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UN REFORM AND NATO TRANSFORMATION: THE MISSING LINK

DICK A. LEURDIJK

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ROYAL INSTITUTE FOR INTERNATIONAL RELATIONS (IRRI-KIIB)
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UN Reform and NATO Transformation: The Missing Link

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Introduction

From NATO's perspective, Kofi Annan's report *In Larger Freedom: Towards Development, Security and Human Rights for All* at first sight seemed hardly relevant.[1] In dealing with regional organizations, it nowhere explicitly mentioned the North Atlantic Treaty Organization (NATO). This was all the more surprising because Annan thus bypassed NATO's active involvement in the implementation of a number of post-conflict peace-building settlements, based on UN Security Council resolutions, in areas such as Kosovo, Afghanistan and Iraq. In the weeks after the publication of Annan's report, NATO's Secretary-General, Jaap de Hoop Scheffer, on several occasions expressed his support for his UN counterpart's reform package. In a keynote address in Brussels, among others, he argued that 'NATO will increasingly act in concert with other institutions', including the UN, pointing at NATO's cooperation on the ground in the Balkans and Afghanistan, while adding:

> *However, we need to raise our sights beyond ad hoc cooperation on the ground. We need structured relationships at the institutional level as well – to coordinate strategically, not just cooperate tactically. We need to establish such relationships with the UN.*[2]

In this context, he referred to his address to the Security Council in 2004, the first ever by a NATO Secretary-General, saying 'Kofi Annan's recent proposals for UN reform provide further opportunities for fresh thinking'. However, it is hard, not to say impossible, to find any 'fresh thinking' on the relationship between the UN and NATO in Annan's report. One could even argue that the

1. *In Larger Freedom: Towards Development, Security and Human Rights for All*, report of the UN Secretary-General, A/59/2005, 21 March 2005.
2. 'Reinventing NATO: Does the Alliance Reflect the Changing Nature of Transatlantic Security?', keynote address by NATO Secretary General Jaap de Hoop Scheffer, 24 May 2005, http://www.nato.int/docu/speech/2005/s050524a.htm. See also 'Liberty as a Security Policy Challenge', speech by NATO Secretary-General Jaap de Hoop Scheffer at the 35th ISC Symposium, 19 May 2005, http://www.nato.int/docu/speech/2005/s050519b.htm.

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same holds true for the broader issue of the relationship between the UN and regional organizations. On the one hand, Annan recognized in his report that 'a considerable number of regional and sub-regional organizations are now active around the world, making important contributions to the stability and prosperity of their members, as well as of the broader international system'.[3] NATO had played a key role in this development, given its involvement in the wars in the Balkans in the 1990s. The notion, however, was not further elaborated by Annan. On the other hand, the only recommendation that he made with respect to regional organizations was to create 'strategic reserves' in support of the UN, aimed at improving the UN's deployment options for '*peacekeeping*'. Notwithstanding Annan's call for 'a decisive move forward', his recommendation for the establishment of 'an interlocking system of peacekeeping capacities' was but a small step compared to the calls, in recent years, for further clarification and formalization of the relationships between the UN and regional organizations, and has nothing to do with the kind of fresh thinking about which de Hoop Scheffer was talking.

It is against the broader background of evolving relationships between the UN and regional organizations that this paper analyses the relevance for NATO of Kofi Annan's report *In Larger Freedom*, in an extremely dynamic environment in which the UN and NATO, since the 1990s, have developed their operational cooperation in the field, in different formats (politically, militarily, legally and conceptually), in areas such as the former Yugoslavia, Kosovo, Afghanistan, Iraq and Darfur.

The UN and NATO: An Uneasy Relationship

• The UN Charter

In conceptualizing the United Nations as a collective security system, the authors of the UN Charter were confronted, among other things, with the conflicting demands of universalism and regionalism as alternative approaches to world peace. The failure of the League of Nations had led some to advocate a return to security systems based on regionalism. When delegates from 50 nations met in San Francisco in April 1945 to discuss the text of the UN Charter, the clash between the two approaches, in the words of former UN Secretary-General Boutros-Ghali, became 'one of the most explosive issues', even to the

3. The publication of Annan's report coincided with a broad international effort to assist the African Union (AU) with its mission in Darfur, involving close cooperation from the UN, the AU, NATO and the European Union.

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extent that 'the issue posed a threat to the success of the San Francisco Conference and to the prospect of the United Nations itself'. [4]

Inis Claude remarked that the atmosphere in San Francisco was affected by the necessity of making 'the bow to regionalism', while others, such as the French authors Cot and Pellet, underlined that the integration of regionalism in the UN Charter was indeed only accepted '*à contre coeur*'.[5] Another characteristic of the positioning of regional organizations in the UN structure was their relative subordination to the Security Council, with its primary responsibility for the maintenance of international peace and security. Against this background, it should not come as a surprise that the provisions of Chapter VIII in the UN Charter on Regional Organizations have through the years been considered ambiguous and inconsistent, and have remained controversial. Boutros-Ghali pointed out that the founding fathers opted for an 'uneasy compromise' between regionalism and internationalism. However, as a consequence of the Cold War, these provisions were never put to the test. So it remained unclear as to what the practical meaning would be of what was seen for many years as another 'forgotten chapter' of the UN Charter – next to Chapter VII.

The end of the Cold War led to increased involvement of the UN in regional conflict resolution and an overload of commitments for the settlement of such crisis situations. Given its lack of resources, the UN had to acknowledge that it was unable to do the job alone, and, with no intention of monopolizing peace processes, it appealed to regional organizations for assistance. This development would finally lead to a new approach to regional organizations. In his 1991 annual report, UN Secretary-General Boutros-Ghali spoke of 'a resurgent regionalism'. In the following year he acknowledged the role of regional organizations in many of the cases in which the UN had been active, writing:

> *My aim is to see that in any new division of labour, the United Nations retains its primacy in the maintenance of international peace and security, while its burden is lightened and its mission reinforced and underlined by the active involvement of appropriate regional agencies. The exact modalities of this division of labour remain to be worked out, as regional organizations, no less than the United Nations itself, redefine their missions in the post-Cold War period.*[6]

4. Press Release SG/SM/4929, 17 February 1993.
5. Inis L. Claude Jr, *Swords into Plowshares: The Problems and Progress of International Organization* (London : University of London Press, 1965) ; and Jean-Pierre Cot and Alain Pellet, *La Charte des Nations Unies: Commentaire article par article* (Paris: Economica, 1985), pp. 795-837.
6. See, *inter alia*, Amitav Acharya, 'Regional Organizations and UN Peacekeeping', in: Ramesh Tharkur, *A Crisis of Expectations: UN Peacekeeping in the 1990s* (Boulder CO: Westview, 1995), pp. 207-222.

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It was in this broader context of reforming 'the structure of our approach', including a conceptual framework, that he saw new opportunities for closer cooperation between the UN and regional organizations:

> *What is clear … is that regional arrangements and agencies in many cases possess a potential that should be utilized in serving the functions [of] … preventive diplomacy, peacekeeping, peacemaking and post-conflict peace-building. Under the Charter, the Security Council has and will continue to have primary responsibility for maintaining international peace and security, but regional action as a matter of decentralization, delegation and cooperation with United Nations' efforts could not only lighten the burden of the Council but also contribute to a deeper sense of participation, consensus and democratization in international affairs.*[7]

It was in this climate of the immediate aftermath of the end of the Cold War that the hidden potential of Chapter VIII of the UN Charter was reinvigorated. Already in February 1995, the UN Secretary-General referred to the fact that 'The Security Council has on several occasions shown that it was prepared to delegate, either to States or to ad hoc multi-nation forces, the responsibility for intervening in emergency conflict situations'. From this he drew the conclusion that 'The time thus seems to have come for Chapter VIII', adding, 'Together, the United Nations and the regional organizations can make an effective contribution to peacekeeping, provided that they take a rigorous approach and are capable of envisaging new forms of institutional cooperation'.[8]

Mainly as a consequence of the disintegration of the former Republic of Yugoslavia (FRY), the issue of the relationship between the UN and regional organizations in the early 1990s would focus on the emerging cooperation between the UN and NATO in the Balkans in the European theatre.

• The Washington Treaty

Just as the clash between universalism and regionalism became 'one of the most explosive issues' in the run-up to the founding of the UN, the establishment of NATO in 1949 was complicated by a similar explosive issue on the modalities of NATO's relationship to the UN. At the time, some argued that NATO was both a regional arrangement within the meaning of Chapter VIII of the UN Charter, as well as a collective defence system under Article 51 of the UN Char-

7. Boutros Boutros-Ghali, *An Agenda for Peace*, A/47/277 – S/24111 (New York: United Nations, June 1992).
8. 'Address by the Secretary-General of the United Nations upon Receiving a Doctorate *Honoris Causa* from the University of Vienna', Vienna, 27 February 1995.

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ter. Others objected strongly to any reference whatsoever, fearing that all action taken by NATO should be subject to the veto of the Security Council, thereby undermining its very nature as a collective defence organization. It was finally agreed that while any specific reference in the preamble to Chapter VIII of the UN Charter would be omitted, member states, in their public statements, should stress the relationship of the Alliance to Article 51 of the UN Charter. Writing about his involvement in the negotiations on the text of the Washington Treaty, one British diplomat, Sir Nicholas Henderson, noted: 'Listening to the bitter debates on the Preamble, it was difficult at moments to believe in that singleness of spirit of the North Atlantic community which the Preamble itself was meant to epitomize and proclaim'.

It was only in the Balkans in the 1990s, when the UN and NATO started their cooperation in the field, that NATO had to define its relationship with the UN under operational circumstances. It would take until 1999 before the Alliance finally defined the bottom line of this relationship, preserving its right to decide autonomously on the use of force, without a formal authorization by the UN Security Council, given its character as a collective defence organization. The extensive debate among NATO members on the justification for the use of force, while bypassing the UN Security Council, was nothing less than a repetition of arguments along the same lines as 40 years before – back to the roots. NATO's Operation 'Allied Force' in Kosovo, however, did not prevent the UN and NATO from developing an exceptional and dynamic relationship, given their common involvement in the settlement of conflicts in Kosovo, Afghanistan, Iraq and Darfur.

• Annan's Call for 'Radical Changes'

Kofi Annan's reform package of 101 recommendations was derived from two reports that were commissioned by Annan himself: one dealing with the implementation of the so-called Millennium Development Goals, as defined by the UN summit on the occasion of the millennium commemoration in 2000; the other by a High-level Panel dealing with the UN's collective security system in the aftermath of the war against Iraq. In his statement to the General Assembly in September 2003, Annan expressed his concerns about the future viability of the UN's system of collective security, announcing his intention to establish the High-level Panel:

> *Since this Organization was founded, States have generally sought to deal with threats to the peace through containment and deterrence, by a system based on collective security and the United Nations Charter.*
> *Article 51 of the Charter prescribes that all States, if attacked, retain the*

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inherent right of self-defence. But until now it has been understood that when States go beyond that, and decide to use force to deal with broader threats to international peace and security, they need the unique legitimacy provided by the United Nations.

Now, some say this understanding is no longer tenable, since an 'armed attack' with weapons of mass destruction could be launched at any time, without warning, or by a clandestine group.

Rather than wait for that to happen, they argue, States have the right and obligation to use force pre-emptively, even on the territory of other States, and even while weapons systems that might be used to attack them are still being developed.

According to this argument, States are not obliged to wait until there is agreement in the Security Council. Instead, they reserve the right to act unilaterally, or in ad hoc coalitions.

This logic represents a fundamental challenge to the principles on which, however imperfectly, world peace and stability have rested for the last 58 years.

My concern is that, if it were to be adopted, it could set precedents that resulted in a proliferation of the unilateral and lawless use of force, with or without justification.

But it is not enough to denounce unilateralism, unless we also face up squarely to the concerns that make some States feel uniquely vulnerable, since it is those concerns that drive them to take unilateral action. We must show that those concerns can, and will, be addressed effectively through collective action.

Excellencies, we have come to a fork in the road. This may be a moment no less decisive than 1945 itself, when the United Nations was founded.

(…)

Now we must decide whether it is possible to continue on the basis agreed then, or whether radical changes are needed.' [9]

Never before had a Secretary-General of the UN had the courage to initiate so fundamentally a discussion about the foundations for international cooperation in maintaining international peace and security within the framework of the UN. It was a dramatic call to re-establish the relevance of the UN, as a result of the combined effects of Kosovo (1999), '9/11' (2001) and the war in Iraq (2003). In all of these cases, the international community had been sharply divided on the application of the UN's system of collective security, including the conditions for the use of force for self-defence, taking into account the new

9. 'Secretary-General's Address to the General Assembly', Office of the Spokesman, 23 September 2003, http://www.un.org/apps/sg/sgstats.asp?nid=517.

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security threats of the twenty-first century, or for humanitarian purposes under conditions of an 'impending humanitarian catastrophy'. This debate also touched on the possible role for both the UN itself, in terms of prevention, peacekeeping or post-conflict peace-building, as well as for the regional organizations, including NATO.

• In Larger Freedom From Fear

While emphasizing their complementary roles, in terms of the broader issue of the relationship between the UN and regional organizations, Kofi Annan paid relatively little attention in his report to regional organizations. Their role was discussed in no more than five paragraphs. Furthermore, in supporting a stronger relationship between the UN and regional organizations, it should be emphasized that Annan's recommendations in this respect were strictly limited to 'peacekeeping', as traditionally understood within the UN's conceptual framework. The Secretary-General appealed to member states to 'do more' to ensure that the UN has effective capacities for peacekeeping. In particular, he urged them to improve the UN's 'deployment options' by creating 'strategic reserves' that can be deployed rapidly, arguing that decisions by the European Union to create stand-by battle groups, for instance, and by the African Union to create African reserve capacities, are 'a very valuable complement to our own efforts'. In suggesting that 'the time is now ripe for a decisive move forward', the UN Secretary-General thus recommended the establishment of '*an interlocking system of peacekeeping capacities* that will enable the United Nations to work with relevant regional organizations in predictable and reliable partnerships'. In this context, he announced his intention to introduce memoranda of understanding that should govern the sharing of information, expertise and resources, aimed at improving coordination between the UN and individual regional organizations. For regional organizations that have a conflict prevention or peacekeeping capacity, these memoranda of understanding could place those capacities within the framework of the United Nations Stand-by Arrangement System (UNSAS), Annan wrote, suggesting elsewhere in the report that such regional organizations '*consider the option*' of placing such capacities in the framework of UNSAS.[10]

In presenting this extremely modest recommendation, Kofi Annan followed the reasoning of the High-level Panel. In its report, the Panel paid more attention to the relationship between the UN and regional organizations. It suggested that

10. The system of stand-by arrangements is specifically designed for peacekeeping missions by and under the command of the UN. See Dick A. Leurdijk (ed.), *A UN Rapid Deployment Brigade: Strengthening the Capacity for Quick Response* (The Hague: Netherlands Institute of International Relations 'Clingendael', 1995).

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the UN and any regional organization with which it works do so 'in a more integrated fashion than has up to now occurred'. Among the suggestions that the Panel mentions are formalizing cooperation between the UN and regional organizations in an agreement and, indeed, the placing of peacekeeping capacities from regional organizations in the framework of UNSAS. (For a comparison of the recommendations of the Panel and Kofi Annan, see Annexe 1). Furthermore, other than *In Larger Freedom*, the report of the High-level Panel, in discussing regional organizations, contained a separate paragraph on NATO:

> *In recent years, such alliance organizations as NATO (which have not usually been considered regional organizations within the meaning of Chapter VIII of the Charter but have similar characteristics) have undertaken peacekeeping operations beyond their mandated areas. We welcome this so long as these operations are authorized by and accountable to the Security Council. In the case of NATO, there may also be a constructive role for it to play in assisting in the training and equipping of less-well-resourced regional organizations and States.*

Annan has chosen not to copy this paragraph in his own report, probably deliberately avoiding any discussion beyond the concept of 'peacekeeping'. The paragraph indeed raises a number of questions: in the first place, it identifies NATO (rightly) as a regional organization outside the meaning of Chapter VIII; secondly, it contributes to the all too familiar conceptual confusion regarding the notion of 'peacekeeping' – the reference to NATO's out-of-area 'peacekeeping operations' concerns the deployment of NATO troops in areas such as Kosovo and Afghanistan as part of military missions with a 'peace-enforcement' mandate under Chapter VII of the UN Charter; thirdly, in referring to the issue of authorization for the use of force by regional organizations, the Panel, of course, had in mind NATO's deliberate decision to bypass the Security Council during its actions in Kosovo in 1999; and, fourthly, the reference to NATO's potential contribution to the training and equipping of other 'less-well-resourced regional organizations and States' was probably inspired by the ongoing debate within NATO about the setting up of Provincial Reconstruction Teams in Afghanistan, in support of both the Afghan government and the UN mission in the country, the establishment of a training mission in Iraq, and a possible supporting role for NATO, in close cooperation with the UN and the European Union, in providing logistics, including airlift, for an AU mission in Darfur, Sudan.

Against this background, there was every reason to believe that Annan would have incorporated a much broader discussion on the relationship between the UN and regional organizations in his report, and more in particular on relations between the UN and NATO, given their agendas in terms of reform and transition, respectively.

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• NATO Transformation: The Aftermath of '9/11'

Following the terrorist attacks of 11 September 2001 on the US, NATO's main concern in terms of the 'new threats of the twenty-first century' became international terrorism, linked with the proliferation of weapons of mass destruction. This perception was translated in the formulation of a transformation agenda that was adopted at the Alliance summit in Prague in November 2002. Since then, NATO has been actively engaged in the implementation of this roadmap, aimed at repositioning NATO as a full-fledged instrument in the 'war', the 'fight', or the 'campaign' against international terrorism.

The common element in the responses worldwide to the terror attacks was a reinvigoration of the concept of the right to self-defence, individually and collectively. While the US used the argument as the main justification for the start of Operation 'Enduring Freedom', the UN Security Council, by referring to Article 51 of the UN Charter, at best gave a tacit agreement to the operation in Afghanistan and not an explicit authorization for the use of force, as some have suggested. For NATO, the most immediate consequence of '9/11' was its historic decision on 3 October 2001 to invoke formally, for the first time, Article 5 of the Washington Treaty.[11] With the implementation of this decision, NATO initiated a transformation process that would have profound consequences for its role as a collective defence organization.

Notwithstanding its invocation of Article 5, the Atlantic Alliance was bypassed by the US when it started its 'war on terrorism' with Operation 'Enduring Freedom' in early October 2001. NATO's contribution, for the time being, was limited to operations in the air and at sea. It sent AWACS radar airplanes to the US for 'backfilling' purposes. NATO's maritime contribution – Operation 'Active Endeavour' – was initially aimed at enhancing the security of the sea-lanes in the eastern Mediterranean.[12] Since then, the North Atlantic Council has decided, in two stages, to expand its naval operations, firstly to the Straits of Gibraltar (in February 2003), and finally (in March 2004) to the Mediterranean Sea as a whole.

The North Atlantic Council's position in the immediate aftermath of '9/11' raised a number of fundamental legal questions, such as the identification of the terror attacks as falling under the terms of Article 5. The Council, however, justified its concerns about the attacks in terms of a legitimate interest for the

11. Article 5 of the Washington Treaty states 'that an armed attack against one or more of the Allies in Europe or North America shall be considered an attack against them all'.
12. Under this operation, NATO air and naval forces have been carrying out patrolling and surveillance activities in the operational area east of Sicily, aimed at safeguarding the ships of NATO nations against the threat of terrorism.

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Alliance, by referring to NATO's 1991 and 1999 Strategic Concepts, which already included references to international terrorism as part of its commitment to collective self-defence. The December 2001 semi-annual ministerial meeting thus became the beginning of a new transitional phase, based on a transformation agenda, which aimed at formulating, in the words of (then) US Deputy Secretary of Defense Paul Wolfowitz, a new 'job description' for NATO, saying: 'Fighting terrorism, which has been so clearly linked to weapons of mass destruction, is part of NATO's basic job description: collective defence', adding, 'Article 5 threats can come from anywhere, in many forms'. This meant an effort at repositioning the Alliance as a collective defence organization in a completely new security environment, compared to the time of NATO's establishment, implying profound conceptual, operational and political adaptations with respect to the concept of self-defence, including its traditional 'out-of-area' notion and the notion of 'pre-emptive attacks'.

As a collective defence organization, NATO's main concern was initially to safeguard the territory of its member states from an armed attack. Its willingness in the early 1990s to support the UN in its peacekeeping efforts in the Balkans was no less than a revolutionary break with its past policies, provoking extensive legal discussions on the issue of NATO's legitimacy in acting 'out-of-area' along its periphery. Similar discussions were held during the Kosovo crisis a couple of years later, this time, furthermore, in combination with the question of whether the Alliance was entitled to use force without having explicit authorization from the UN Security Council. The question of NATO's response to '9/11' would lead to a third round of out-of-area discussions, much to the dismay of NATO's Secretary-General Lord Robertson. Where his predecessor, Solana, had suggested in the autumn of 1998 that 'We must not enter into a legalistic debate' on Kosovo, on what he saw as an essentially 'political matter', Lord Robertson explicitly indicated in several interviews in March 2002 that NATO's adaptation to the new security threats would also include a capability to operate far beyond its own borders, presenting this as a kind of logical extension of NATO's performance in south-eastern Europe, its own backyard, in the preceding decade.

NATO's transformation from a regional actor into a global player was formally confirmed by the foreign ministers at their meeting in Reykjavik in May 2002, declaring that the Alliance would confront threats to members' security, no matter what their origin. One year later, Lord Robertson emphasized that the May 2002 decision required that 'NATO should step above its traditional theological squabbles', basically declaring the 'out-of-area' debate as 'dead'. In August 2003 NATO would take over command of the International Security Assistance Force (ISAF) in Afghanistan, the first NATO-led peace-support operation far away from its own territory, and well outside the 'Euro-Atlantic area'.

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Another conceptual adaptation, furthermore, was related to the inclusion of 'pre-emptive action' as part of NATO's interpretation of 'self-defence'. Here, again, Lord Robertson quite convincingly supported the position of the Bush administration, disregarding the international legal questions that were being raised by such a broad conceptualization of the concept of self-defence. He explicitly included pre-emption as part of NATO's response to the threats of terrorist attacks, by saying that NATO forces should also be better able 'to deter, pre-empt and defeat' attacks, adding in October 2003 that NATO had already acted pre-emptively in Kosovo in 1999, and concluding that there was nothing new about pre-emption: it had always been a part of NATO's deterrence package, he said.

Cases of cooperation

• Afghanistan

With the start of Operation 'Enduring Freedom' on 7 October 2001, the United States initiated the first phase in what it called the 'war on terrorism'. The deliberate decision on the part of the Bush administration not to involve NATO was the result of a combination of considerations, such as the US's preference to keep tight control of the military campaign, both because its own national security interests were at stake but also as a consequence of the key lesson of Operation 'Allied Force' as a model of 'warfare by coalition'. At the time, this raised serious questions about NATO's marginalization or irrelevance.

After the fall of the Taliban regime in Kabul, the results of the Bonn Conference, which was held in December 2001, provided for agreement on a phased political transition process for Afghanistan and the deployment of a multinational force – the International Security Assistance Force (ISAF) – initially under the command of the United Kingdom as the 'lead nation', and authorized by the UN Security Council, acting under Chapter VII of the UN Charter.[13]

After some early indications in that direction, in April 2002 NATO offered to carry out the planning for ISAF in an effort to encourage Turkey to take over command of the multinational force from the British in June 2002.[14] The deci-

13. S/RES/1378, 14 November 2001; and S/RES/1386, 20 December 2001.
14. The offer involved identifying the precise forces that are needed from an array of countries and determining when and where they should be deployed. The task is a relatively routine one, in terms of force generation and force planning, for SHAPE, NATO's European military headquarters at Mons in Belgium.

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sion was presented as part of a broader effort by NATO 'to make itself more relevant in the campaign against terrorism', as stressed by Lord Robertson,[15] and would lead to growing involvement by the Alliance after more NATO member states took over the command (Italy, and Germany/the Netherlands) and asked for similar support. This development finally led to a decision in spring 2003 that NATO as such would take over full command of ISAF. (Then) US Secretary of State Colin Powell welcomed the announcement in mid-April 2003, saying:

> *This will be NATO's first significant military operation outside of Europe in its history, and is a sign of the Alliance's new direction and emphasis on confronting the threat of terrorism and weapons of mass destruction from wherever they come … I am pleased that there continues to be broad support for the efforts to stabilize Afghanistan as part of the Global War against Terrorism.*[16]

In early May 2003 on a visit to Washington, Lord Robertson said that the decision was 'undoubtedly another watershed moment, as important as the first NATO involvement in the Balkans', adding that it was now 'quite natural' for NATO to look beyond Afghanistan, to 'consider a possible role for the Alliance in post-conflict Iraq' at a later time. When NATO assumed the leadership of ISAF on 11 August 2003, a NATO press release read:

> *ISAF's name and mission will not change. NATO will work within the same United Nations mandate as ISAF III and will operate according to current and future UN resolutions. NATO's commitment to the ISAF mission is a reflection of our transformation agenda and the Alliance's resolve to address the new security challenges of the twenty-first century.*[17]

On the same occasion, the US Department of State issued a statement declaring that 'This new mission for NATO represents NATO's further transformation as an Alliance that will meet the new security challenges of this century', adding

15. In disclosing the decision, the NATO chief said that the Alliance had been making a direct contribution to fighting terrorism by breaking up al-Qaeda cells in the Balkans and by sending its AWACS planes to patrol American skies, and indirectly by defusing the crisis in Macedonia, thus averting a broader conflict in the Balkans that might have distracted Washington while it was executing Operation 'Enduring Freedom' in Afghanistan. He also asserted that NATO made it easier for European countries and the US to work together in Afghanistan, underlining the need to close the gap between US and European military capabilities. A Western diplomat was quoted as saying of the plan to offer help to the Turks: 'It shows imagination on the part of the Allies. NATO doesn't have to choose between running the mission itself or doing nothing. There are other things it can do', *International Herald Tribune*, 12 April 2002.
16. (Then) US Secretary of State Colin L. Powell, *NATO's Takeover of the International Security Assistance Force in Afghanistan* (Washington DC: US Department of State, 18 April 2003).
17. *Atlantic News*, No. 3501, 21 August 2003.

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further that 'NATO will run its operations in Afghanistan much as it has managed other successful peacekeeping operations in Bosnia, Kosovo and Macedonia', explaining:

> *The Allies will exercise political control in the North Atlantic Council, while NATO's military headquarters will provide military expertise for planning and operations. NATO's new role in Afghanistan demonstrates that the revitalization of the Alliance is becoming a reality, and that NATO will go outside its traditional area of operations to meet threats wherever they may arise.*[18]

NATO's first mission in Asia thus fitted perfectly within the parameters of the sub-contracting model, in this case at the invitation of the provisional Afghan government and formally authorized by the UN Security Council. This was made perfectly clear when NATO, in October 2003, started to mull the possibility of expanding its operations beyond Kabul, and Lord Robertson said that it would first need specific authorization from the Security Council before it could start deploying so-called 'Provincial Reconstruction Teams' (PRTs).[19] In letters from NATO's Secretary-General to the President of the Security Council, the Alliance outlined its 'longer-term strategy' in Afghanistan:

> *The North Atlantic Treaty Organization (NATO) is in Afghanistan in its International Security Assistance Force (ISAF) role in order to support the international community's efforts towards implementation of the Bonn Agreement, as mandated by the United Nations Security Council resolution 1386 (2001). The aim is to assist in the emergence of a united*

18. Press Statement, Philip T. Reeker, Deputy Spokesman, US Department of State, Washington DC, 11 August 2003.

19. Initially, Provincial Reconstruction Teams (PRTs) operated in Afghanistan within the framework of the US-led Operation 'Enduring Freedom'. After the fall of the Taliban regime, President Bush promised to reconstruct Afghanistan. As part of a 'hearts and minds' operation, PRTs can be seen as an 'alternative reconstruction model', aimed at providing both security and reconstruction and humanitarian assistance for the local population by combining military and civilian personnel in small, joint missions. According to a NATO Backgrounder, PRTs have successfully introduced a measure of stability to their localities through patrolling, monitoring, influence and mediation, thereby facilitating the reconstruction efforts of other international organizations and allowing the central government in Kabul to extend control to the provinces of Afghanistan. The composition of each team will vary slightly depending on location and will number 40 to 60 persons. Composed of civil affairs soldiers who are trained in medicine, psychology, engineering and law, as well as Special Forces and regular army units, the teams will always maintain a 'robust' capacity to defend themselves, as they are being purposely deployed in hostile territory. For more background, see *ISAF Provincial Reconstruction Teams (PRTs)*, NATO Backgrounder, 21 January 2005, http://www.afnorth.nato.int/ISAF/Backgrounder/BackPRT.htm; *NATO in Afghanistan*, NATO Factsheet, 21 February 2005, http://nato.int/issues/afghanistan/040628-factsheet.htm; *NATO in Afghanistan: How Did This Operation Evolve?*, NATO Topics, 15 February 2005, http://www.nato.int/issues/afghanistan/evolution.htm; and *Reconstruction: The Provincial Reconstruction Team (PRT) in Afghanistan and its Role in Reconstruction*, http://www.afgha.com/?af=article&sid+33553.

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> *and sovereign Afghanistan, with, inter alia, a broad-based, multi-ethnic representative government, integrated into the international community and cooperating with its neighbours.*

The document added that NATO's long-term strategy in this context includes the formulation of an 'Alliance political objective', of a 'desired ISAF end-state' and of 'benchmarks for an Alliance hand-over strategy'. NATO's political objective was formulated as follows:

Support for implementation of the Bonn process, as mandated by Security Council Resolution 1386 (2001), in cooperation and coordination with key international organizations, in particular the United Nations and the European Union, by assisting the Afghan Transitional Authority (ATA) to meet its responsibility to provide security and order. Additional factors to consider in developing further the Alliance's over-arching political objective include:

1. An expanded ISAF mandate will require a specific United Nations Security Council resolution;
2. The need for enhanced coordination and cooperation between ISAF, the United Nations Assistance Mission in Afghanistan (UNAMA), Afghan authorities, Operation Enduring Freedom (OEF) and non-governmental organizations (NGOs).

Key components of NATO's 'desired ISAF end-state' included, *inter alia*, completion of the disarmament, demobilization and reintegration (DDR) programme; build-up of the Afghan National Army (ANA); the establishment of a functioning Afghan national police force and judiciary; implementation of effective counter-narcotics activities; the implementation of the constitutional *Loya Jirga* (grand council) and approval of a new constitution; election of a representative government to succeed the Afghan Transitional Authority (ATA) through free and fair elections; removal or modification of the behaviour of the warlords, bringing them into central government institutions; and the resolution of the terrorist threat from the Taliban, al-Qaeda and other extremist groups.[20]

And, indeed, in adopting Resolution 1510 on 13 October 2003, the Security Council, acting under Chapter VII of the UN Charter, thus authorized the expansion of ISAF's mandate 'to allow it, as resources permit, to support the Afghan Transitional Authority and its successors in the maintenance of security in areas of Afghanistan outside of Kabul and its environs'. Following the UN decision in mid-October 2003, NATO initialled the expansion of its assistance from December 2003 onwards, in stages, through the deployment of an increas-

20. S/2003/970, 8 October 2003.

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ing number of PRTs, gradually covering the northern and western provinces of Afghanistan respectively. In 2006, NATO plans to finalize stage three, and to be present in the whole of the country, including the south and the relatively dangerous south-eastern parts of the territory.

By adopting Resolution 1510, the UN Security Council also called upon ISAF 'to continue to work in close consultation' with, *inter alia*, 'the Operation Enduring Freedom Coalition in the implementation of the force mandate'. In practical terms, this meant for NATO both the establishment of new PRTs, but also the incorporation of already existing PRTs that were operating under the command of the US-led Operation 'Enduring Freedom'. The transfer of PRTs from 'Enduring Freedom' to ISAF basically lessened the burden on the US military in their hunt for Osama Bin Laden, and established an indirect link between the two missions. Against this background, it was not a surprise that in December 2003 both US Secretary of Defense Rumsfeld and (then) US Secretary of State Powell suggested merging the two operations. In early 2004 NATO's new Secretary-General, however, said that he preferred 'synergy', for instance by the appointment of one central commander, rather than a 'real merging' of the missions. The two suggestions raise questions about the relationships between the two missions as initially two different 'tracks', including their mandates, with Operation 'Enduring Freedom' fighting against international terrorism, and ISAF contributing to 'nation-building' in a post-conflict peace-building environment. In late February 2004, a NATO official reminded journalists that Article 5 of the Washington Treaty was still in force, and was being used as political cover for many coalition activities in Afghanistan, such as the hunt for al-Qaeda and the Taliban – suggesting implicitly that NATO's role in commanding ISAF could be given an additional dimension by linking it, as Powell had already indicated, to efforts 'to stabilize Afghanistan as part of the Global War against Terrorism'. The discussion on merging the two missions again led to disagreement among NATO's member states, with the US government, supported by SACEUR, arguing that there is no point in keeping both structures since the two operations are essentially conducted by NATO member countries, and France and Germany arguing that the two missions' mandates are incompatible, given their respective peace-building and counter-terrorism tasks.[21] In late September 2005, there was no longer talk of merger between the missions but rather how to organize closer cooperation in terms of 'synergy'. The details still have to be worked out.[22]

21. *Atlantic News*, No. 3602, 31 August 2004; and No. 3616, 14 October 2004.
22. *Atlantic News*, No. 3706, 13 September 2005.

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• Iraq

NATO as such was not involved in Operation 'Iraqi Freedom' in 2003. That was not to say, however, that 'Iraq' was not relevant for the Alliance. On the contrary, the issue led to sharp differences of opinion among its members as a direct consequence of the debates within the UN Security Council on the conditions for use of force under the UN Charter. In their Prague Summit Statement on Iraq on 21 November 2002, NATO's heads of state and government committed themselves 'to take effective action to assist and support the efforts of the UN to ensure full and immediate compliance by Iraq, without conditions or restrictions, with UNSCR 1441' – implying that NATO, if necessary, would be prepared to enforce by military means Iraqi compliance to UN Security Council demands. Since then, US policy-makers, both in the administration and in Congress, have been discussing the possibilities for a NATO role in Iraq, during Operation 'Iraqi Freedom', during the occupation, and after the formal transfer of sovereignty at the end of June 2004. In mid-January 2003, the US administration, formally requesting NATO support in case of an attack on Baghdad, presented several 'options' for assistance.[23] In February 2003, against the background of increasing build-up of troops in the area and growing disagreements among the Allies, Turkey invoked Article 4 of the NATO Treaty.[24] After much controversy, the Allies decided to assist by providing air surveillance (AWACS), deploying theatre anti-missile defences (Patriots) and NBC assets against the possible use of weapons of mass destruction. In May 2003, shortly after the fall of Saddam Hussein and the deployment of the Stabilization Force (SFIR), the North Atlantic Council decided to accept Poland's request for support in commanding one of the multinational divisions of SFIR, more or less along the lines of the 'technical assistance', including force generation and logistics, that NATO was giving to ISAF in Afghanistan. With the security situation in Iraq deteriorating, there was no consensus among NATO's members about more support to the coalition forces, which were operating under an occupation regime,[25] notwithstanding calls for such support in the US Congress in mid-2003. In December 2003, (then) US Secretary of State Colin Powell said that it was time to 'begin examining what we might be able to do in Iraq beyond support of the Polish Division'. One of the options, he said, might include having NATO assume full command of the Polish-led sector in Iraq, coinciding with Spain's

23. The options for protecting Turkey against Iraqi counter-attacks, ranging from the use of AWACS aircraft, use of command facilities, and base and over-flight rights from NATO Allies, were formally presented to the NAC.
24. Article 4 states that Allies will consult 'whenever, in the opinion of any of them, the territorial integrity, political independence or security of any NATO country is threatened'.
25. S/RES/1483 (2003), 22 May 2003; and S/RES/1511 (2003), 16 October 2003.

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expected replacement as lead nation in August 2004.[26] In March 2004, Jaap de Hoop Scheffer also pointed out that 'momentum is growing' for the Alliance to do more, especially in the perspective of the end of the formal occupation period:

> *Should we do more? My answer to this question is clear: If a sovereign Iraqi government, with the support of the United Nations, were to request NATO to play a greater role, then we should do more. For I do not see how we could abdicate our responsibilities if such a request were made.*[27]

In the following months, however, NATO shifted its focus towards a possible contribution to the reconstruction of Iraq by setting up a training mission for rebuilding Iraqi security forces after the formal transfer of authority to the new Iraqi government in June 2004. NATO's first concern at this stage of the decision-making process was to ensure that the political and international legal conditions for possible deployment would be fulfilled. In adopting Resolution 1546 on 8 June 2004, the Security Council, 'welcoming the beginning of a new phase in Iraq's transition to a democratically elected government, and looking forward to the end of the occupation and the assumption of full responsibility and authority by a fully sovereign and independent Interim Government of Iraq by 30 June 2004', recognized that the multinational force, whose presence 'is at the request of the incoming Interim Government of Iraq', would also assist 'in building the capability of the Iraqi security forces and institutions, through a programme of recruitment, training, equipping, mentoring, and monitoring'. In this context, the Security Council requested member states and regional organizations to assist both the multinational force and the government of Iraq in building the necessary capabilities.[28] Indeed, under these circumstances there was broad consensus among NATO member states that the Alliance should play a role in Iraq after the transfer of sovereignty from the occupying authorities (the Coalition Provisional Authority) to the Iraqis at the end of June 2004, taking into account the parameters of the sub-contracting model, including a formal invitation by the new Iraqi government and authorization by the UN Security Council.[29] At its summit in Istanbul in June 2004, NATO decided 'to offer

26. It is worthwhile to note that NATO's Supreme Allied Commander Europe (SACEUR), General Ralston, already in August 2003 in an interview with Reuters, suggested that NATO would assume command of the Polish-led force of 9,000 troops operating in south-central Iraq; *Atlantic News*, No. 3502, 28 August 2003.
27. 'NATO's Transforming Agenda', by NATO Secretary-General Jaap de Hoop Scheffer, at the Diplomatic Academy, Warsaw, 4 March 2004, http://www.nato.int/docu/speech/2004/s040304a.htm.
28. S/RES/1546 (2004), 8 June 2004.
29. Although strictly speaking, from an international legal point of view, such a formal authorization would not be necessary once an official request has been made by the government of the host state.

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assistance to the government of Iraq with the training of its security forces', without, however, clarifying for the time being the details of the mission. In a separate statement that the heads of state and government issued on Iraq, they fully supported the independence, sovereignty, unity and territorial integrity of the Republic of Iraq, adding that NATO 'supports unreservedly' Resolution 1546 of the UN Security Council and 'offers its entire cooperation to the new sovereign interim government in its efforts to strengthen internal security and prepare for holding national elections in 2005.'[30]

Given the political sensitivities of a possible NATO presence on the ground among the member states (related to security concerns, political will and availability of instructors), the mission's modalities were extensively discussed within NATO in the months to come, following intense diplomatic wrangling. While the activation order for the mission was given on 15 December 2004 by SACEUR, it would take until mid-February 2005 before NATO was officially able to announce that all 26 member states would in some way participate in the programme, either by dispatching instructors to Iraq or by training outside Iraq, or by the provision of equipment or financial contributions. The agreement also had a strong symbolic significance, reflecting the decision by NATO members, in President Bush's words, 'to put the past behind them', thereby pointing at the sharp differences of opinion among the Allies during the war against Iraq. NATO's small training mission (with no more than 150 personnel), which is specifically intended for the training of senior officers, would complement the much larger training mission set up by the US-led multinational force to train units of Iraqi soldiers and police officers.[31] Both missions aim at building up effective Iraqi security and police forces, thereby ultimately creating conditions for the withdrawal of foreign forces from Iraq's territory as soon as circumstances would permit.[32] In a statement read to the press by the Council's President at the end of May 2005, Denmark's ambassador to the UN said that the Security Council members had discussed the mandate of the Multinational Force in Iraq, authorizing an extension of its mandate 'until the completion of the political process', welcoming 'the progress made in recruiting, training and

30. *Atlantic News*, No. 3588, 29 June 2004.
31. NATO decided to establish a provisional training centre in Baghdad's Green Zone instead of on the outskirts of the city. It therefore needed less staff than the 300-person mission originally foreseen. The interim staff college should begin to 'train the trainers' in April 2005 and it was foreseen that by September 2005 the Iraqi trainers would begin to give their first courses to Iraqi officers; *Atlantic News*, No. 3654, 23 February 2005.
32. In April 2005, President Bush said that US forces would pull out of Iraq once the representative government is in place. 150,000 members of the Iraqi security forces have been trained and equipped, President Bush was quoted as saying by AFP, adding that at the moment the Iraqi army, police and security forces exceed the US armed forces in number, which is the beginning of a 'new phase' in US operations in Iraq, according to Bush; *Atlantic News*, No. 3668, 14 April 2005.

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equipping Iraqi security forces', while looking forward 'to those forces progressively playing a greater role and ultimately assuming responsibility for Iraq's national security', thus, again, explicitly endorsing NATO's training mission.[33]

• Darfur

Since initial contact was made by phone at the end of August 2004 between the Secretary-Generals of the UN and NATO, the UN Under-Secretary-General for Peacekeeping Operations called NATO in September 2004 to 'ask what NATO can do', according to a NATO official.[34] NATO's Secretary-General reacted favourably, committing himself to finding out what options NATO held. The 'open request', implying that each form of assistance would be welcome, paved the way for close contacts in the months to come among the UN, NATO and the European Union, and the African Union (AU) as the lead organization, and establishment of a military mission, authorized by the Security Council and set up to monitor the implementation of a cease-fire as agreed by the conflicting parties in Darfur.[35] It would take until April 2005 before the AU formally requested NATO's support. In the meantime, in January 2005 at a security conference in Munich (Germany), Kofi Annan repeated his call to assist the AU in its mission in Darfur, without, however, making a formal request. He stressed that the AU's ability to meet security needs was negligible compared to the size of the challenge, saying: 'People are dying every single day, while we fail to protect them', while adding, 'Those organizations with real capacity – and NATO as well as the EU are well represented in this room – must give serious consideration' to what they can do, he said.[36] In March 2005, US Secretary of State Condoleezza Rice argued that if the AU was to request NATO support, she hoped that NATO would provide it. Others, such as French Minister of Foreign Affairs Michel Barnier, responded, however, by saying that he would prefer a role for the EU, highlighting the experience gained by the EU in the Balkans and the Democratic Republic of Congo. NATO Secretary-General Jaap de Hoop Scheffer underlined that he was waiting for an initiative from the African Union. At the end of the month, the African Union formally asked NATO for 'logistic support' for its mission in Darfur. The request was made by the President of the African Union in a letter addressed to the NATO Secretary-General.[37] NATO ambassadors agreed to look at the possibility of providing support through the start of 'exploratory discussions' with the AU, realizing that if such support was

33. Press Release SC/8403, IK/495, 31 May 2005.
34. *Atlantic News*, No. 3607, 16 September 2004.
35. S/RES/1556, 30 July 2004.
36. *Atlantic News*, No. 3651, 15 February 2005.
37. *Atlantic News*, No. 3674, 28 April 2005.

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to happen, it would be the first time that NATO would be involved in a mission on the African continent – alongside other international organizations, including the UN and the EU.

The President of the AU announced his presence in Brussels on 17 May 2005, both at NATO headquarters and to visit the EU for further discussions. After the visit, NATO undertook to give an answer 'as quickly as possible' to the AU's request for logistical support. 'The principle is, should be and will be that the AU is leading the mission', Jaap de Hoop Scheffer said. The President of the AU Commission, Oumar Konare, acknowledged that 'we are fully aware that we need support when it comes to capabilities and logistics'. More specifically, the AU called for aid in order to strengthen logistics in terms of transport, housing, training and communications, given the intentions to expand its mission from 2,000 to more than 7,700 troops in the course of the year.

At a special meeting in Addis Ababa to discuss the further deployment of the mission, NATO's Secretary-General stressed both the AU's leadership regarding Darfur and the need for close liaison with the AU and other donors, in part with the EU, to ensure maximum complementarity and effectiveness. After exploratory contacts with the AU, NATO's military authorities had identified three areas in which the Alliance could do its part for the international assistance effort:

– first, we could help to deploy the AU forces, in particular in the field of strategic airlift. NATO members indeed possess considerable airlift capabilities and could set up an appropriate centre for such an operation;
– second, we could help to train the AMIS headquarters' staff in important areas such as command and control or operational planning;
– and finally, if the AU so wishes, we could assist in the field of intelligence with training, for instance'.[38]

That same day, the North Atlantic Council agreed on these initial military options for support to the African Union.[39] The details still had to be worked out after additional clarification of the AU's needs. The decision opened the way for NATO's first mission to Africa, despite initial resistance from some members, such as France and Belgium (both former colonial powers), which argued

38. 'Speech by the Secretary-General at the Pledging Conference for the AU Mission in the Sudan', Addis Ababa, Ethiopia, 26 May 2005, NATO Speeches.
39. *Atlantic News*, No. 3681, 26 May 2005. On the eve of a new meeting in the series of talks between the AU, NATO, EU and UN in Addis Ababa, a number of former foreign ministers, including Madeleine Albright, strongly urged NATO to make an even greater commitment to the African mission, one that would include putting NATO troops on the ground under UN authorization. In addition, they suggested, NATO should seek authority from the Security Council for a new Chapter VII resolution establishing a no-flight zone over Darfur, which NATO aircraft would enforce; *International Herald Tribune*, 26 May 2005.

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that support for the AU should come from the EU and not from NATO.[40] NATO spokesman James Appathurai, emphasizing that the AU had always been adamant about the presence of only African soldiers on the ground, said that NATO (like the EU) would not send troops, adding that both organizations would keep a low profile since neither Sudan nor the Arab League wanted Western troops in Darfur.[41]

2005 World Summit Outcome

With the publication of his report *In Larger Freedom*, Kofi Annan opened the floor for negotiations on his package of 101 recommendations among the UN's member states at the level of the General Assembly with a view to the World Summit in September 2005 on the occasion of the UN's sixtieth anniversary. The '2005 World Summit Outcome' document, which was adopted at the end of the three-day summit, contained two paragraphs on regional organizations.[42] In the context of peacekeeping, the report (in paragraph 93) stressed the importance of 'forging predictable partnerships and arrangements' between the UN and regional organizations under Chapter VIII of the Charter, supporting the efforts of regional entities, including the European Union, 'to develop capacities such as for rapid deployment, stand-by and bridging arrangements'. Similarly, under paragraph 170, the UN member states again supported 'a stronger relationship' between the UN and regional organizations, pursuant to Chapter VIII of the Charter, resolving furthermore: (a) to expand consultation and cooperation through 'formalized agreements' between the respective secretariats and the involvement of regional organizations in the work of the Security Council; and (b) to ensure that regional organizations that have a capacity for the prevention of armed conflict and peacekeeping 'consider the option' of placing these capacities in the framework of the UN Stand-by Arrangement System (UNSAS). With the adoption of these two paragraphs, the UN member states have laid down, for the time being, the framework for further development of the relationships between the UN and the regional organizations, aimed at establishing 'formalized agreements' and making available regional capacities for peacekeeping purposes in the context of UNSAS. From the perspective of the relationship between

40. Jaap de Hoop Scheffer was quoted as saying: 'NATO and the EU are entering into a very good example of what I would say is practical and pragmatic cooperation. Let's not have theology. Let's do it. The AU came to NATO and the AU came to the EU. There is no room for competition. There is plenty of work to be done … The decision could … also be an important test case for much closer cooperation between NATO and the EU'; *International Herald Tribune*, 9 June 2005.
41. Although the AU had always been adamant about the presence of only African soldiers on the ground, NATO support could possibly require the presence of a few soldiers, NATO sources stated; *Atlantic News*, No. 3681, 26 May 2005.
42. Document A/60/L.1, 15 September 2005.

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the UN and regional organizations, the political relevance of these suggestions, while in line with Kofi Annan's initial recommendations, is extremely limited and disappointing, the more so for NATO. The document nowhere explicitly refers to NATO, bypassing altogether the quite extensive and relatively unique dimensions of its close forms of actual cooperation in the field, and despite Kofi Annan's own calls on the Alliance for support to the UN and NATO's willingness to go 'beyond ad hoc cooperation on the ground'. The best that one can say in this respect is that the mention in paragraph 93 of the Outcome Document of 'bridging arrangements' implies an indirect reference to NATO.

Conclusion

Since the end of the Second World War in 1945, the international political system has seen two major turning-points: the end of the Cold War; and the terror attack of '9/11'. Both events have had a profound impact on the position and performance of NATO, including the formulation and implementation of 'transformation agendas' in completely different security environments. The end of the Cold War has contributed to defining the contours of NATO's institutional and operational relations with the United Nations, highlighting its inherently ambivalent character as a collective defence organization, which is also willing and capable of performing as an instrument of the collective security system, as embodied in the UN Charter. The contours were shaped as a result of NATO's performance in Bosnia, both before and after the signing of the Dayton Peace Agreement, Operation 'Allied Force' and the deployment of KFOR in Kosovo, and its presence in Macedonia in supporting the implementation of the Ohrid Agreement. This series of consecutive missions can be construed in two 'models': the so-called sub-contracting model; and the autonomy model. Under the sub-contracting model, the Atlantic Alliance is prepared, responding to a request of the UN, to assist in the implementation of Security Council resolutions, while recognizing the Council's primacy in maintaining international peace and security under the UN Charter. NATO's decision, however, in 1999 to execute Operation 'Allied Force' in Kosovo, according to its own rules under the autonomy model, made clear that the Alliance basically reserves its right as a collective defence organization to use force without the explicit authorization of the Security Council – a decision that was formalized in NATO's 1999 New Strategic Concept. The message was clear: while NATO is prepared to act within the parameters of the sub-contracting model, the bottom line is that it is not willing to subordinate itself to the UN under all conditions. The Kosovo debate, heated as it was, to a large extent was reminiscent of the discussions in 1949 among NATO's founding fathers about the wording of the preamble to NATO's treaty in the run-up to the establishment of the Alliance.

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The two models, as developed in the 1990s, have thus laid down the framework for the relationships between NATO and the UN in the aftermath of '9/11'. NATO's current transformation agenda is determined by international terrorism as the main security threat of the twenty-first century. This might very well lead to a shift from the sub-contracting model of the 1990s to a renewed focus on the autonomy model, with more emphasis on NATO's character as a collective defence organization and its right to self-defence under Article 5 of the Washington Treaty. Responding to the terrorist attacks of '9/11', NATO's decision to invoke this article for the first time in its history is still operational, as illustrated by the recent decision to expand Operation 'Active Endeavour' to cover the whole of the Mediterranean Sea.[43] NATO's position as an autonomous instrument in the fight against international terrorism was also underlined by its wish (as expressed in Reykjavik in May 2002) to become a 'global player', capable of acting wherever forces are needed,[44] leaving behind its 'out-of-area' syndrome, and the acceptance of the concept of pre-emptive attacks, which is in line with the US national security strategy. At the same time, NATO's involvement in ISAF fits perfectly in the so-called sub-contracting model, just like the (initial) idea to task NATO with the command of a multinational force in Iraq after the end of the occupation regime. Although the latter task did not materialize, NATO's training mission in Iraq is similarly being embedded within the same framework, including an explicit request from the acting government of the host-nation and formal authorization by the UN Security Council. What is striking is that all of these developments reflect a certain eagerness on the part of NATO, or so it seems to me, to take on new responsibilities in the aftermath of '9/11' as part of its transformation agenda. In the case of Afghanistan, NATO offered support to Turkey, even before Turkey itself had taken a decision about accepting a 'lead nation' role, followed by similar offers to other member states, and its willingness to take over full command of ISAF. In the case of Iraq, NATO committed itself to enforcing Security Council demands in the case of non-compliance by Saddam Hussein, assisted Poland in its role in SFIR, operating under an occupation regime, has been considering taking over the command of a multinational force as soon as the occupation regime comes to an end, and is currently involved in a training mission in parallel with the US-led Stabilization Force in Iraq (SFIR). It is surprising to note how these far-reaching decisions have been,

43. NATO's AWACS support to the US ended in April 2002; *Atlantic News*, No. 3379.

44. N. Burns in the *International Herald Tribune* wrote that in 2003 NATO added vital new military capabilities that 'will revolutionize our strategic reach', thus underlining two accomplishments: on 1 December 2003 NATO inaugurated the new Czech-led CBRN battalion, which is designed to safeguard 'our' civilian populations from a WMD attack; and on 1 October 2003 the Alliance launched the new NATO Reaction Force, which will for the first time in its history give NATO a quick-reaction force for hostage rescue, peace interventions and combat operations far from Europe'.

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and are being, taken and implemented without a serious public debate on NATO's transformation agenda.

No less surprising are other ambitions that have been put forward in the slipstream of these decisions. In June 2003 during their semi-annual conference, there was much public speculation among NATO's foreign ministers, including (then) Dutch Minister of Foreign Affairs de Hoop Scheffer, on opening new horizons, such as a NATO role in a possible peace agreement between Israel and the Palestinians. When in early 2005 the time seemed ripe for new initiatives in the Middle East in the aftermath of the death of Palestinian leader Yasser Arafat, there was again a new round of speculation about a possible role for NATO as a guarantor of a peace settlement. While Jaap de Hoop Scheffer expressed himself 'personally in favour' of such a role, taking into account a number of preconditions, including in the first place a peace agreement, consent of the parties and UN authorization, it was clear that the question of NATO's role in the conflict had never been formally discussed at NATO. But the tone had been set, taking into account what de Hoop Scheffer on a visit to Israel had called 'the strategic imperative' of the interplay of Middle Eastern and transatlantic security.[45] At the summit in Istanbul in June 2004, NATO – following its decision at Prague in 2002 to upgrade the so-called Mediterranean Dialogue involving seven countries from the Middle East and North Africa – invited its partners to establish a more ambitious and expanded partnership. At the same time, it offered cooperation to the broader Middle East region by launching its 'Istanbul Cooperation Initiative', starting with the countries of the Gulf Cooperation Council. Both initiatives aim at enhancing security and stability in the region.[46]

In March 2004, UN Secretary-General Kofi Annan quite unexpectedly called upon NATO to support the UN in Africa, saying that if the UN undertakes new peacekeeping operations in Africa, support from NATO would be 'tremendously helpful'. Annan welcomed the willingness of the Alliance to 'go global', citing its recent work in Afghanistan as an example. Anticipating 'a surge' of new peacekeeping operations across Africa in the year ahead, he added:

> *NATO might be employed in a 'peace enforcement' role, much as the European Union deployed 'Operation Artemis' in the Democratic Republic of the Congo (DRC) as a bridging force before the deployment of a UN operation.*[47]

45. *Atlantic News*, No. 3639, 6 January 2005.
46. 'The Istanbul Declaration: Our Security in a New Era', issued by the heads of state and government participating in the meeting of the North Atlantic Council in Istanbul on 28 June 2004, *Atlantic News*, No. 3589 (Annexe), 30 June 2004.
47. 'Annan Invites NATO Support for Anticipated African Peacekeeping Missions', UN News Centre, 9 March 2004.

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At the time, Annan also praised NATO's preparedness to send troops to Iraq if requested. While thus welcoming the role of NATO as a 'global player', he added that the UN and NATO would continue to discuss the world's collective security system as well as peace-support operations. One year later, in January 2005, Kofi Annan again urged NATO to consider seriously becoming active in Africa, this time, however, by assisting the African Union in its mission in Darfur. Annan's calls for greater NATO involvement in Africa were made against the background of increasing cooperation between the UN and regional organizations that were focused on either seeking direct support to the UN by deploying before, alongside, or after a UN operation, or the long-term enhancement of regional and sub-regional organizations' capacity for peacekeeping, particularly in Africa (giving as examples Ivory Coast and Liberia – ECOWAS – and the Democratic Republic of Congo – the European Union). In this context, Annan spoke of the need to reinforce 'strategic partnerships' with regional organizations.[48] Two months later, Jean-Marie Guehenno, UN Under-Secretary-General for Peacekeeping, presented a plan to strengthen UN peacekeeping through the rise of what he termed 'partnership peacekeeping' – the UN working alongside regional organizations like NATO, the EU and ECOWAS.[49] Without giving further details, in *In Larger Freedom* Kofi Annan called for the establishment of an 'interlocking system of peacekeeping capacities' as part of the UN System of Standby Arrangements (UNSAS), through 'partnerships' with regional organizations. Taking into account the conceptual and operational limits of UNSAS, the High-level Panel's report, which argued in favour of formalizing more the UN's relations with its regional partners, was more ambitious than Annan in his report. And even Jaap de Hoop Scheffer was much more outspoken when, responding to Annan's recommendations, he underlined the need to develop 'structured relationships at the institutional level' between NATO and the UN, in order to 'coordinate strategically, [and] not just cooperate tactically'.

In terms of the actual cooperation between the two organizations, in its deployments in Bosnia, Kosovo, Afghanistan and Iraq, NATO already went far beyond the scope of the so-called 'interlocking system of peacekeeping capacities'. Other than by calling for 'a decisive step forward', with his recommendation on the establishment of 'an interlocking system of peacekeeping capacities', Annan basically set the clock some ten years back. In the early 1990s, after an extensive discussion on the idea of the establishment of a UN rapid reaction force in the aftermath of the genocide in Rwanda, the Security Council made it clear that 'the first priority in improving the capacity for rapid deployment should be the further enhancement of the existing stand-by arrangements', thereby declining

48. UN News Centre, 27 February 2004.
49. *International Herald Tribune*, 20 April 2004.

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any initiative beyond the UN Standby Arrangement System for peacekeeping operations.[50]

Where Annan is extremely reluctant in recommending further formalization of the relations between the UN and regional organizations beyond 'peacekeeping', there is an additional reason for him when it comes to the relationship between the UN and NATO. This has to do with NATO's 'status aparte' among the so-called 'regional organizations' – outside the purview of Chapter VIII of the UN Charter. While NATO in the last decade has presented itself as a powerful military instrument of the UN's collective security system, it has simultaneously made it abundantly clear that, given its character as a collective defence organization, it retains the right under all circumstances to use force without UN Security Council authorization, thereby neglecting the Council's primacy in maintaining international peace and security. Both organizations could continue with 'business as usual' on the ground, without any further formalization of their mutual relationships. Looking at NATO's future, however, one can assume that the Alliance will increase its out-of-area missions. Anticipating more calls for assistance in the years ahead, US Ambassador Nicolas Burns, in early 2005, thought it highly likely that 'in one or two years from now, most NATO troops will be outside Europe'.[51]

This raises the question of whether there is greater need than ever before to formalize relationships between the two organizations as the missing link between UN reform and the transformation of NATO.[52] Nevertheless, as far as the UN-NATO relationship is concerned, the 2005 World Summit Outcome document seems to suggest that there is no need to go beyond ad hoc cooperation on the ground – no need for fresh thinking whatsoever, in other words. At the same time, one should not dramatize the outcome: it will not prevent the UN and NATO from future forms of cooperation along the (ad hoc) lines of the past, reflecting both organizations' interests.

50. Dick A. Leurdijk (ed.), *A UN Rapid Deployment Brigade: Strengthening the Capacity for Quick Response* (The Hague: Netherlands Institute for International Affairs 'Clingendael', 1995), p. 11.
51. *Atlantic News*, No. 3641, 13 January 2005.
52. The *Outcome Document*, used as a basis for the deliberations in the General Assembly on the recommendations of Kofi Annan, supports a 'stronger relationship' between the UN and (sub-)regional organizations 'pursuant to Chapter VIII of the Charter', suggesting to 'Expand consultation and cooperation between the UN and regional and sub-regional organizations through formalized agreements between respective secretariats, regularized involvement of regional organizations in the work of the Security Council, and participation of relevant regional organizations in the Peace-building Commission'. For a comparison of the paragraphs on regional organizations in the three reports of the High-level Panel, Kofi Annan and the *Outcome Document*, see Annexe 1.

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Annex I

Relevant paragraphs on regional organizations from reports/documents

High-level Panel Report

272. Recent experience has demonstrated that regional organizations can be a vital part of the multilateral system. Their efforts need not contradict United Nations efforts, nor do they absolve the United Nations of its primary responsibilities for peace and security. The key is to organize regional action within the framework of the Charter and the purposes of the United Nations, and to ensure that the United Nations and any regional organization with which it works do so in a more integrated fashion than has up to now occurred. This will require that:

- Authorization from the Security Council should in all cases be sought for regional peace operations, recognizing that in some urgent situations that authorization may be sought after such operations have commenced;
- Consultation and cooperation between the United Nations and regional organizations should be expanded and could be formalized in an agreement, covering such issues as meetings of the heads of the organizations, more frequent exchange of information and early warning, co -training of civilian and military personnel, and exchange of personnel within peace operations;
- In the case of African regional and subregional capacities, donor countries should commit to a 10-year process of sustained capacity-building support, within the African Union strategic framework;
- Regional organizations that have a capacity for conflict prevention or peacekeeping should place such capacities in the framework of the United Nations Standby Arrangements System;
- Member States should agree to allow the United Nations to provide equipment support from United Nations-owned sources to regional operations, as needed;
- The rules for the United Nations peacekeeping budget should be amended to give the United Nations the option on a case-by-case basis to finance regional operations authorized by the Security Council with assessed contributions.

273. In recent years, such alliance organizations as NATO ( ) have undertaken peacekeeping operations beyond their mandated areas. We welcome this so long as these operations are authorized by and accountable to the Security Council. In the case of NATO, there may also be a constructive role for it to play in assisting in the training and equipping of less well resourced regional organizations and States.

In Larger Freedom Report

112. I appeal to Member States to do more to ensure that the United Nations has effective capacities for peacekeeping, commensurate with the demands that they place upon it. In particular, I urge them to improve our deployment options by creating strategic reserves that can be deployed rapidly, within the framework of United Nations arrangements. United Nations capacity should not be developed in competition with the admirable

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efforts now being made by many regional organizations but in cooperation with them. Decisions by the European Union to create standby battle groups, for instance, and by the African Union to create African reserve capacities, are a very valuable complement to our own efforts. Indeed, I believe the time is now ripe for a decisive move forward: the establishment of an interlocking system of peacekeeping capacities that will enable the United Nations to work with relevant regional organizations in predictable and reliable partnerships.

213. A considerable number of regional and subregional organizations are now active around the world, making important contributions to the stability and prosperity of their members, as well as of the broader international system. The United Nations and regional organizations should play complementary roles in facing the challenges to international peace and security. In this connection, donor countries should pay particular attention to the need for a 10-year plan for capacity-building with the African Union. To improve coordination between the United Nations and regional organizations, within the framework of the Charter of the United Nations, I intend to introduce memoranda of understanding between the United Nations and individual organizations, governing the sharing of information, expertise and resources, as appropriate in each case. For regional organizations that have a conflict prevention or peacekeeping capacity, these memoranda of understanding could place those capacities within the framework of the United Nations Standby Arrangements System.

214. I also intend to invite regional organizations to participate in meetings of United Nations system coordinating bodies, when issues in which they have a particular interest are discussed.

215. The rules of the United Nations peacekeeping budget should be amended to give the United Nations the option, in very exceptional circumstances, to use assessed contributions to finance regional operations authorized by the Security Council, or the participation of regional organizations in multi-pillar peace operations under the overall United Nations umbrella.

2005 World Summit Outcome

93. Recognizing the important contribution to peace and security by regional organizations as provided for under Chapter VIII of the Charter and the importance of forging predictable partnerships and arrangements between the United Nations and regional organizations, and noting in particular, given the special needs of Africa, the importance of a strong African Union:

(a) We support the efforts of the European Union and other regional entities to develop capacities such as for rapid deployment, standby and bridging arrangements;

(b) We support the development and implementation of a ten-year plan for capacity-building with the African Union.

170. We support a stronger relationship between the United Nations and regional and subregional organizations, pursuant to Chapter VIII of the Charter, and therefore resolve:

(a) To expand consultation and cooperation between the United Nations and regional and subregional organizations through formalized agreements between the respec-

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tive secretariats and, as appropriate, involvement of regional organizations in the work of the Security Council;

(b) To ensure that regional organizations that have a capacity for the prevention of armed conflict or peacekeeping consider the option of placing such capacity in the framework of the United Nations Standby Arrangements System;

(c) To strengthen cooperation in the areas of economic, social and cultural fields.

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Annex II

Paragraphs from United Nations Security Council Resolutions relevant for NATO

AFGHANISTAN

Resolution 1386, 20 December 2001

The Security Council,

Reiterating its endorsement of the Agreement on provisional arrangements in Afghanistan pending the re-establishment of permanent government institutions, signed in Bonn on 5 December 2001 (S/2001 /1 154) (the Bonn Agreement),

Taking note of the request to the Security Council in Annex 1, paragraph 3, to the Bonn Agreement to consider authorizing the early deployment to Afghanistan of an international security force, as well as the briefing on 14 December 2001 by the Special Representative of the Secretary-General on his contacts with the Afghan authorities in which they welcome the deployment to Afghanistan of a United Nations-authorized international security force.

Welcoming the letter from the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland to the Secretary-General of 19 December 2001 (S/2001/1217), and *taking note* of the United Kingdom offer contained therein to take the lead in organizing and commanding an International Security Assistance Force,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Interim Authority established by the Bonn Agreement,

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Authorizes,* as envisaged in Annex 1 to the Bonn Agreement, the establishment for 6 months of an International Security Assistance Force to assist the Afghan Interim Authority in the maintenance of security in Kabul and its surrounding areas, so that the Afghan Interim Authority as well as the personnel of the United Nations can operate in a secure environment;
2. *Calls upon* Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, and invites those Member States to inform the leadership of the Force and the Secretary-General;
3. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate;
4. *Calls upon* the International Security Assistance Force to work in close consultation with the Afghan Interim Authority in the implementation of the force mandate, as well as with the Special Representative of the Secretary-General;

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5. *Calls upon* all Afghans to cooperate with the International Security Assistance Force and relevant international governmental and non-governmental organizations, and welcomes the commitment of the parties to the Bonn Agreement to do all within their means and influence to ensure security, including to ensure the safety, security and freedom of movement of all United Nations personnel and all other personnel of international governmental and non-governmental organizations deployed in Afghanistan;
6. *Takes note* of the pledge made by the Afghan parties to the Bonn Agreement in Annex I to that Agreement to withdraw all military units from Kabul, and calls upon them to implement this pledge in cooperation with the International Security Assistance Force;
7. *Encourages* neighbouring States and other Member States to provide to the International Security Assistance Force such necessary assistance as may be requested, including the provision of overflight clearances and transit;
8. *Stresses* that the expenses of the International Security Assistance Force will be borne by the participating Member States concerned, *requests* the Secretary-General to establish a trust fund through which contributions could be channelled to the Member States or operations concerned, and encourages Member States to contribute to such a fund;
9. *Requests* the leadership of the International Security Assistance Force to provide periodic reports on progress towards the implementation of its mandate through the Secretary-General;
10. *Calls on* Member States participating in the International Security Assistance Force to provide assistance to help the Afghan Interim Authority in the establishment and training of new Afghan security and armed forces;

Resolution 1510, 13 October 2003

The Security Council,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves and *welcoming* the continuing cooperation of the Afghan Transitional Authority with the International Security Assistance Force,

Reaffirming the importance of the Bonn Agreement and recalling in particular its annex 1 which, inter alia, provides for the progressive expansion of the International Security Assistance Force to other urban centres and other areas beyond Kabul,

Stressing also the importance of extending central government authority to all parts of Afghanistan, of comprehensive disarmament, demobilization and reintegration of all armed factions, and of security sector reform including reconstitution of the new Afghan National Army and Police,

Recognizing the constraints upon the full implementation of the Bonn Agreement resulting from concerns about the security situation in parts of Afghanistan,

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Noting the letter dated 10 October 2003 from the Minister for Foreign Affairs of Afghanistan (S/2003/986, annex) requesting the assistance of the International Security Assistance Force outside Kabul,

Noting the letter dated 6 October 2003 from the Secretary-General of the North Atlantic Treaty Organization (NATO) to the Secretary-General (S/2003/970) regarding a possible expansion of the mission of the International Security Assistance Force,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Transitional Authority and its successors.

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Authorizes* expansion of the mandate of the International Security Assistance Force to allow it, as resources permit, to support the Afghan Transitional Authority and its successors in the maintenance of security in areas of Afghanistan outside of Kabul and its environs, so that the Afghan Authorities as well as the personnel of the United Nations and other international civilian personnel engaged, in particular, in reconstruction and humanitarian efforts, can operate in a secure environment, and to provide security assistance for the performance of other tasks in support of the Bonn Agreement;
2. *Calls upon* the International Security Assistance Force to continue to work in close consultation with the Afghan Transitional Authority and its successors and the Special Representative of the Secretary-General as well as with the Operation Enduring Freedom Coalition in the implementation of the force mandate, and to report to the Security Council on the implementation of the measures set out in paragraph 1;
3. *Decides also* to extend the authorization of the International Security Assistance Force, as defined in resolution 1386 (2001) and this resolution, for a period of twelve months;
4. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate:
5. *Requests* the leadership of the International Security Assistance Force to provide quarterly reports on the implementation of its mandate to the Security Council through the Secretary-General;

Resolution 1563,17 September 2004

The Security Council,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves and *welcoming* the continuing cooperation of the Afghan Transitional Administration with the International Security Assistance Force,

Reaffirming the importance of the Bonn Agreement and the Berlin Declaration, and recalling in particular annex 1 of the Bonn Agreement which, inter alia, provides for the

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progressive expansion of the International Security Assistance Force to other urban centres and other areas beyond Kabul.

Stressing also the importance of extending central government authority to all parts of Afghanistan, of conducting free and fair elections, of comprehensive disarmament, demobilization and reintegration of all armed factions, of justice sector reform, of security sector reform including reconstitution of the Afghan National Army and Police, and combating narcotics trade and production, and recognizing certain progress that has been made in these and other areas with the help of the international community,

Recognizing the constraints upon the full implementation of the Bonn Agreement resulting from concerns about the security situation in parts of Afghanistan, in particular in the light of the upcoming elections,

Welcoming in this context the commitment by NATO lead nations to establish further Provincial Reconstruction Teams (PRTs), as well as the readiness of the International Security Assistance Force and the Operation Enduring Freedom Coalition to assist in securing the conduct of national elections,

Expressing ils appreciation to Eurocorps for taking over the lead from Canada in commanding the International Security Assistance Force, to Canada for its leadership of the International Security Assistance Force during the past year, and recognizing with gratitude the contributions of many nations to the International Security Assistance Force.

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Transitional Administration and its successors,

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolution 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2004:
2. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate:
3. *Recognizes* the need to strengthen the International Security Assistance Force, and in this regard *calls upon* Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);
4. *Calls upon* the International Security Assistance Force to continue to work in close consultation with the Afghan Transitional Administration and its successors and the Special Representative of the Secretary-General as well as with the Operation Enduring Freedom Coalition in the implementation of the force mandate;
5. *Requests* the leadership of the International Security Assistance Force to provide quarterly reports on implementation of its mandate to the Security Council through the Secretary-General;

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IRAQ

Resolution 1483, 22 May 2003

The Security Council,

Noting the letter of 8 May 2003 from the Permanent Representatives of the United States of America and the United Kingdom of Great Britain and Northern Ireland to the President of the Security Council (S/2003/538) and recognizing the specific authorities, responsibilities, and obligations under applicable international law of these states as occupying powers under unified command (the ìAuthorityî),

Noting further that other States that are not occupying powers are working now or in the future may work under the Authority,

Welcoming further the willingness of Member States to contribute to stability and security in Iraq by contributing personnel, equipment, and other resources under the Authority,

Determining that the situation in Iraq, although improved, continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Appeals* to Member States and concerned organizations to assist the people of Iraq in their efforts to reform their institutions and rebuild their country, and to contribute to conditions of stability and security in Iraq in accordance with this resolution;
4. *Calls upon* the Authority, consistent with the Charter of the United Nations and other relevant international law, to promote the welfare of the Iraqi people through the effective administration of the territory, including in particular working towards the restoration of conditions of security and stability and the creation of conditions in which the Iraqi people can freely determine their own political future;
26. *Calls upon* Member States and international and regional organizations to contribute to the implementation of this resolution;

Resolution 1511, 16 October 2003

The Security Council,

Recognizing that international support for restoration of conditions of stability and security is essential to the well-being of the people of Iraq as well as to the ability of all concerned to carry out their work on behalf of the people of Iraq, and *welcoming* Member State contributions in this regard under resolution 1483 (2003),

Determining that the situation in Iraq, although improved, continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the sovereignty and territorial integrity of Iraq, and *underscores*, in that context, the temporary nature of the exercise by the Coalition Provisional Authority (Authority) of the specific responsibilities, authorities, and obligations under appli-

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cable international law recognized and set forth in resolution 1483 (2003), which will cease when an internationally recognized, representative government established by the people of Iraq is sworn in and assumes the responsibilities of the Authority, inter alia through steps envisaged in paragraphs 4 through 7 and 10 below;

13. *Determines* that the provision of security and stability is essential to the successful completion of the political process as outlined in paragraph 7 above and to the ability of the United Nations to contribute effectively to that process and the implementation of resolution 1483 (2003), and *authorizes* a multinational force under unified command to take all necessary measures to contribute to the maintenance of security and stability in Iraq, including for the purpose of ensuring necessary conditions for the implementation of the timetable and programme as well as to contribute to the security of the United Nations Assistance Mission for Iraq, the Governing Council of Iraq and other institutions of the Iraqi interim administration, and key humanitarian and economic infrastructure;
16. *Emphasizes* the importance of establishing effective Iraqi police and security forces in maintaining law, order, and security and combating terrorism consistent with paragraph 4 of resolution 1483 (2003), and *calls upon* Member States and international and regional organizations to contribute to the training and equipping of Iraqi police and security forces;

DARFUR

Resolution 1556, 30 July 2004

The Security Council,

Welcoming the leadership role and the engagement of the African Union to address the situation in Darfur and *expressing* its readiness to support fully these efforts,

Expressing its determination to do everything possible to halt a humanitarian catastrophe, including by taking further action if required,

Determining that the situation in Sudan constitutes a threat to international peace and security and to stability in the region,

Acting under Chapter VII of the Charter of the United Nations,

2. *Endorses* the deployment of international monitors, including the protection force envisioned by the African Union, to the Darfur region of Sudan under the leadership of the African Union and *urges* the international community to continue to support these efforts, *welcomes* the progress made in deploying monitors, including the offers to provide forces by members of the African Union, and *stresses* the need for the Government of Sudan and all involved parties to facilitate the work of the monitors in accordance with the N'Djamena ceasefire agreement and with the Addis Ababa agreement of 28 May 2004 on the modalities of establishing an observer mission to monitor the ceasefire;
3. *Urges* member states to reinforce the international monitoring team, led by the African Union, including the protection force, by providing personnel and other assistance including financing, supplies, transport, vehicles, command support, communications and headquarters support as needed for the monitoring operation, and *wel-*

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comes the contributions already made by the European Union and the United States to support the African Union led operation;

16. *Expresses* its full support for the African Union-led ceasefire commission and monitoring mission in Darfur, and *requests* the Secretary-General to assist the African Union with planning and assessments for its mission in Darfur, and in accordance with the Joint Communiqué to prepare to support implementation of a future agreement in Darfur in close cooperation with the African Union and *requests* the Secretary-General to report to the Security Council on progress;

Resolution 1564, 18 September 2004

The Security Council,

Welcoming the 6 September 2004 letter to the President of the Security Council from the President of the African Union, Nigerian President Olusegun Obasanjo, including his appeal for international support for the extension of the African Union Mission in Darfur,

Determining that the situation in Sudan constitutes a threat to international peace and security and to stability in the region,

Acting under Chapter VII of the United Nations Charter,

2. *Welcomes* and *supports* the intention of the African Union to enhance and augment its monitoring mission in the Darfur region of Sudan, and encourages the undertaking of proactive monitoring;
3. *Urges* Member States to support the African Union in these efforts including by providing all equipment, logistical, financial, material, and other resources necessary to support the rapid expansion of the African Union Mission and by supporting the efforts of the African Union aimed at a peaceful conclusion of the crisis and the protection of the welfare of the people of Darfur, *welcomes* the Government of Sudan's request to the African Union to increase its monitoring presence in Darfur in its 9 September 2004 letter to the Security Council, and *urges* the Government of Sudan to take all steps necessary to follow through with this commitment and to cooperate fully with the African Union to ensure a secure and stable environment;