros Ghali published his *Agenda for Peace,* in which he presented important elements that should characterise the liaison between ROs and the UN (Ghali 1992). These elements included: primacy of the UNSC in related decision-making; equality of all regional organisations; and emphasis that there will be no formal pattern of division of labour between regional organisations and the UN.

In 1995, and as repost to the terrible carnage that had ensued in Rwanda, a supplement was appended to the Agenda for Peace that basically reversed most of the elements that had been included in the Agenda (Ghali 1995). It reversed the idea of ROs being treated equally and, in rebuttal to references in the Agenda for Peace to avert division of labour between the UNSC and ROs, it noted the need for such division of labour to avert duplication. The Supplement outlined five different modalities of possible cooperation between the UNSC and regional organisations. The

modalities included consultation; diplomatic support; operational support; joint deployments and joint operations.

Another important landmark in the efforts to better articulate the interaction between the ROs and the UN came in 2000 when Lakdhar Brahimi issued the *Brahimi Report* that underscored the importance of better regional capabilities in the area of peace and security (UN 2000). It supported the idea of using coalitions of the willing but under strict conditions set by the UNSC. In 2005 UN Secretary General Kofi Annan further elucidated the need for a strong partnership between the UN and regional entities in the area of peace and security in his report entitled *In Larger Freedom* (Annan 2005). Other salient reports on the interactions were also published on behalf of the UN Secretariat in 2006 and 2008 (UNSG 2006, UNSG 2008a & b). The 2006 report noted the need for clear division of labour between the ROs and the UNSC in the area of peace and security.

From a more practical perspective, before the advent of Secretary General Ban Ki Moon, efforts had been made by his predecessors to foster concrete ties with some regional entities through formal dialogues. These started in 1994 and continued through the tenure of Kofi Annan. But since 2007, and with the change of leadership in the Department of Political Affairs, the zeal for forging such dialogues has diminished (Tavares 2010).

At the level of the UN Security Council there have also been efforts to forge ties with ROs. This should be trite mindful of the salience of a UNSC mandate in authorising enforcement actions either by ROs or by coalitions of countries. Meetings have been held between the UNSC and certain organisations. Some regional officials have actually had the opportunity to address the Council on key issues.

In summary, it is true that there is a gradual shift in the world toward regions (Van Langenhove 2011: 149).[6] But whether this move reflects a shift toward a Union of regions at the global level is moot (Leonard 2005: 142). It is important that ties between the UN and active regional entities continue to be forged and strengthened. But one may query: what do ROs have or do by their nature that is useful for the UN in the area of peace and security? A distinction that is vital in responding to this question has been made between regional agencies and regional arrangements under Chapter VIII of the UN Charter (Tavares 2010, Kodjo 1985: 802). Agencies are believed to be more established, have a legal personality and permanent structure. Arrangements on the other hand are looser entities. So, regional agencies are in a position to offer services in the area of peace and security by providing peacekeepers, for instance. This has been the situation for ROs like the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC). There are many reasons or factors that explain why the UN may rely on ROs to ensure peace and security. These include common values proximity, and resources. Above all, regional entities that intervene in situations of conflict in their vicinities are often driven by a willingness to act, as epitomised by the zeal of certain leading states.

---

[6] Van Langenhove (2004) making a call for the creation of a Regional Integration Fund at the UN level. Without direct reference Habermas (2000: 33) also alludes to the vital and increased role being played by supranational institutions. The promise for the regional level is also underscored by Falk (2003: 77).

3. Willingness to Act

Not all ROs have the ambition to act "out of area." In fact, most of them do not have a mandate at all to do so. But in some cases, states have entrusted an RO with such a specific mandate. The question then is to what extent such an RO wants to deploy the actorness entrusted upon it to act out of area. And more specifically, in which specific cases does the RO want to operate as a global/regional actor?

In deciphering the willingness of the regional bodies to act one needs to consider important factors such as the nature of the mandate accorded the regional bodies through regional official documents. Equally important is the presence of a core group of architects as leaders who are willing to propose initiatives and maintain workable ones for the greater benefit of the region as a whole. Such leaders need to have a vision that goes well beyond the confines of their own countries. Finally, it makes no sense for the regional text and leaders to impart regional bodies with the requisite mandate and powers if the regional supranational entities are not poised and ready to use the powers and activate the mandate for purposively defined ends that benefit the region as a whole.

3.1 Empowerment through regional constitutional texts

The inclusion of terms and provisions in a regional constitutional or legal text is no guarantee that such provisions will be implemented. For instance, the pursuit of peace and security as an important goal is stated in Article 1(1) of the 2007 ASEAN Charter; Article 4 of the revised SADC Treaty of 2001; Article 2 of the Revised CEMAC Treaty of 2008; Article 4 of ECOWAS's Revised Treaty of 1993; and Article 3 of the Constitutive Act of the African Union of 2000, amongst others.

The inclusion of clear terms on the power of regional bodies in founding texts, protocols, regulations, directives, decisions, common positions, recommendations and resolutions explicitly makes for concision and clarity in the expectations from the regional entity. So the empowerment of the regional body through official documents is vital, especially within regions where states take the rule of law seriously. This is more crucial in the area of peace and security, where the action or non-action of regional bodies can have life and death implications for most of the citizens concerned. In this regard, therefore, clarity in the texts of the region's mandate is of crucial import.

But the impact that such regional rules will have ultimately depends on the manner in which the various states interpret the mandate of the regional entity (Cassese 2005: 11). Suffice to note that in international law this matter has been presented as a dichotomy between countries that adhere to the monist tradition of textual integration and application, on the one hand, and those states that follow the dualist approach, on the other. The monist approach treats the national and international systems as one. The dualist system, on the other hand, regards the national and international levels as separate, occasioning a deliberate incorporation of the international texts into the national system. From the perspective of regional rules, this has minor implications for the regional bodies as such but has an impact on the manner in which the effects of the regional laws will be perceived and felt at the national level.

In terms of adherence to regional rules, regions can be classified into three main categories: those where the pull to compliance is high, mediocre and weak. In regions composed of states that respect the rule of law, there appears to be a strong pull to compliance as far as the regional texts are concerned. In other regions, the pull to compliance is neither strong nor weak and hovers in the median range. The regions with weak pull to compliance have states that tend to regard regional provisions as best endeavor clauses. So in most cases member states simply flaunt the regional rules that have been put in place. The question on the empowerment of the regional organisations has more to do with the *nature of the national democratic cultures and practices,* especially adherence to the rule of law, as much as it has to do with the robustness of the manner in which the regional entities are poised to interpret and enforce their mandates.

The modality through which the rules are applied is also a function of the way in which they are enacted or made. In this regard one can distinguish regions where prior consultations with the vast array of the population is common, one in which such consultations are intermittent, and those regions in which such consultations are either the exception or simply do not exist. In the European Union (EU), for instance, such consultations have been used and there is also the practice of organising referendums on crucial issues including the adoption of key treaties. In this way the people are consulted and they decide, or at least are accorded the chance to decide, on the nature of the mandate that a regional body is to have. This in turn accords sterling legitimacy to the acts and actions of the civil servants of the region so far as they know that their actions emanate from the powers accorded by the citizens. But again one should not exaggerate the case of the EU that has come under fire of late for its democratic deficit. Be that as it may, in regions where little effort is made to consult citizens prior to the adoption of major decisions, regional efforts tend to be regarded with great suspicion, indifference or even cynicism by the citizens of the region.

It is not sufficient for the powers of the region to be clearly spelled out in the text. National authorities need to be aptly prepared to apply the regional disciplines in a fair and impartial manner. This entails the training of judges, administrators and technocrats who are adept in the regional rules and are well able and competent to apply these provisions in a balanced way.

3.2 Core group of leading architects

Regional organisations do not operate in a vacuum. One of the critical elements for a successful regional process is the presence of visionary leadership, charisma to pull cooperation and competence to get things done. Visionary leadership entails the presence of individuals who are ready and well able to look beyond the parochial interests of their own states and to entertain the concerns of the region as a whole. The charisma to pull cooperation is very important, especially when this is driven by a benign sense of the regional good. The competence in getting things done depends on a realisation that the regional project is a long term endeavor that will not necessarily be completed in the lifetime of the initiators.

There have been a multitude of regional architects in the various regional integration processes in the past half century. In Europe, the role played by citizens from France, Germany and Belgium in forging the initial efforts at integration cannot be underestimated. Individuals like Robert Schuman, Jean Monnet, Henri Spaak, Altierro Spinelli and Helmut Kohl, amongst others, all played important

roles in forging and pushing the European integration process. In South East Asia, the role of individual leaders like Lee Kuan Yew and Mahatir Mohammed has been vital in shaping the nature of regional integration in that region. In its early days Africa's integration under the auspices of the Organisation of African Unity was deftly defended and pushed by individuals including Kwame Nkrumah and Julius Nyerere. In recent years leaders such as Olusegun Obasanjo, Nelson Mandela and Thabo Mbeki sought to provide a new élan to African integration. Since these charismatic leaders handed over the mantel of power, integration efforts have been timid and bereft of actionable and visionary leadership that cannot be provided by the likes of President Obiang (AU's chairman at the time of writing). There appears to be a dearth of regional leaders in Africa who have a truly regional vision. For understandable reasons, most of the extant rulers are often more concerned with the interests of their countries.

One of the factors that determines the way in which architects can influence a region is the nature of membership of a given regional entity. In regions whose membership is *inside out* (meaning strict conditions for admission) it is easier for a select group of visionary leaders to craft a vision and ensure its implementation. On the other hand, when membership is *outside in,* whereby every country pertains to the region on the basis of geographical affinity or proximity, it becomes hard to efficiently and democratically consolidate a vision for the region, as has been the case in Africa and in the Arab world.

One of the important elements of a strong regional process is to have leaders with the capacity to envisage the success of the regional efforts as spanning beyond the lifetime of the leaders themselves. This is one of the forces of the EU. The Union has been endowed with leaders who have put in place mechanisms of relay in terms of training and upgrading of a critical mass of human resources to continuously beef up its institutional memory. These are factors that have been important in fostering a strong image of the Union as an actor both at the regional and at the global levels.

But architects do not only relate to individuals. States can also be leaders in their own right. In Europe, countries like Germany and France have been the engines of the European project. In Asia, Malaysia, Thailand and Indonesia have been key to the ASEAN process. In Africa countries like South Africa, Egypt, Algeria and Nigeria have been salient in keeping the regional bodies afloat. As architects states are often driven by the element of pride. For the most part, they are ready to go to great lengths of sacrifice so as to have a strong regional voice. The European experience also indicates that states do not necessarily need to be the biggest ones to be regarded as architects of a regional process or project. Countries like Belgium and Luxembourg have played important driving roles for European integration since the inception of the European integration process. Conversely, bigger nations in certain regions may actually tend to be laggards or a constraining force in terms of integration. In Africa countries like the Democratic Republic of Congo (DRC) and Sudan have not always been the paragons of integration or source of positive energy in fostering regional integration processes.

In the area of peace enforcement there have been instances where actions were presented to be regional while they had the clear impress of particular states. Such was the case of the US within the North Atlantic Treaty Organisation's (NATO's) actions in Kosovo in 1999; Nigeria's role in the

various conflicts through ECOWAS in West Africa and Zimbabwe's use of SADC's Organ in the DRC (Coleman 2007: 15). But these kinds of actions, especially when they are not endorsed by the UNSC, amount to dangerous precedents and amount to what Malan regards as backyard peacekeeping (Malan 1998).

3.3 A proactive regional body poised to activate its mandate

Wielders of power do not easily let it go. In regional organisations that work reasonably well from an efficiency perspective, there is often a tension between the governments and the supranational bodies. Regions that make their mark are those that have very competent supranational bodies that are manned by well-trained individuals schooled in the implementation and enforcement of regional rules. In many instances, regional constitutional texts and rules will articulate the nature of the mandate and the powers of the regional organisations. However in many instances the regional actors and technocrats in the supranational bodies have to make the effort to enforce the regional rules. This is partly because national governments are often loath to let go of sovereign control in many areas, be they in the realms of criminal law, security or fiscal matters.

A regional body that hopes to exert influence at the global level needs to demonstrate a level of determination to engage its members in initiatives that have wider global relevance in the areas of peace and security. The EU and ECOWAS are examples of two regional entities that fit this bill. They have both intervened in operations in the past following calls from the UN Security Council for such actions. The EU for one has actually exercised out of area security missions requested by the UNSC. It is true that the proactive nature of an organisation is also a function of the person at the helm of the secretariat of the regional organisation. However, organisations that are well respected and that engage in actions with global relevance often have a clear mission on what their role is and a sense that this role is accepted in the region and even beyond. Only under such circumstances do these organisations feel a sense of entitlement to act on behalf of the states in addressing problems that could also have regional and global implications.

So the zeal to be proactive is in turn determined by the quality of leadership of an organisation. It also depends on the presence of a strong institutional set up to maintain the human critical mass necessary to activate globally relevant missions. Equally crucial is the existence of a real security challenge that has regional ramifications as well as international implications. Such challenges must have been acknowledged by the UNSC and the latter should have also recognised the importance of the regional body to deal with the problem. Of greater importance is the need for a shared vision of security amongst the key states of the region and the existence of operational cooperation between the relevant national institutions across borders.

But the mandate of the region in the area of security must also be clear and unambiguous in terms of the role and powers of the regional body. For instance, in the SADC the definition of the mandate of the regional body in the area of security left many doubts and questions that led to the confusion that marked the intervention of various SADC states in the war fought in the DRC in 1996. While some of the members used the organisation to justify restraint in intervening, others used an entity within the SADC institution (the Organ) to validate their intervention in the country. So the importance of a clear mandate cannot be underestimated. But the clarity of the mandate is not only

about the concision of the remit of action as stated in the texts of the organisation. It also pertains to the unambiguous nature of the goals of the action as set out in UN Security Council documents that mandate action.

Also important is the need for a sense of a regional space. This element sharpens the zeal of regional leaders to act in delivering regional public goods including security. This point was very relevant in the case of West Africa whereby conflicts in Liberia, Sierra Leone and recently Côte d'Ivoire have had direct effects on the peace and stability of other neighbouring countries. In this regard the threat to peace in one country tends to be a threat to regional as well international peace and security. This is because the proximity of these countries and the nature of their borders, that are often porous, lead to the uncontrolled flows of persons that enter into territories as refugees, militias or warlords. Given this regional reality in the case of West Africa, ECOWAS has often been pulled into West African conflagrations because of the patent reality of the existence of a true regional space marked by legally enshrined free movement of people. But the salience of the actions of entities such as ECOWAS in the region have not always been accepted by all the parties involved in the conflicts. The acceptance of the actions of the regional entity is not only vital within the region. To gain the leverage needed to be influential at the global level, the actions of the regional organisation need to be accepted far beyond its borders.

4. Acceptance of Action

As noted above, one of the determinants of the leadership and influence of a regional organisation at the global level is the acceptance of its action by a wide array of international actors. This determinant in turn has sub-determinants. They include the existence of collaboration with the United Nations; reliance by the UN on the RO for legitimacy in given actions; acceptance of such a role by at least four UN Security Council Members; and acceptance of the RO's role by the citizens of the region.

4.1 Collaboration with the UN

Collaboration between the ROs and the UN after the Second World War, and especially in the context of the Cold War, was wrapped in turf war differences within the UN Secretariat (Sidhu 2007: 22). Since the publication of an *Agenda for Peace* by UN Secretary General Boutros Boutros Ghali, there has been a keen sense of cooperation between regional organisations and the UN. Collaboration here is a function of the UN organ concerned.

In terms of the Security Council, meetings have been held since 2003 and in 2005 Resolution 1631 was adopted by the Council to outline clear steps for enhancing cooperation. But progress has been timid. There have actually been calls made to enhance the formal ties between the ROs and the UNSC (Graham and Felicio 2006). This could make sense mindful that organisations such as the EU have been heard before the UNSC in the past (Hoffmeister and Kuijper 2006: 17). However other commentators regard such proposals as too formalistic and instead prefer a looser kind of cooperation (Henrikson 1995: 165). At the more formal level, therefore, regional organisations are not necessarily tied to the UNSC but the Charter provisions that accord the UNSC mandate to authorise enforcement actions through regional bodies entail that latent institutional collaboration

cannot be averted. Discussions on the UNSC reform have also alluded to the greater formal cooperation between the UNSC and the regional entities. The difficulty here will always be the criteria for selecting the regional entities with which the UNSC will have formal institutional ties. Put otherwise, on what basis should a regional entity in the area of peace and security be institutionally linked to the UNSC?

Second, with regard to the UN General Assembly (UNGA) one could envisage a scenario in which regional organisations play the role of full members. However, as the recent experience of the EU suggests, what regional entities would likely get is observer status at the UNGA. The Assembly is an entity that is based on one state one vote. It provides a platform for various countries, however miniscule, to take stances on various issues on a sovereign basis. Leaders of the various member states can use the UNGA podium to vent their opinions on various issues. Each nation has its own sensitivities. So, regional organisations as such will sit oddly within the framework of the UNGA. However the problem of regional entities playing an active role within the UNGA is mitigated by the existence of constellations of *regional groups* active in the activities of that organ.

At the level of the Secretariat, important steps have been taken to enhance the dialogue between regional organisations and the office of the Secretary General (SG). In the last decade the SG's office instituted dialogue and collaborative talks with the leaders of key regional organisations. There have been seven such dialogues known as High Level Meetings held since 1993 (Tavares 2010: 7). As in the case of the previous organs, the challenge in maintaining such dialogues is borne when it comes to defining the criteria for involvement. Why should a given regional or sub-regional entity be included in the dialogue to the exclusion of others? This raises issues of fairness and equality in international law. In any event such considerations can always be trumped on the basis of effectiveness and capability of action, as indicated in the next part. So the degree of collaboration between the UN and the regional organisations at the formal or institutional level really depends on the specific UN organ in question. Such collaboration is more patent at the level of the Secretariat and least so at the level of the UN General Assembly.

4.2 Reliance on the regional organisation for legitimacy by the UN

Beside the practical calculus of cost concerns, the UN needs the involvement of regional bodies in enhancing acceptance of its joint enforcement actions. To the extent that legitimacy is regarded a political order's worthiness to be recognised, the task of the UNSC in enforcement actions is made lighter and easier when the regional entity itself is poised to discharge the mandate, be this of conflict prevention, peacekeeping or crisis management (Habermas 1995: 178). There are levels of legitimacy that can be envisaged in terms of enforcement actions.

First, when the enforcement action is carried out solely by the regional entity on a unilateral basis. Within the region itself there can be controversies around such actions that do not (at least) seek the accord of the UNSC *ex ante*. The case of SADC in the 1990s in the Great Lakes region is a good example where few member states took action in the DRC on behalf of the regional entity to the chagrin of other member states. When a regional action enjoys support from the greater majority or all of the member states without the authorisation of the UNSC, the legitimacy of the actions will be questioned beyond the pool of states involved in the action.

Second, there can also be instances where enforcement actions are mandated by the UNSC and executed by both UN and regional peacekeeping forces. At this level one can gauge a very high sense of legitimacy. This has been the case in some of the conflagrations in West Africa. In many instances UN and West African forces teamed up in working in the area of peacekeeping in places such as Liberia and Côte d'Ivoire. In these cases the UN's legitimacy of action is reinforced by the presence of regional forces fighting alongside the multinational UN peacekeepers. On the other hand, the legitimacy of the regional action in such cases is fostered by the validation of the UNSC and the presence of Blue Helmets.

Finally, there are also actions that are taken and enforced at the multinational level within the UNSC with minimal or no support from the regional entities involved. It is contended that in such cases the pull to legitimacy at the regional level is the lowest. The experience of the UN troops in places such as Lebanon and Iraq is testament to this situation. In other words there is need for regional support from regional entities or vital regional members to validate actions adopted at the level of the UNSC. The legitimacy of the action is diminished without the endorsement of the regional entity in the region involved. But as the experiences of Rwanda and Darfur indicate, regional entities are not always ready or poised with the resources to act accordingly when asked to by the UN.

4.3 Acceptance of regional role by at least four permanent UNSC members

The UNSC is an important organ when it comes to ensuring international peace and security (Bosco 2009: 250). Getting decisions passed through the UNSC is not a light matter. This is partly because of the veto rules that govern the decision-making processes within this body. The manner in which a regional organisation can influence the actions at the international level in the area of peace and security largely depends on the degree to which the five permanent members feel amenable or pliable to endorse regional actions. The permanent members, including the US, the UK, France, China and Russia, have completely different perceptions of the role of regional organisations, especially in the area of peace and security. One can distinguish three categories.

First are the enthusiasts, including France and the UK. Being strong former colonial powers they "tend to give a chance" to their former colonies to team and work together. Their presence within the EU can also explain why they could instinctively be diplomatically inclined to address problems with regional tools. In more formal and strategic terms these countries have important regional security programmes in various parts of the world, especially in Africa. France and the UK often tend to be supportive of regional actions in terms of peace and security. From a cynical perspective one may interpret this to be a rush to delegate responsibility and defer cost and charges to regional entities. But it remains a fact that they tend to be keen to embrace regional actions more than the other veto wielding members of the UNSC.

The second category here includes the US, which is a recent convert to the importance of regional organisations in the area of peace and security. That is why it has also been supportive in recent years of entities like the African Union in the area of peace and security. From its own tactical and organisational side the Pentagon has fashioned its strategic positioning in the world in terms of commands based broadly on regional lines, with the recent one being the AFRICOM.

The last category is that of Russia and China. These countries were not colonial powers in the conventional use of the term, even if Russia has had a history of highhandedness in its region. Both countries strongly believe in the principles of non-interference. This is often based on many reasons. To begin they are often weary of other (Western) nations casting strictures and aspersions on their human rights records. Moreover, they tend to be protective of their interests in other parts of the world and so prefer to deal with partners on a bilateral basis rather than inviting collective actions at the regional level. So apart from their characteristic reluctance to engage in enforcement actions they also show an avocation to avert engaging regions for such enforcement actions.

This means that the power of veto is likely to be wielded by any of these members (that is China or Russia) to stifle action in the area of regionally enforced peace and security. As demonstrated above, due to the nature of their diplomatic strategies and interests, Russia and China may be inclined to resist supporting regional entities in the area of peace enforcement. However, one caveat to be raised here is that in the area of multilateral peacekeeping by the UN's Blue Helmets China has recently taken an active position in support and even going as far as putting troops on the ground.

So to obtain the support of all the members for a regional enforcement action can be daunting as an enterprise. However, securing four votes of the permanent members ensures that a regional action will be backed. In many instances where there is such support the fifth member tends to abstain, guaranteeing UNSC support for a given action.

4.4 Acceptance of the regional organisation's role by the citizens of the region

People elect leaders who, in a democracy, should represent their concerns. In regions, the majority of which are democracies, it is not hard to envisage how the actions of regional leaders will be validated and regarded as the true aspirations and desires of the large majority of the population in the region. If a region is constituted for the most part by electoral democracies whose leaders are accountable to the people, that region will speak with greater authority at the global level. To broaden the logic here to accommodate countries like China, one would contend that if the leaders are endorsed by internally acceptable and domestically legitimate modes of selection, then the leaders who make up that region will have leverage in terms of the influence they exert on regional security issues.

Citizen support is also contingent on the acceptance of a true regional security space in which citizens believe that needs of stability may occasion regional enforcement action. The validation of citizens may be *ex ante* or *ex post* a regional enforcement action (Conforti and Focarelli 2010: 327). In *ex ante* scenarios, support of the citizens tends to be strong in fending off threats of insecurity in a given region. This is less likely when the involvement of citizens is *ex post*.

The support of the citizens of the region can be hard to gauge in concrete terms. On the one hand, one may look at the attitude as represented in regional parliaments. This again depends on the nature of credibility that can be ascribed to the parliaments. In other words how democratic are the processes that lead to the election of the regional legislators and to what extent do they reflect the true aspirations of the people? On the other hand, the role of regional civil society and grass roots

organisations may be assessed as a way to decipher the importance of influence that individual persons can have on the regional institutions.

The sub-stratum here is that for a regional organisation to have influence at the global level, other players at that level have to be confident that the regional entity is truly representing the aspirations of its people. If this is not the case, any allusion to regional gravitas will be moribund. In such a situation, the capacity for action by the regional entity will be reduced.

5. The Organisation's Capacity

As aforementioned, the final determinant relates to the organisational capacities of the ROs. This issue has also been linked to the operational experiences of the ROs (Tavares 2010: 17). This in turn pertains to the existence of a strong institutional framework, the ability for mediation and troop deployment and sophistication of command structure.

5.1 Strong institutional framework

Strong institutions are needed at the supranational level to implement the actions of the RO. But such institutions need focal points at the national levels. Such focal points or national implementation organs are key in enhancing the implementation of regional strategies. Organisations can either have a firm institutional framework with regional security organs that permeate the national level, weaker ROs with loose security arrangements, or those that completely lack such institutional organs. The realities of the regional capacities are really tested at the national level that constitutes the base. It is futile to aim for grand regional schemes when the base, that is, the national capacities, is weak (Malan 1999). The existence of strong institutional frameworks in the area of security is not evident or a given. Nations tend to cherish the exercise of sovereignty in the area of foreign policy, including security matters. Having a regionally developed framework of rules and common policies in this area can be hard and takes time. That mature regional entities like the EU still experience challenges in the area of common foreign and security policies should serve as an indication of the challenging nature of the task of creating regional security-oriented bodies that would command the respect of national authorities.

5.2 Ability for mediation and troop deployment

A regional organisation will only be able to exert influence in terms of peace and security at the global level if it has the ability to ensure peaceful mediation and troop deployment efforts. Regions that matter should be able to produce leaders and statesmen who are adept in the art of mediating peace in difficult conflict situations. Regions should be able to boast of leadership that is tested at the regional level and the services of which can be offered at the global level. But for there to be recognition at the global level there needs to be proof of commitment and demonstrated tact for mediation at the regional level. Some regional organisations' former secretaries-general or commission heads later become important mediators within their respective regions and beyond.

The ability for troop deployment is vital once the mediation efforts have failed. Regional organisations should first be able to show that they have the capacity to quickly deploy troops on short notice in dealing with conflagrations in their regions. Second, and this is an inchoate

consideration, the UN could seriously entertain the actions of regional forces which could be deployed under the aegis of the UN Blue Helmets in dealing with conflicts in *other regions*. An organisation that demonstrates the ability to deliver on either or both of the preceding points garners the approval and respect of other regional entities at the global level. As noted earlier, in the field of peace and conflict prevention/management, perception matters.

5.3 Sophistication of command structure

The sophistication of the command structure of regional forces is an important indication that the organisation takes its regional security obligations seriously. The existence of a clear chain of command at the national-to-regional level is vital in sealing the importance with which a regional force will be treated by third parties. But this is an issue of internal sophistication within the confines of military considerations. The sophistication can also be external and horizontal in the sense that a regional organisation must be able to demonstrate the capacity to coalesce the abilities of its military chain of command alongside its civilian tools as well. So, military might at the regional level could be aligned to a strong civilian force, as well as a critical mass in the broader area of foreign policy and diplomacy. All these entail the use of important resources which countries are not often keen to defer to the regional organisations unless they see clear gains for such outreach in their own nations.

6. Conclusion: Scale of Importance of Determinants and Way Forward

As the foregoing reflection indicates, thinking on the manner in which regional organisations exert influence at the global level cannot be a one-dimensional appreciation. It was noted that regional influence at the international level is determined by the regional entity's willingness to act, the acceptance of its actions by other key actors both at the regional and international levels and, finally, by the capacity of the organisation to dispense its tasks in the area of peace and security.

After presenting some of the elements of the debate on the determinants that affect the ability of regional organisations to be global actors, it is vital to also explore some of the loose ends and further avenues for research. First, who defines the meaning of a regional entity for the purposes of the Charter? Second, in terms of willingness to act, do the modes of reaching consensus shape or fashion the nature in which the regional desire for action is perceived? Third, regarding acceptance, how will emerging actors and especially those that have already emerged from a security stand point (viz: China and Russia) use ROs to pursue their own interests? Fourth, in terms of capacity, given the existence of overlaps that are common in regionalism in many parts of the world, is there any zeal to consolidate regional security efforts in single continental regional organisations so that these then can be the main interlocutors of the UNSC? Finally, how do the determinants relate to each other? It could be interesting to consider whether willingness to act shapes acceptance of action and capacity. Conversely, it could also be fascinating to look at the ways in which acceptance affects willingness and capacity. And it would certainly be necessary to treat the manner in which capacity relates to willingness and acceptance.

7. References

Abass, A. (2004) *Regional Organizations and the Development of Collective Security : Beyond Chapter VIII of the UN Charter* (Oxford : Hart Publishing).

Annan, K. (2005) *In Larger Freedom, Towards Development, Security and Human Rights for All, Report of the Secretary General* (General Assembly Document A/59/2005), 21 March 2005.

Bosco, D.L. (2009) *Five to Rule Them All: The UN Security Council and the making of the Modern World* (Oxford: Oxford University Press).

Brahimi Report (2000) *Report of the Panel on United Nations Peace Operations,* UN Document A/55/305-S/2000/809, 17 August 2000.

Bretherton, C. and Vogler, J. (2002) *The European Union as a Global Actor* (London: Routledge).

Cassese, A. (2005) *International Law* (2nd edition, Oxford: Oxford University Press).

Coleman, K.P. (2007) *International Organizations and Peace Enforcement: The Politics of International Legitimacy* (Cambridge: Cambridge University Press).

Conforti, B.C. and Focarelli, C. (2010) *The Law and Practice of the United Nations* (4th edition, Leiden: Martinus Nijhoff Publishers).

Falk, R. (2003) "Regionalism and World Order: The Changing Global Setting," in: *Theories of New Regionalism* (Frederik Söderbaum & Timothy Shaw eds), 63-80.

Ghali, B.B. (1992) *An Agenda for Peace – Preventive Diplomacy, Peacemaking and Peacekeeping: Report of the Secretary General pursuant to the Statement adopted by the Summit Meeting of the Security Council on 21 January 1992*, UN Document A/47/227-S/24111, 17 June 1992.

Ghali, B.B. (1995) *Supplement to an Agenda for Peace: Position Paper of the Secretary General on the Occasion of the Fiftieth Anniversary of the United Nations,* UN Document A/50/60-S/1995/1, 3 January 1995.

Graham, K. and Felicio, T. (2006) *Regional Security and Global Governance: A Study of Interaction between Regional Agencies and the UN Security Council, With a Proposal for a Regional-Global Security Mechanism* (Brussels: VUB Press).

Habermas, J. (2000) *Après l'état-nation: Une nouvelle constellation politique* (Frankfurt: Fayard).

Habermas, J. (1995) *Communication and the Evolution of Society* (Cambrige: Polity).

Henrikson, A. (1995), "The growth of regional organizations and the role of the United Nations," in: *Regionalism in World Politics: Regional Organization and International Order* (Louise Fawcett and Andrew Hurrell eds, Oxford: Oxford University Press), 122-168.

Hill, C. (1993) "The capability-expectations gap, or conceptualizing Europe's international role," *Journal of Common Market Studies*, 31(3): 305-328.

Hoffmeister, F. and Kuijper, P.-J. (2006) "The status of the European Union at the United Nations: Institutional Ambiguities and Political Realities," in*: The United Nations and the European Union: An Ever Stronger Partnership* (Jan Wouters, Frank Hoffmeister and Tom Ruys eds., The Hague: TMC Asser), 9-48.

Kodjo, E. (1985) « Article 52, » in: *La Charte des Nations Unies : Commentaire Article par Article* (Sous la Direction de J.P. Cot et Alain Pellet), 796-814.

Kodjo, E. (1991) "Article 53;" in: *United Nations Charter: A Commentary* (Cot & Pellet eds, 1991), 815-829.

Leonard, M. (2005) *Why Europe Will run the 21st Century* (London: Fouth Estate).

Malan, M., (1998) "Regional Power Politics Under the Cover of SADC: Running Amok with a Mythical Organ," 35 *ISS Occasional Paper* .

Malan, M. (1999) "The OAU and African Sub-regional Organisations: A Closer Look at the Peace Pyramid," 36 *Institute for Security Studies, Occasional Paper*.

Sidhu, W.P.S. (2007) "Regional groups and alliances," in: *The United Nations* (Thomas G. Weiss and Sam Daws eds., Oxford: Oxford University Press), 217-232.

Simma, B. ed. (2002), *The Charter of the United Nations: A Commentary* (2nd edition, Oxford: Oxford University Press).

Söderbaum, F. and Van Langenhove, L. (2006) *The EU as a Global Player* (London: Routledge).

Tavares, R. (2010), *Regional Security: The capacity of international organizations* (Abingdon: Routledge).

UN (2000) *Report of the Panel on United Nations Peace Operations,* UN Document A/55/305-S/2000/809, 17 August 2000

UNSG (2006) *A Regional-Global Security Partnership: Challenges and Opportunities, Report of the Secretary-General* (General Assembly Security Council Document A/61/204-S/2006/590), 28 July 2006.

UNSG (2008) *Report of the Secretary General on Cooperation Between Regional and Other Organizations* (A/63/228, S/2008/531) August 2008.

UNSG (2008) *Report of the Secretary General on the Relationship between the United Nations and Regional Organizations, in Particular in African Union, in the Maintenance of International Peace and Security* (S/2008/186) March 2008.

Van Langenhove, L. (2004) "Regional Integration and the Individualism/Collectivism Dichotomy," *Asia Europe Journal* 2(1): 95-107.

Van Langenhove, L. and Costea, A.C. (2007) The EU as a Global Actor and the Emergence of 'Third Generation' Regionalism", in P. Foradori, P. Rosa and R. Scartezzini (eds), *Managing a Multilevel Foreign Policy – The EU in International Affairs (*USA: Lexington Books) 63-86.

Van Langenhove, L. and Marchesi, D. (2008) The Lisbon Treaty and the Emergence of Third Generation Regional Integration », *European Journal of Law Reform*, X (4): 477-496.

Van Langenhove, L. (2010) The Transformation of Multilateralism. Mode 1.0. to Mode 2.0. *Global Policy*, 1(3): 263-270.

Van Langenhove, L. (2011) *Building Regions : The Regionalization of the World Order* (Surrey: Ashgate).

Villani, U. (2001) « Les Rapports Entre L'ONU et Les Organisations Régionales Dans le Maintien de la Paix, » in: 290 *Recueil des Cours.*

EU-GRASP Working Papers

EU-GRASP

Changing Multilateralism: the EU as a Global-regional Actor in Security and Peace, or EU-GRASP in short, is an EU funded FP7 Programme. EU-GRASP aims to contribute to the analysis and articulation of the current and future role of the EU as a global actor in multilateral security governance, in a context of challenged multilateralism, where the EU aims at "effective multilateralism". This project therefore examines the notion and practice of multilateralism in order to provide the required theoretical background for assessing the linkages between the EU's current security activities with multi-polarism, international law, regional integration processes and the United Nations system.

Partners

EU-GRASP is coordinated by the United Nations University – Comparative regional Integration Studies (UNU-CRIS). The other partners of EU-GRASP are based worldwide and include: University of Warwick (UK), University of Gothenburg (Sweden), Florence Forum on the Problems of Peace and War (Italy), KULeuven (Belgium), Centre for International Governance Innovation (Canada), Peking University (China), Institute for Security Studies (South Africa) and Ben-Gurion University of the Negev (Israel).

EU-GRASP Working Papers

Contact: EU-GRASP Coordination Team
72 Poterierei – B-8000 – Bruges – Belgium
Email: fbaert@cris.unu.edu or efanta@cris.unu.edu

Additional information available on the website: www.eugrasp.eu