

NWMMUN 2009



The Premier Model United Nations Conference in the Northwest

Background Guide:
Reformed Security Council



Northwest Model United Nations | November 13-15 | Grand Hyatt Seattle

September 25, 2009

Dear Delegates,

Welcome to the 2009 Northwest Model United Nations (NWMUN) Conference and the United Nations Reformed Security Council. My name is Nicholas Carlson, and I will be serving as President of the RSC this year along with Liza Weeks, who will be serving as the committee's Vice President. I am looking forward to working with each of you this November, and I appreciate the work you are in the process of doing to prepare for the conference this year.

The topics for this year's Reformed Security Council are:

- I. The Situation in Afghanistan and Pakistan
- II. Peace and Security in Africa: Strengthening the UN's relationship with the African Union

Every participating delegation is required to submit a position paper prior to attending the conference. NWMUN will accept position papers *for the Reformed Security Council* by **Thursday, November 12th at 11:59 pm. Please submit all position papers to: dg@nwmun.org**. Please refer to the sample position paper on the NWMUN website for paper requirements and restrictions. Delegates' adherence to these guidelines is crucial, because it not only ensures a well prepared committee, but is also a key component of the awards process.

This guide will be your *first* resource prior to the conference. You should find it informative but by no means authoritative. You will have to conduct research on your own if you are to gain a sufficient understanding of the agenda topics and your State's policies. In the Reformed Security Council, it will be obvious who did this and who did not, so I urge you to make a strong effort. If you have questions about anything related to the simulation, please address them to myself, or to your Director General, as soon as possible. Again, thank you, and I look forward to meeting you in November!

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Committee History & Background

The Security Council, established in 1945, is one of the principal organs of the United Nations as defined by Article 7 of the United Nations Charter. Chapter V of the Charter defines the composition and role of the Security Council, namely:

In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.¹

This is a fairly broad mandate, which has expanded considerably since the end of the Cold War to include unprecedented peacekeeping missions, human rights monitoring, counter-terrorism measures, and most recently even mitigation of the consequences of climate change. While reform of the Security Council is still a contentious issue, its centrality to the harmony of the international system has ensured that it retains a relatively high degree of relevance.

Due to its preeminent position in the United Nations, the Security Council is the only organ comprised of voting delegates whose resolutions can be considered legally binding. There is debate as to what extent Security Council decisions are binding. For example, it is generally accepted that anytime Chapter VII of the Charter is invoked (“Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression”), the resolutions are indeed binding. However, most of the Council’s work falls under Chapter VI (“Pacific Settlement of Disputes”), in which case the Council may be seen to be merely advisory in its resolutions and not legally binding. The potential for alternative interpretations within the international community should thus be remembered by delegates drafting resolutions.

The Security Council has five permanent members—the People’s Republic of China, France, Russia, the United Kingdom, and the United States—each with veto power. This means that if one of these Member States votes “No” on a substantive motion (meaning a resolution or an amendment), the motion is not passed. Vetoes are used sparingly, however, especially since the end of the Cold War, so delegates representing permanent members should not be overly eager to wield what is considered an undiplomatic and even provocative instrument.²

The Security Council also has ten non-permanent members—currently Belgium, Burkina Faso, Costa Rica, Croatia, Indonesia, Italy, Libya, Panama, South Africa, and Vietnam. Five of these members are elected each year for two-year terms by the General Assembly, and are divided between the geographical regions of the world to ensure a more equitable distribution of the seats. They are considered regional representatives and expected to take regional views into consideration during the course of their membership. Each Member State has one vote, and passage of any motion requires nine votes in favor; on substantive motions such as resolutions, passage must also gain either approval or abstention from each of the five permanent members.³

¹ “United Nations Charter, Chapter V, Article 24”. United Nations. <http://www.un.org/aboutun/charter/index.html>

² “Changing Patterns in the Use of the Veto in the Security Council”. Global Policy Forum. <http://www.globalpolicy.org/security/data/vetotab.htm>

³ “United Nations Charter, Chapter V, Article 27”. United Nations. <http://www.un.org/aboutun/charter/index.html>

The Security Council has its own rules, which will be incorporated into our simulation.⁴ The rules regarding the agenda and the Presidency of the Council will be ignored, however, to accommodate our simulation and NWMUN rules of procedure. Delegates should consider the following Security Council rules in particular:

- Rule 28, regarding the appointment of commissions and rapporteurs
- Rule 37, regarding invitations to non-Council delegates to sit with the Council
- Rule 38, regarding proposals from non-Council members
- Rule 39, regarding invitations to the Secretariat and other individuals to address the Council

Modifications to the Security Council for this Simulation

The Reformed Security Council (RSC) is a simulation of the Security Council *as it would be* if membership reform had already been implemented. For NWMUN 2009, the outcome of the debate over Security Council reform in the Security Council and General Assembly during NWMUN 2008 will be used as the basis for the reforms implemented to create the Reformed Security Council's membership. The changes to the membership are summarized below.

First, Brazil and India have been given permanent seats, but have not been given veto power. The veto power remains exclusively with China, France, the Russian Federation, the United Kingdom and the United States. Secondly, four rotating seats have been added, two each to the group of States elected in even-numbered years and to the group of States elected in odd-numbered years. These four States were defined as: an Asian State that must be from Southeast Asia (but is elected by the entire Asian Group); two Arab States (which may come from either Africa or Asia and are elected by a newly-created regional group: the Arab Group); and an additional seat from the Latin American and Caribbean Group.

Based upon the elections to the Security Council, the Southeast Asian State chosen for the 2009 Reformed Security Council was Singapore. The Arab States chosen were Algeria and Lebanon, and the seat from Latin America and the Caribbean is held by the Dominican Republic. These four States will join Brazil and India, as well as the membership of the 2010 Security Council, to form the membership of the Reformed Security Council for NWMUN 2009.

Membership of the Reformed Security Council

Algeria	Dominican Republic	Russian Federation
Austria	France	Singapore
Brazil	India	Turkey
Burkina Faso	Japan	Uganda
China	Lebanon	United Kingdom
Costa Rica	Libyan Arab Jamahariya	United States
Croatia	Mexico	Viet Nam

⁴ "Provisional Rules of Procedure of the Security Council". United Nations. <http://www.un.org/Docs/sc/scrules.htm>

I. The Situation in Afghanistan and Pakistan

Introduction

Afghanistan and Pakistan are inextricably linked. There can be no successful outcome for Afghanistan if Pakistan is not a part of the solution. The future stability of both depends on the development of an effective regional strategy to counter and uproot the Taliban/Al Qaeda sanctuary in Pakistan's tribal border areas. Despite Pakistan's counterinsurgency efforts over the last four years, the Taliban and Al Qaeda have developed a stronghold in this region that bolsters the Taliban's capabilities against coalition forces in Afghanistan, poses a direct threat to the Pakistani state itself, and facilitates Al Qaeda planning and execution of global insurgent plots.⁵ Both contributing to the continued viability of the terrorist organizations and also a result of them is the trafficking in illegal drugs, particularly in Afghanistan, and the organized crime associated with it.



In early October 2009, the Security Council extended mandate of the International Security Assistance Force in Afghanistan (ISAF) ahead of its expiry. Currently, there is considerable international focus on the question of a new strategy for Afghanistan, particularly in light of the issues that have arisen following the 20 August 2009 elections and ongoing civilian casualties. Civilian deaths continued to be a highly contentious issue in the weeks following the election, thus protection of civilians is of particular import and high on the agenda of the Council.

It is within the context of Afghanistan that we include Pakistan on this topic, due to the visible linkages between the concurrent conflicts in both countries, and the shared security concerns. As has been seen in similar cross-border instability in other parts of the world, regional cooperation and action is often thought to be the most desirous method of addressing root causes of insecurity. Acknowledging the large international presence in the region, largely focused on Afghanistan, it would seem advantageous to examine the entry points for broader, regional action within crucial sub-issues, in order to take international and regional engagement to the next level.

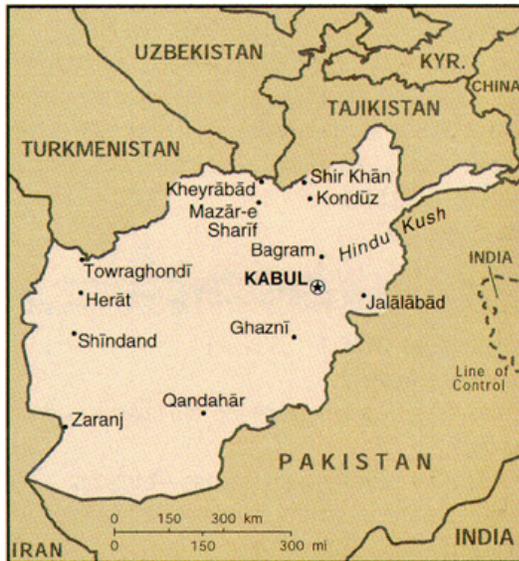
This background guide will first briefly overview the background and current situation in Afghanistan and Pakistan, then it will discuss international involvement in the region, mainly through the UN & NATO, and finally will discuss some of the largest shared challenges currently facing the region: drug production and trafficking and protection of civilians.

Afghanistan

In a state of effective war for most of the last quarter-century, Afghanistan was a Cold War battleground before a civil occurred for most of the 1990s. While the Taliban was in power, al-Qaeda was hosted

⁵ Inderfurth, Karl. "Afghanistan, Pakistan and NATO. New York Times, 4 April 2008.
<http://www.nytimes.com/2008/04/01/opinion/01iht-edinderfurth.1.11587815.html>

within its borders. However, having refused to give up al-Qaeda leaders, the regime was quickly removed in late 2001 by U.S.-led Coalition forces.⁶



Following the political roadmap laid out in the *Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions*, signed in Bonn, Germany on 22 December 2001, the country has since seen the ratification of a new moderate Islamic Constitution and the election of a president and National Assembly.⁷ However, the ultimate goal of a stable, sustainable state is increasingly vulnerable, as Afghanistan has developed few resilient institutions since the 2001 invasion, and the insurgency has intensified significantly during 2008 and 2009, with 2009 seeing the highest number of civilians and NATO-led International Security Assistance Force (ISAF) troop casualties since 2001, despite the large build-up in troops affected over the summer.⁸ This is due in large part to the continued presence of the Taliban, which controls much of the countryside in the south, east and centre of Afghanistan, and continue to carry out terror attacks in major population centers.⁹ The August 2009 presidential and provincial elections have opened up a new period of political turmoil. The polls were declared “successful” by both the U.S. and Afghan governments, despite the high levels of Taliban violence that preceded them, and the claims of fraud that have followed.

Insecurity continues to be the single greatest factor impeding progress in Afghanistan.¹⁰ The insecurity is caused by a politically driven insurgency, but it has also been exploited by criminal groups, drug traffickers and others. In many parts of the country it has overwhelmed the capacity of Afghanistan’s State institutions.¹¹

The tactics adopted by the insurgency since its resurgence in 2005 have remained unchanged in their essence.¹² These are an avoidance of force-to-force encounters, a reliance on asymmetric tactics, deliberate targeting of representatives of State institutions and international organizations and a disregard for human lives. The implementation of these tactics has more recently evolved in complexity. The combination of simultaneous suicide and stand-off attacks has enabled insurgents to overcome increased security measures around Government installations in particular. Furthermore, the insurgency is increasingly able to act in areas where it previously could not, in particular in the north-east and north-west of the country.¹³

⁶ International Crisis Group. *Afghanistan*. 2009. <http://www.crisisgroup.org/home/index.cfm?id=1266&l=1>

⁷ *Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions*. 22 December 2001. <http://www.un.org/News/dh/latest/afghan/afghan-agree.htm>

⁸ International Crisis Group. *Afghanistan*. 2009. <http://www.crisisgroup.org/home/index.cfm?id=1266&l=1>

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² United Nations. *The situation in Afghanistan and its implications for international peace and security: Report of the Secretary-General (A/64/364–S/2009/475)*. 22 September 2009. <http://www.un.org/Docs/sc/sgrep09.htm>

¹³ *Ibid.*

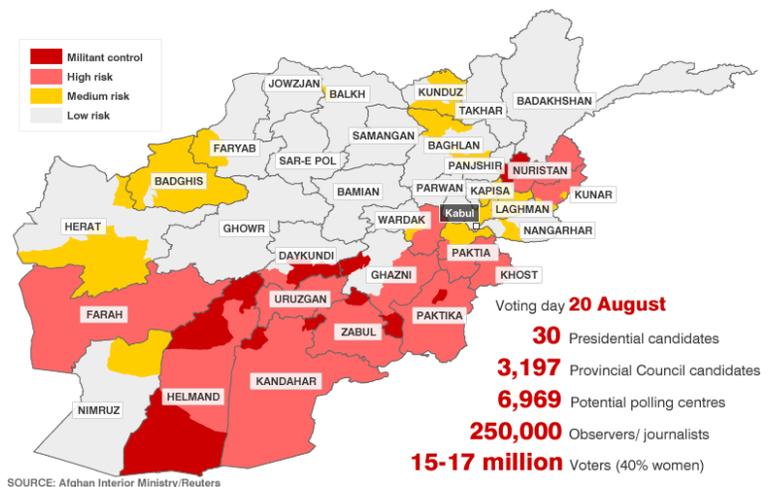
According to the United Nations, there has been an average of 898 incidents in the first seven months of 2009, compared to 677 during the same time frame in 2008. Incidents involving improvised explosive devices have risen dramatically, to an average of more than eight per day, 60 per cent higher than the average during the first seven months of 2008.¹⁴ Complex attacks now average one per month compared to one per quarter in 2008. In the majority of these attacks, security forces responded professionally and quickly, effectively containing and limiting the impact of the attacks.

The international military has responded to the insurgent threat over the past several years mainly by increasing the number of international and Afghan troops.¹⁵ The increase in insecurity suggests that this approach has been insufficient.¹⁶ The new International Security Assistance Force Commander has adopted a qualitatively different approach, which focuses on protecting the population rather than on targeting insurgents.¹⁷ A tactical directive was issued restricting the use of air power and the conditions under which house searches and arrests were made.¹⁸ The new approach includes closer partnership between Afghan and international forces to make better use of existing Afghan capabilities and hasten their development.¹⁹

The key to long-term stability in Afghanistan remains the training of Afghan national security forces, particularly the Afghan National Army and the Afghan National Police, as well as reform of the relevant ministries.²⁰ As part of the Ministry of the Interior reform process, efforts are being made to establish the exact number of serving and active police personnel and to strengthen the human resource management mechanism.²¹ There remains a lack of clarity over the ideal size and composition of the police force.²² The Joint Coordination and Monitoring Body agreed that any increase in Afghan National Police strength must be based on the development of an internal national security strategy, which defines the roles and responsibilities of the various components of Afghanistan's national security forces and provides the basis for decisions on the size and composition of the police, and hence its structures and training requirements.²³

The Afghan National Army continues to recruit and train faster than expected.²⁴ Troop strength reached 93,000 in July 2009, 5,000 more than projected.²⁵ The prospect of reaching the target strength of 134,000 by December 2011 therefore remains realistic.²⁶ In accordance with the vision of International Security Assistance Force new leadership, the Afghan National Army is expected to play a larger role in planning and carrying out operations.²⁷

Much attention, both by the international arena and by Afghan leaders, has focused on the rights of women in Afghanistan, in particular on the threat that rights secured so



¹⁴ *Ibid.*
¹⁵ *Ibid.*
¹⁶ *Ibid.*
¹⁷ *Ibid.*
¹⁸ *Ibid.*
¹⁹ *Ibid.*
²⁰ *Ibid.*
²¹ *Ibid.*
²² *Ibid.*
²³ *Ibid.*
²⁴ *Ibid.*
²⁵ *Ibid.*
²⁶ *Ibid.*
²⁷ *Ibid.*

far may be eroded.²⁸ The report of the Office of the High Commissioner for Human Rights and UNAMA entitled “Silence is violence: end the abuse of women in Afghanistan”, which was issued in July, examined factors contributing to a rising trend of threats and attacks against women in public life and sexual abuse of women and girls.²⁹ A culture of impunity for rape partly accounts for the deep-rooted nature of the problem and is entrenched in customs, attitudes and practices that dictate a subservient role for women in society.³⁰ Other factors, including the role that conservative forces play in restricting women’s rights, as well as inadequate efforts by the Government and others to challenge discrimination forcefully, threaten to erode the gains made to improve the situation of Afghan women. The controversy surrounding the Shia Personal Status law exemplifies the problem.³¹

Elections in Afghanistan

The presidential and provincial elections held on August 20, 2009, were declared “successful” by both the Afghan government and the U.S., despite the significant Taliban violence that preceded the poll date, and the claims of fraud that has followed it.³² At least 30 people were killed on Election Day alone, and several provincial candidates and campaign workers were killed leading up to the elections, while intimidation resulted in several female candidates withdrawing from the contest.³³ Enormous resources have been poured into the elections, and it is now crucial that the international community does not repeat the mistakes from the successful 2004 elections, where the momentum was quickly lost and little was done to rebuild and strengthen institutions and the democratic framework.³⁴

Intimidation efforts by insurgents and the Taliban focused on discouraging participation in elections.³⁵ Threats of violence were accompanied by publications in several languages questioning the legitimacy of the elections and the current Government.³⁶ The publications also expressed highly negative views of the United Nations, using arguments previously espoused by Al-Qaida.³⁷ The most widely used tactic was stand-off attacks by rocket and mortar fire.³⁸ The geographical distribution of incidents was consistent with recent levels of violence, with the majority of the incidents occurring in Kunduz in the north-east, Kandahar in the south, Khost in the southeast and Kunar and Nangarhar.³⁹ The lack of spectacular attacks in Kabul and elsewhere on polling day can be attributed, at least in part, to effective operations by Afghan and international security forces.⁴⁰

UNAMA and the Afghan Independent Human Rights Commission issued two political rights monitoring reports, covering the candidate nomination period and the campaign period.⁴¹ Overall, and despite the difficult security situation, the nomination and the challenge process was conducted in accordance with electoral laws and regulations and the number of candidates increased when compared with the previous election, in particular in relation to women. The rights of candidates and their supporters during the campaign were respected, despite isolated incidents of documented violations. Nonetheless, women were

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

³² International Crisis Group. *Afghanistan*. 2009. <http://www.crisisgroup.org/home/index.cfm?id=1266&l=1>

³³ *Ibid.*

³⁴ United Nations, General Assembly. *Report of the Secretary General on the Situation in Afghanistan and its implications for international peace and security*. 22 September 2009.

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

significantly disadvantaged due to the cultural obstacles that inhibit their participation in public life and were disproportionately impacted by the intimidation tactics of anti-Government elements.⁴² The electoral process clearly demonstrated the need to strengthen the disbandment of illegal armed groups process, to implement the measures set out in the 2005 Action Plan on Peace, Justice and Reconciliation, and to build confidence in the judicial system.⁴³ The weaknesses of the judicial system resulted in individuals allegedly responsible for serious human rights violations standing for public office.⁴⁴

The run-off could potentially mean another month-long period of instability and violence. There have also been serious questions raised about the legality of the elections, with a growing number of complaints of vote rigging and ballot stuffing mostly favouring President Karzai. The independent Electoral Complaints Commission towards the end of August said they were investigating more than 600 “serious fraud reports” that could affect the outcome of the elections. Turnout figures have yet to be released, but early estimates suggest only about 5.5 million of some 15 million registered voters cast their ballots, a much lower figure than in 2004, in particular in the insurgency-hit south. Turnout likely fell more among women than among men.⁴⁵

The security situation in Afghanistan has deteriorated significantly during 2009, and the weeks before the poll date saw the worst levels of violence since the invasion in 2001. At least four candidates for the provincial elections were killed, and many more attempts were made. The Taliban announced towards the end of July that they would attempt to “disrupt the elections”, and subsequently launched a wave of attacks across the country, but particularly in the southern provinces of Kandahar and Helmand. Security incidents have continued at a high level even after the polling date, with at least 40 people killed in a devastating Kandahar bomb attack on 25 August. July saw at least 71 ISAF troops killed, the highest monthly toll since 2001, and UN figures show that 1,013 civilians were killed between January and June 2009, up from 818 in the same period in 2008. The elections were preceded by a large increase in foreign troops, with the U.S. committing 21,000 extra military personnel before the elections, and NATO contributing a further 5,000, all mostly deployed in the south and east.

Whatever the outcome of the elections, it is now vital that the international community does not treat the poll as a distinct event, but use the momentum and the enormous resources that have been poured into the elections to strengthen institutions and build up a robust electoral framework. After the successful 2004 elections, the international community and the Afghan government failed to build the capacity and resources of the Independent Electoral Commission, strengthening the legal framework (including replacing the inappropriate Single Non-Transferable Vote System), and produce a sustainable over registry. Failure in wider institutional strengthening, such as disarmament programs and judicial and police reforms, has also increased popular disillusionment. The lessons learned must be used to ensure a much strengthened process for the planned 2010 National Assembly and district elections.⁴⁶

Pakistan

Pakistan was formed in 1947, following the partition of British India. Since its formation Pakistan has experienced over 30 years of military rule. The country’s political system received a major blow in December 2007, when former prime minister and leader of the Pakistan People’s Party (PPP) Benazir Bhutto was assassinated. Bhutto’s husband, Asif Ali Zardari, was subsequently appointed co-chair of the PPP, along with Bhutto’s son Bilawal.⁴⁷

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ International Crisis Group. *Pakistan*. n.d. <http://www.crisisgroup.org/home/index.cfm?id=1267&l=1>

The February 2008 elections brought an end to eight years of military rule, as the moderate parties, notably the PPP and Nawaz Sharif's Pakistan Muslim League (PML-N), routed military-backed incumbents, including religious rightwing parties. The PPP and PML-N formed a coalition at the centre, which succeeded in forcing Musharraf's resignation in August 2008, a major boost to the democratic transition, but subsequently split over disagreements on the restoration of judges dismissed during Musharraf's emergency rule in November 2007. Zardari succeeded Musharraf to the presidency in September 2008. On 16 March 2009, after PML-N-led mass demonstrations, the government announced that it would restore all the deposed judges, averting a political crisis and paving the way for renewed cooperation between the two major parties.⁴⁸

The civilian government renewed the composite dialogue with India, agreeing to deepen economic relations, expand people-to-people contacts and formulate a joint strategy against terrorism in the region. The normalization process, however, stalled after Pakistan-based militants attacked the Taj and Oberoi hotels in India's commercial capital, Mumbai, in November 2008. Under growing international pressure the government cracked down on Punjab-based militant groups, particularly the Lashkar-e-Tayyaba, allegedly responsible for the Mumbai attacks, although the ultimate test of its commitment will be to bring religious extremists to trial and obtain convictions.⁴⁹

Military-led counter-insurgency operations against militants in the Federally Administered Tribal Areas (FATA) and NWFP, have been further hampered by military-backed peace deals with Islamist militants, including the Awami National Party (ANP)'s agreement in February 2009 to implement Sharia (Islamic law) in NWFP's Malakand region.⁵⁰

The PPP-led government faces a deteriorating law and order situation, with Islamist militants launching an unprecedented number of attacks in the tribal belt and urban centers, including Lahore and the federal capital, Islamabad. Punjab-based, al-Qaeda linked jihadi groups pose a particular threat, undermining security in the heartland, and providing funds, recruits and other resources to tribal militant groups who call themselves the Pakistani Taliban. The military's dominance over security policy and its support for jihad in India and Afghanistan continue to hamper the central government's efforts to pursue peace with its neighbors and achieve internal stability. The democratic transition requires consolidating civilian control over all areas of governance.⁵¹

Pakistan has remained opposed to the ISAF, however, relations between Pakistan and the ISAF have been improving; Pakistan is now co-operating with ISAF forces to locate key insurgent suspects, including bin Laden, who is believed to be in Pakistan currently.⁵² Additionally, the United States Agency for International Development (USAID) has contributed over 8.4 million USD to assist with the current Pakistani food crisis.⁵³ However, relations are far from perfect; in addition to ongoing disputes over Pakistan's right to defend its own border, in December of 2008 Pakistan shut off key supply routes for ISAF forces in Afghanistan, although the Pakistani government claims that the route has been blocked off in order to combat Taliban militants in the area.⁵⁴

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² Tabassum Zakaria. "CIA Chief Says bin Laden in Pakistan." Reuters. 11 June 2009.

http://www.boston.com/news/nation/washington/articles/2009/06/11/bin_laden_in_pakistan_cias_panetta_says/

⁵³ "Pakistan – Complex Emergency." The United States Agency for International Development. 23 June 2009.

http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/countries/pakistan/template/fs_sr/fy2009/pakistan_ce_fs17_06-23-2009_rev.pdf

⁵⁴ "Pakistan Suspends Afghan Supplies." The British Broadcasting Corporation. 30 December 2008.

http://news.bbc.co.uk/2/hi/south_asia/7804133.stm

The Pakistani army's offensive against the Taliban in the country's northwest from late April has prompted a massive humanitarian crisis with nearly three million Internally Displaced Persons (IDPs). It is now crucial that the government provides effective aid and assistance to the millions displaced, both to lessen the long-term humanitarian catastrophe, and to ensure that Islamist groups do not succeed in radicalising the disaffected.⁵⁵

It took less than two months for the military-devised peace deal signed by Northwest Frontier Province's (NWFP) Awami National Party-led government with Swat-based religious extremists, subsequently endorsed by Pakistan's National Assembly and signed by President Zardari on 13 April, to unravel. Despite the NWFP government claiming the Taliban had promised to disarm in return for the imposition of Sharia law in Malakand Division, the militants almost immediately announced that laying down arms was "out of the question". In a flagrant violation of the peace deal, the Taliban continued to expand their territory and had by 22 April taken control of large parts of the Buner district (click [here](#) for a map of NWFP and FATA). The military, under strong international pressure, especially from the U.S., launched a counteroffensive to eradicate the Taliban from their strongholds in the Malakand region.

Pakistani troops have since entered the Swat and Dir districts, claiming significant gains against the Taliban there. The operation has now continued into the Federally Administered Tribal Areas (FATA)'s South Waziristan Agency, where the Taliban leader Baitullah Mehsud is housed. The military campaign in Malakand Division and FATA is unlikely to end before August 2009, unless another peace deal is signed, which would be unwise in the extreme. Despite Taliban claims that the government is fighting "America's war", opinion polls suggest strong public approval for the operation, and all political parties, except the Islamist Jamaat-e-Islami, expressed support for the operation at a 19 May conference. The army claims that close to 1600 militants and 90 soldiers have been killed since fighting began, but, in the absence of full civilian and humanitarian access to the conflict zones, no independent verification of the military's accounts is available.⁵⁶

The fighting has produced a massive displacement crisis, with close to three million forced to flee their homes. Only an estimated ten per cent of these have settled in camps set up by the government or agencies. The rest are staying with host communities or informal shelters. With inadequate access to assistance from the government and international agencies, this IDP presence is placing significant strains on communities with already limited resources. Lack of coordination between military and civilian institutions is undermining effective planning of humanitarian relief, rehabilitation and reconstruction. Religious extremist groups are already exploiting relief efforts to advance their own agenda. The international response has been slow – the UN has appealed for \$543 million in aid to avert a long-term humanitarian crisis, but so far only \$166 million has been committed.⁵⁷

The level of displacement was by no means inevitable, but is rather the result of years of failed military policy that has enabled militancy to spread. Military-sponsored peace deals in Malakand and FATA have allowed tribal-based militant groups to grow, consequently expanding the theatre of war and the number of civilians affected. If and when the military operation comes to an end, reconstruction efforts must focus on addressing the root causes of militancy in the region, not just returning to conditions before the onset of militancy.⁵⁸

⁵⁵ International Crisis Group. "Pakistan's Displacement Crisis." <http://www.crisisgroup.org/home/index.cfm?id=5149>

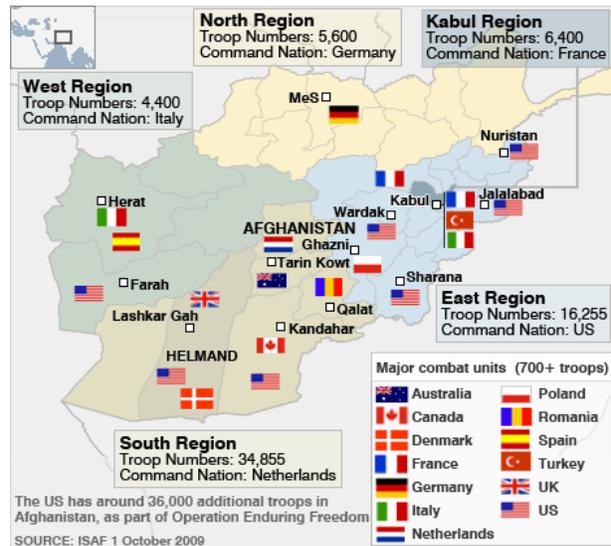
⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

United Nations Assistance Mission in Afghanistan (UNAMA)

The United Nations Assistance Mission in Afghanistan (UNAMA) was established on 28 March, 2002 by UN Security Council resolution 1401. Its original mandate was to support the Bonn Agreement (December 2001); reviewed annually, this mandate has been altered over time to reflect the needs of the country and was recently extended until 23 March 2010 by resolution 1746. UNAMA's mandate currently has the following elements: providing political and strategic advice for the peace process; providing good offices; helping the government to implement the Afghanistan Compact. The Afghanistan National Development Strategy and the National Drugs Control Strategy; promoting human rights; providing technical assistance; and continuing to manage and coordinate all UN-led humanitarian relief, recovery, reconstruction and development activities in Afghanistan. These were endorsed by the UN Security Council in Resolution 1662.



The UNAMA field offices continued to support the Government and its international partners in their efforts to improve the delivery of services to the Afghan population as a whole. The offices monitored political and human rights development and contributed to improving aid effectiveness and coordination at the sub-national level and to carrying out the mandated good offices and outreach functions of the Mission.

As a result of the planned future expansion and strengthening of UNAMA called for in Security Council resolution 1868 (2009), the estimated budget of the Mission for 2010 will increase overall by some 70 per cent over the 2009 budget. This includes a staffing increase of some 1,000 (of which approximately 170 would be international staff) and additional field offices to give UNAMA a presence in every province. The planned budget also reflects a significant increase in staffing for UNAMA donor coordination and aid effectiveness capacities to meet the requirements to enable the Mission to carry out its mandate effectively.

With the refocusing of the UNAMA mandate to include significant roles in donor coordination and aid effectiveness, several Member States have moved to support the initiative through the provision of gratis personnel with technical expertise in key areas in response to the United Nations call for the provision of such expertise in December 2008. These resources have been vital to UNAMA in establishing its role, in particular in the areas of agriculture, energy and private sector development. However, as the tenure of such staff with the Mission draws to a close, there will remain a need for specific technical skills to be brought into UNAMA for the longer term. A diverse and experienced pool of candidates must be available for what is a new and unique role within United Nations missions. Finally, UNAMA is seeking a small increase in the size of the Military Adviser Unit, and its presence in field offices, in order to better support the civil-military coordination mandate of the Mission and to liaise more effectively with Afghan and international military forces.

NATO's International Security Assistance Force (ISAF)

Currently, the largest intervening presence in the region, encompassing the area northwest of the Indian sub-continent, is the NATO-led International Security Assistance Force (ISAF), with an approximate total of 58,390 troops committed as of 3 April 2009. Of those, about 26, 215 have been U.S. troops.⁵⁹ Pakistan has to date made no contribution to the ISAF, despite being the largest worldwide contributor to U.N. Peacekeeping operations, with over 10,000 personnel on the ground in U.N. operations as of March, 2007, largely in Africa⁶⁰. NATO's main role in Afghanistan is to assist the Afghan government in exercising and extending its authority and influence across the country, paving the way for reconstruction and effective governance. It does this predominately through its UN-mandated ISAF⁶¹. Several minor victories have been achieved; the Times [Britain] claimed that, "the seizure of Mazar-i-Sharif on Friday [November 9, 2001] represented the first substantial victory of the campaign... It made it possible, at last, to draw a cross on a map to show where the Taliban had been pushed back."⁶² Since 2002 however, results have been mixed as Taliban forces regroup and gain strength and experience against the ISAF.

In 2006, the U.S. made clear that if intelligence indicated the presence of bin Laden or other high-ranking targets in Pakistan, that the U.S. Military would pursue action against such targets.⁶³ Since then, several attacks within Pakistani borders have been attributed to U.S. forces, with varying levels of confirmation. However, the Government of Pakistan has maintained that it will defend its sovereignty to the fullest possible extent.⁶⁴ In September of 2008, the Pakistani military reported orders to fire on any U.S. troops or other foreign forces crossing the border into Pakistan, and to date has made good on such orders on multiple occasions. The most recent incident occurred on 30 March 2009, when Taliban soldiers attacked a Pakistani police academy in Punjab, killing eight people.⁶⁵ Of note in reports was the fact that this attack occurred barely 8km from the Indian border, drawing concern from India. Days later, rockets were fired from an unknown source on the Pakistani side of the Pakistani-Afghan border, targeted at the Afghan villages of Dhandae and Baherwal.⁶⁶ While no deaths were reported, this is the first time military action between Afghan and Pakistani forces has been reported.

ISAF and its supporting States has also held to its promise to reconstruct Afghanistan and help the Afghan people recover from Taliban rule. The United States Agency for International Development (USAID) has been instrumental in all aspects of reconstruction, from material resources, personnel and expertise, food and shelter programs, and perhaps most important of all, alternative crop programs to reduce the production of poppy plants, the key narcotic ingredient in opium.⁶⁷ However, poppy production has become a contentious issue since the 2001 invasion, since the plant has a second, more legitimate use as a key ingredient in certain HIV/AIDS medications, as well as providing the opiate ingredient in morphine and codeine, both of which are recognized worldwide as substances with

⁵⁹"International Security Assistance Force and Afghan National Army strength and laydown." The North Atlantic Treaty Organization. 3 April 2009. http://www.nato.int/isaf/docu/epub/pdf/isaf_placemat.pdf

⁶⁰"Ranking of Military and Police Contributions to UN Operations." The United Nations. http://www.un.org/Depts/dpko/dpko/contributors/2007/march07_2.pdf

⁶¹The North Atlantic Treaty Organization. "NATO's role in Afghanistan." http://www.nato.int/cps/en/natolive/topics_8189.htm.

⁶²Cara Feinberg. "Opportunity and Danger." The American Prospect. 15 November, 2001. http://www.prospect.org/cs/articles?article=opportunity_and_danger

⁶³Cahidanand Rajghatta. "U.S. Troops May Enter Pakistan to Hunt Laden." The Times of India. 22 September 2006. <http://timesofindia.indiatimes.com/World/US/US-troops-may-enter-Pakistan-to-hunt-Laden/articleshow/2015515.cms>

⁶⁴"Another U.S. Strike' Hits Pakistan." The British Broadcasting Corporation. 12 September, 2008. http://news.bbc.co.uk/2/hi/south_asia/7611721.stm

⁶⁵Yudhvir Rana. "http://timesofindia.indiatimes.com/Pak-terror-group-fires-rocket-at-Indian-village/articleshow/4740176.cms". The Times of India. 6 July 2009.

⁶⁶*Ibid.*

⁶⁷"Afghanistan Overview." The United States Agency for International Development. <http://www.usaid.gov/locations/asia/countries/afghanistan/>

legitimate medical uses.⁶⁸ The ISAF has proved mostly useless in combating the illegal poppy market, resorting solely to crop-destruction methods, but rarely enforcing actual laws or policies, and rarely seeking out opium traffickers.⁶⁹ However, NATO's response has been more helpful, promising to attack drug laboratories and trafficking infrastructure, and to do so with the approval and cooperation of the Afghans.⁷⁰

In late 2001, the Security Council passed two major resolutions regarding the “war on terror.” The first, Security Council resolution 1378, came as the result of several meetings of Afghan leaders, organized in Germany. The Taliban were not included in these meetings. The resolution supported the Afghan people and any efforts that are aimed the development of a just Afghan government, while calling for international assistance. However, this resolution did not call for military intervention in the area.⁷¹ To fill this gap, Security Council resolution 1386 of 2001 authorized the creation of the ISAF, called for member state participation, and supported the Afghan Interim Authority as the chief reconstruction body.⁷²

The conflict between NATO/ISAF forces and armed opposition groups has severe consequences on the humanitarian situation in Afghanistan. The violence destroys crops and homes, generates displacement, and hampers the ability of humanitarian actors to intervene. Moreover, civilians are often caught in the middle of military operations. According to the UN Assistance Mission to Afghanistan (UNAMA), there have been more than 2,000 civilian deaths in 2008, including approximately 800 caused by pro-government forces (international and Afghan security forces). This is a 30 percent increase over 2007. These incidents have a devastating impact on Afghans’ perception of the foreign presence. The UN, and in particular UNAMA’s Human Rights Unit, should be given support by donors and aid organizations to be vocal on civilian protection and adherence to international humanitarian law.⁷³

Production and Trafficking in Drugs

Drug trafficking is a *regional* challenge for Afghanistan & Pakistan. Opium is the source material for the manufacture of morphine and heroin, and more than 90 per cent of the world’s heroin is manufactured from opium produced in Afghanistan.⁷⁴ Opiates are trafficked from Afghanistan to destinations worldwide via routes flowing into and through the neighboring countries of Pakistan, the Islamic Republic of Iran, and the Central Asian countries of Tajikistan, Uzbekistan and Turkmenistan.⁷⁵ The implications of the opiate trade for Afghanistan and the world are grave and far-reaching.⁷⁶ The Afghan opiate trade fuels opiate consumption and addiction in countries along drug trafficking routes before reaching the main consumer markets in Europe (estimated at 3.1 million heroin users), contributing to the spread of HIV/ AIDS and other blood-borne diseases.⁷⁷

⁶⁸“Poppy For Medicine in Afghanistan.” The International Council on Security and Development.
<http://www.poppyformedicine.net/>

⁶⁹Peter van Ham and Jorrit Kamminga. “Poppy for Peace: Reforming Afghanistan's Opium Industry.” The Washington Quarterly.
December, 2007. http://www.twq.com/07winter/docs/07winter_vanham.pdf

⁷⁰“NATO to Attack Afghan Opium Labs.” The British Broadcasting Corporation. 10 October 2008.
http://news.bbc.co.uk/2/hi/south_asia/7663204.stm

⁷¹ S/Res/1378. “On the situation in Afghanistan.” United Nations Security Council.

⁷² S/Res/1386. “On the situation in Afghanistan.” United Nations Security Council.

⁷³ Refugees International. *Afghanistan & Pakistan: Raise Voices for Civilian Protection*. 26 January 2009.

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⁷⁴United Nations Office on Drugs and Crime. *Addiction, Crime and Insurgency: The transnational threat of Afghan opium*.
September 2009. <http://www.unodc.org/unodc/en/data-and-analysis/addiction-crime-and-insurgency.html>

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

Global opium production increasingly shifted from South- East Asia to Afghanistan during the 1990s.⁷⁸ This trend increased in the first decade of the twenty-first century to the point that Afghanistan's supply of opium exceeded world demand.⁷⁹ Afghanistan is now the source for more than 90 per cent of the "world's deadliest drug." This generates a yearly income estimated at US\$ 65 billion, most of which is pocketed by criminals outside of Afghanistan.⁸⁰ More than 60 per cent of all drug treatment demand in Asia and Europe is related to opiate abuse. It is a major source of revenue for insurgents, criminals and terrorists.⁸¹ It undermines governance, public health, and public security within Afghanistan and along trafficking routes.⁸² In short, it poses a major transnational threat to health and security.⁸³

Drug trafficking affects the security of states and societies in various ways.⁸⁴ Firstly, drug trade affects human and societal security through increasing levels of addiction, petty crime and drug-related epidemics.⁸⁵ Secondly, drug trade exacerbates corruption in already weak states and infiltrates governments, thereby affecting the economic and political functioning of these states. The result is an incapacitated state unable to protect and ensure the rights of its citizens, and a loss of legitimacy, which in turn leads the population to question the idea of the state, thus resulting in a higher risk of instability.⁸⁶ Moreover, the drugs trade has become a growing threat to national, regional and international security in a military sense, through its linkages to violent non-state actors, including ideological and secessionist movements, and to terrorism.⁸⁷

Taliban insurgents in Afghanistan benefit from the drug trade at various points in the value chain and through several mechanisms: traditional taxes levied in Taliban-held areas, as well as the transit and trade levies that derive from drug trafficking.⁸⁸ Estimates of Taliban insurgents cumulated revenue from these over a four-year period (2005-2008) range from US\$ 350-650 million in Afghanistan. This translates into an average annual income of US\$ 125 million (range: 90-160) and excludes potential wages and taxes related to precursor importation and processing facilities, among others.⁸⁹ The funds generated from the drugs trade can pay for soldiers, weapons and protection, and are an important source of patronage. Beyond the opiate economy, Taliban insurgents levy taxes on all forms of trade and agriculture.⁹⁰ Although opiates are the highest-value drugs on the market, cannabis may also contribute to funding the insurgency.⁹¹

In Pakistan, the value of the Afghan opiate trade (including local consumption and transit trafficking to other countries) is estimated at around US\$ 1 billion per year, with undetermined amounts going to insurgents active in the country.⁹² Despite the fact that it is a confirmed transit region for opiate flows out of Afghanistan, there were almost no seizures in Pakistan's Federally Administered Tribal Areas (FATA) bordering Afghanistan between 2002 and 2008.⁹³ The twin insurgencies in Pakistan and Afghanistan are

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ Heidi Kjaernet and Stina Torjesen, *Afghanistan And Regional Instability: A Risk Assessment*. Norwegian Institute of International Affairs. 27 March 2008.

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*

⁸⁸ United Nations Office on Drugs and Crime. *Addiction, Crime and Insurgency: The transnational threat of Afghan opium*. September 2009. <http://www.unodc.org/unodc/en/data-and-analysis/addiction-crime-and-insurgency.html>

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

⁹¹ *Ibid.*

⁹² *Ibid.*

⁹³ *Ibid.*

based all along the border between the two countries and FATA is a sanctuary for extremist/insurgent groups like the Pakistani Taliban, Al-Qaeda, and the Haqqani network.⁹⁴ Much like in Afghanistan, Pakistan-based insurgents reportedly levy taxes on licit business and trade in this region (including supplies destined for the coalition) and there is growing evidence that this extends to the opiate trade.⁹⁵

Transnational organized crime groups, with kin on both sides of the same border, as well as a diaspora farther up the trafficking route, are also major players and beneficiaries of the illicit opiate trade.⁹⁶

The relation between the narcotics industry and the insurgency in southern Afghanistan is amplified by the role played by tribalism in both drug trafficking and insurgent networks.⁹⁷ The strongest overlap between the insurgency, tribal networks and the drug trade is found in the southern and eastern parts of the country, and extends into Pakistan's tribal areas across the Afghan border. Since 2005, there has been a notable increase in insurgent activity and an extension of the area under insurgent control, particularly along the restive Pashtun tribal belt on the Afghanistan-Pakistan border.⁹⁸

Cross-border tribal links, for example among Baluchi and Pashtun groups, facilitate the drug trade.⁹⁹ Most Afghanistan-based criminal groups appear to operate locally, but the existence of diasporas in transit or destination countries such as Pakistan, the Islamic Republic of Iran and Central Asia and further afield, for example the Gulf area, has allowed some trafficking organizations to expand their networks beyond the immediate region. Family and tribal connections also form the basis of the parallel or underground banking system known as Hawala, a system used by both traffickers and insurgent movements to move money world-wide without detection.

At the regional and international levels, under the trilateral initiative of the United Nations Office on Drugs and Crime "Rainbow strategy", the first joint international counter-narcotics operation between Afghan and Iranian law enforcement agencies was conducted from 26 to 28 July along the northern border between Afghanistan and the Islamic Republic of Iran. The operation involved Afghan and Iranian border police and counter-narcotics police. Nearly half a ton of drugs was seized and several arrests made. Similar joint operations involving Pakistani and Iranian law enforcement agencies were conducted in March and again in August 2009. These initiatives should be an integral part of the agendas of the regular trilateral meetings of the Presidents of the Islamic Republic of Iran, Afghanistan and Pakistan.

The difficulties in eliminating opium production in Afghanistan and the transnational threat posed by the Afghan opiate trade suggest that solutions cannot be found in Afghanistan alone. This is a shared responsibility that requires a multilateral response. These efforts must be actively supported and expanded to continue strengthening a strategic response that is based on (a) a growing understanding of the patterns and dynamics of the transnational Afghan opiate trade, and (b) a targeted, sequenced and cost-effective mix of interventions.¹⁰⁰

Policy-makers should be aware of the large-scale institutional malfunctioning of the Central Asian states, which undermines much of the technical assistance for drug control. New and innovative approaches are needed if drug trafficking is to be fought effectively. Strengthening independent media reporting on drugs

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*

⁹⁹ *Ibid.*

¹⁰⁰ *Ibid.*

trafficking is one of several approaches that could help to reduce institutional malfunctioning.¹⁰¹ In addition, strengthening the mandate of UNAMA and ISAF to address the drug trafficking problems are key ways that the Security Council can take action on this issue, in particular by bolstering regional cooperation on this issue.

Protection of Civilians

The humanitarian situation has severely deteriorated over the past year in Afghanistan and Pakistan, creating more displacement and vulnerability. To promote stability, the international community must better balance development and humanitarian assistance and target returnees to Afghanistan as well as displaced people in both countries. Donor governments must allocate budgets based on need, not on political objectives. The UN must raise its voice on concerns related to protecting civilians. Whether by establishing an independent OCHA office or appointing dedicated senior humanitarian staff, the UN must talk to all factions and send a clear message that it is determined to fulfill its humanitarian mandate.¹⁰²

For decades, Pakistan has been host to a large Afghan refugee population. An estimated two million Afghans remain in the country, most of them unlikely to return to Afghanistan. Although they are largely integrated within Pakistani society, many of them still need assistance. Yet UNHCR's budgets keep shrinking, and the agency is no longer able to provide basic services in refugee villages and camps. Afghan refugees who live in urban areas are left to fend for themselves. After seven years of international presence, Afghanistan still faces tremendous challenges. Despite tangible progress, most notably in infrastructure construction, the security and humanitarian situation has considerably deteriorated over the past 36 months. According to a senior UN official, 50 to 60 percent of the country is not controlled by anyone. The government of Afghanistan is losing the trust of its people, and the international presence is increasingly seen as an occupation.¹⁰³

The five million Afghans who have returned home since 2001 face challenges of their own, most notably access to land and jobs. Programs targeted at these returnees are still inadequate. Donor governments must increase their allocation of funding towards programs in high returns areas that focus on livelihoods, housing, health and education. However, the U.S., the lead donor in Afghanistan, still spends a disproportionate amount of its aid money on large infrastructure projects. Of USAID's budget of \$1.1 billion in FY08, \$398 million were allocated to road construction alone. This does little to meet the primary needs of the millions of people who are returning home and attempting to rebuild their lives.

Pakistani officials are increasingly exasperated by what they perceive as indifference on the part of international donors. Nevertheless, Pakistan has indicated its willingness to renegotiate the terms of a tri-partite agreement that anticipated the return of all Afghans by the end of 2009. Donors must support all efforts to assist with the longer-term integration of Afghan refugees in Pakistan.¹⁰⁴

The humanitarian situation in Pakistan is further compounded by the ongoing conflict in the North West Frontier Province (NWFP) between government forces and pro-Taliban militants. Since August 2008, the government of Pakistan has conducted intensive military operations, resulting in civilian casualties and displacement. More than 50,000 displaced Pakistanis are in camps, and more than 117,000 have sought refuge with host families. The total number is likely to be much larger, as access to conflict areas is limited and the registration exercise is ongoing. Over 20,000 Pakistanis have crossed the border into

¹⁰¹ Heidi Kjaermet and Stina Torjesen, *Afghanistan And Regional Instability: A Risk Assessment*. Norwegian Institute of International Affairs. 27 March 2008.

¹⁰² Refugees International. *Afghanistan & Pakistan: Raise Voices for Civilian Protection*. 26 January 2009.

<http://www.refugeesinternational.org/policy/field-report/afghanistan-and-pakistan-raise-voices-civilian-protection>

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

Afghanistan, and Afghan refugees living in conflict areas have had to return to Afghanistan or be relocated in refugee villages in the NWFP.

Pakistan is a pilot country for the “One UN” framework. Confronted with the deteriorating humanitarian situation, the UN appointed the Resident Coordinator to be the Humanitarian Coordinator as well. This person is based in Islamabad, and is responsible for carrying out the country team’s agenda. Although OCHA staff work for his office, there is no separate OCHA agency. The coordinator has to balance his role of supporting the long-term development initiatives of the government with sometimes conflicting humanitarian concerns. As a result, there is no dedicated voice to speak out on protection of civilians.

The humanitarian response in the NWFP is currently suffering serious gaps because of the increasing difficulties the UN and NGOs have in accessing individuals in conflict areas. Access is made more difficult when relief agencies are not perceived as independent. The international community’s support of Pakistan’s crackdown on militancy, UN agencies working alongside Pakistani ministries, and international NGOs implementing projects with political aims, have all contributed to the perception of humanitarian workers as partial actors.¹⁰⁵

The consequence has been more attacks on local and foreign aid workers. Some agencies have been able to continue to operate in highly insecure areas by establishing a dialogue with anti-government actors. Interlocutors can be identified in many of the conflict zones, and should be approached by UN humanitarian agencies and NGOs. Ultimately, the UN and humanitarian agencies will only be effective if they gain the trust of the Pakistanis and if they are seen as delivering services regardless of the beneficiaries’ political affiliations. Donors must support these efforts and be cognizant of the difficulties agencies face when selecting beneficiaries.¹⁰⁶

The UN must make civilian protection a priority, either by establishing an independent OCHA office, like in Afghanistan, or by appointing a senior deputy Humanitarian Coordinator based in Peshawar. This person would need to have support from OCHA in New York and the Resident Coordinator’s office in Islamabad, as well as adequate resources to engage with all factions, facilitate humanitarian coordination and information management, and lead advocacy efforts in favor of protecting civilians by all parties to the conflict. International donors must also provide their full support for an increased UN advocacy role, and must raise these issues with the Pakistani Government. Providing funds for UN appeals is not enough. Since the international community is supportive of the military operations in the NWFP, it must ensure that humanitarian law is respected and that civilians are protected.

There is a limited spectrum of activity that has in recent years defined the Security Council’s action on this issue. The first point on the spectrum is the protection norms set out in the 1949 Geneva Conventions and subsequent Protocols, the core treaties of International Humanitarian Law (IHL). This notably includes the duties of those taking part in hostilities to civilians, who are designated as “protected persons”. IHL rules are backed up not only by international criminal jurisdiction for “grave breaches”, increasingly enforced by national courts, but also by an impressive and longstanding capacity for monitoring and physical protection by the delegates of the International Committee of the Red Cross (ICRC). The ICRC utilizes techniques of neutral, independent, humanitarian action on the ground in support of its mandate.

At the other end of the spectrum, there is the protection role of the United Nations. The UN is now increasingly being mandated to provide physical protection through its missions, particularly

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

peacekeeping operations, which have been tasked with using military capability in the field either to deter attacks on civilians or, sometimes, to use force to defend civilians from attack.

The Security Council occupies space covering both ends of this spectrum as well as the middle ground:

- it reinforces general norms – in particular IHL rules;
- it uses its Chapter VII powers to mandate either UN missions or regional organisations or groups of member states to take measures including the use of force for the protection of civilians. Sometimes this is an exclusive task (for example, the EU force, or EUFOR, in Chad) or in conjunction with wider mandate tasks of a multidimensional peacekeeping operation (for example, MONUC in the Democratic Republic of the Congo);
- it can develop middle ground using its Chapter V, VI and VIII powers by calling on parties to conflicts in country-specific situations to observe IHL; and
- finally, the Council has a role in holding parties accountable for breaches of IHL in extreme cases including by authorisation of ad hoc tribunals (for example in the case of the former Yugoslavia and Rwanda) or referring situations to the International Criminal Court.

The establishment of the UN Office of Coordination for Humanitarian Affairs (OCHA) is a positive step forward, and should ensure that humanitarian issues receive greater attention. For an independent OCHA to be credible it needs to be well funded; headed by an experienced and vocal leader with the complete support of the Humanitarian Coordinator; and have a line of reporting to the UN's Emergency Relief Coordinator in New York. Moreover, OCHA will also have to recognize that it lacks the credibility to play an immediate and meaningful role when it comes to negotiating humanitarian access with militant groups. The presence of OCHA will not change the perception that humanitarian actors have a western agenda, but at the very least it should be a powerful voice for the separation of humanitarian response from political objectives.¹⁰⁷

Conclusion

Only a greater appreciation of their convergent national interests can place Afghan-Pakistani relations on solid ground. Assuming that international terrorism remains a regional and global concern over the next ten years, an optimistic scenario finds both countries viewing terrorism and militant extremism as common threats and agreeing on the means to counter them. Sharing a similar vision of the future, the two countries will have recognized their mutual interest in interdicting the drug trafficking. All actors involved in destabilizing Afghanistan are directly or indirectly linked to the drug economy. For its part, the Taliban-led insurgency is content to reap dividends from the drug economy to finance war expenditures. Their ability to provide protection to farmers and traffickers (preventing interdiction and eradication efforts) delegitimizes the national government as it links them with cultivators' livelihoods, thereby (re)consolidating political influence in areas under their control.

For all the threats, ethnic and tribal links are important contextual factors. There is evidence that these facilitate smuggling and the movement of militants across Afghanistan's porous borders. They may also widen the pool of potential recruits or sympathizers for both organized crime and insurgency. There also appears to be a link between opium cultivation, the shape of organized criminal networks and tribal identities. The Afghan opiate trade represents a transnational threat, not only for countries on drug trafficking routes and final destinations, but also as a factor of international insecurity.¹⁰⁸

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

A new dynamic is required: while Afghanistan and Pakistan remain linked to the United States, in particular, they must be allied with each other as well. Both capitals are likely to continue to put a high premium on their relationship with Washington. The international community could be in a better position to play a constructive, facilitating role in bridging differences between them by adopting a more regional approach through an overarching policy toward Afghanistan and Pakistan.

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II. Strengthening the United Nations Relationship with the African Union

Introduction

The relationship between the Security Council and the African Union is one that is seen as critical to sustainable and lasting peace in Africa. Over the past several years, following the transformation of the Organisation of African Unity (OAU) into the African Union (AU), new institutional mechanisms and frameworks have been established between the Security Council (SC) and AU in order to better prevent and address conflict.

Regardless, there are still multiple gaps that need to be filled and roles that need to be clarified in order to ensure that both bodies are able to fill their mandates and best meet the needs of people whose lives are affected by conflict and instability. These gaps range from clarifying funding of peacekeeping missions, to establishing stronger, more gender-sensitive practices for establishing a peace process, to ensuring there are protocols in place to prevent, not just respond, to conflict.

General Assembly

The question of the cooperation between the United Nations and the Organization of the African Unity (OAU) was first considered by the General Assembly at its twentieth session, in 1965 in resolution 2011 (XX).¹⁰⁹ At the twenty-first, twenty-fourth and twenty-sixth sessions, the question of cooperation between the two organizations continued to be considered by the General Assembly, but it was focused on specific areas in resolutions 2193 (XXI), 2505 (XXIV) and 2863 (XXVI).¹¹⁰

At its twenty-seventh to fifty-seventh sessions, the General Assembly considered the question annually in the broader context of cooperation between OAU, now the African Union, on the one hand, and the United Nations, the specialized agencies and other organizations within the United Nations system.¹¹¹

At its sixty-first session, the General Assembly welcomed the efforts to enhance cooperation within the framework of a partnership between the peace and security structures of the United Nations and the African Union in the realm of conflict prevention and resolution, crisis management, peacekeeping and post-conflict peacebuilding in Africa.¹¹² In addition, they called upon the United Nations system to support the African Union and its member States in their efforts to implement the internationally agreed development goals, including the Millennium Development Goals; and requested the Secretary-General to report to the Assembly at its sixty-third session on the implementation of resolution 6/296 on “Cooperation between the United Nations and the African Union.”¹¹³

Ten-Year Capacity-Building Programme (A/61/630, annex)

United Nations cooperation with the African Union was given a new impetus when the World Summit underscored the importance of devoting attention to the special needs of Africa and called for the establishment of a Ten-Year Capacity-Building Programme for the African Union that would fully take into account the widely expanded mandate of the African Union as compared with that of the former Organization of African Unity. In November 2006, the former Secretary-General and the Chairperson of the African Union Commission, Alpha Oumar Konaré, signed a Declaration on Enhancing UN-AU

¹⁰⁹ United Nations, General Assembly, *Resolution 2011 (XX)*, 11 October 1965.

¹¹⁰ United Nations, General Assembly, 63rd Session, *Cooperation between the United Nations and the African Union*, 2008: http://www.un.org/ga/63/plenary/I_african_union.shtml

¹¹¹ *Ibid.*

¹¹² United Nations, General Assembly, *Resolution 61/296 on Cooperation between the United Nations and the African Union*, 5 October 2007.

¹¹³ United Nations, *Report of the Secretary-General on Cooperation between the United Nations and regional and other organizations (A/63/228-S/2008/531)*, 8 August 2008.

Cooperation: Framework for the Ten-Year Capacity-Building Programme for the African Union (A/61/630, annex).

The Programme for the African Union is conceived as the United Nations overall strategic framework for cooperation with the African Union. Its main objective is to enhance the capacity of the African Union Commission and African subregional organizations to act as effective United Nations partners in addressing the challenges to human security in Africa. The Framework covers all aspects of existing and future United Nations assistance to the African Union. However, the United Nations and the African Union have agreed that the implementation of the Programme should start with a focus, at least in the next three years, on peace and security.

In order to ensure a coordinated United Nations approach, it was decided that the Regional Consultative Mechanism, a body set up following the establishment of the African Union, would be the most appropriate structure to ensure the implementation of the Programme. The Mechanism, in which the United Nations agencies represented in Addis Ababa are working through clusters, is convened and chaired by the Executive Secretary of the Economic Commission for Africa. To reflect the agreed priority, a separate Peace and Security Cluster led by the Department of Political Affairs through the United Nations Liaison Office to the African Union was established in November 2006. Three sub-clusters were created in order to enable the Cluster to adequately perform the tasks outlined above: Peace and Security Architecture of the African Union (Convener: Department of Peacekeeping Operations); Post-Conflict Reconstruction and Development (Convener: Office of the United Nations High Commissioner for Refugees); and Human Rights, Justice and Reconciliation (Convener: Office of the United Nations High Commissioner for Human Rights).

Other entities of the United Nations Secretariat such as the Office for the Coordination of Humanitarian Affairs plan established AU Liaison Office in Addis Ababa in 2008 to strengthen information exchange and facilitate support for the African Union in the areas of humanitarian policy development, protection of civilians, response coordination for complex and natural disasters, advocacy, information management and resource mobilization for new and ongoing emergencies.

In its resolution 61/296 of 5 October 2007, the General Assembly called for the implementation of the Ten-Year Capacity-Building Programme and requested that appropriate measures are taken to strengthen the capacity of the United Nations Secretariat and to implement its mandate with respect to meeting the special needs of Africa.

New Partnership for Africa's Development (NEPAD)

The United Nations is committed to supporting the New Partnership for Africa's Development (NEPAD) as the framework for addressing poverty and underdevelopment throughout the African continent.¹¹⁴ The UN system's diverse funds, programmes, agencies and departments are actively supporting NEPAD priorities and Millennium Development goals in line with their particular areas of expertise.¹¹⁵

The work of the Office of the Special Adviser on Africa (OSAA) aims to encourage and support the various efforts of UN system organizations by promoting action, including joint initiatives, and by reporting annually to the General Assembly on UN system efforts in the Secretary-General's Report: United Nations System support for Africa's Development.¹¹⁶

¹¹⁴ United Nations, Office of the Special Adviser on Africa, *United Nations System Support for NEPAD*, 2009.
<http://www.un.org/africa/osaa/systemsupport.html>.

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

The most recent report of the Secretary-General on “United Nations system support for the New Partnership for Africa’s Development,” identifies several challenges and constraints to full implementation including:

1. Difficulties in reconciling the different priorities of cluster members with the priorities of the regional coordination mechanism;¹¹⁷
2. The lack of financial and human resources specifically allocated to cluster activities hampers joint planning and programming as well as implementation of activities in the context of the clusters;¹¹⁸
3. Monitoring and evaluation remains a challenge, especially since there is no formal accountability mechanism for the cluster members to the cluster.¹¹⁹

The report concludes with multiple recommendations for further action that should be taken in order to ensure the UN system is as effective as possible in supporting the success of NEPAD, particularly in the areas of:

- Prevention, management and resolution of conflict;
- Peacemaking, peacekeeping and peace enforcement;
- Post conflict reconciliation, rehabilitation and reconstruction; and
- Combating the illicit proliferation of small arms, light weapons and landmines.

African Union Peace and Security Council

The PSC communiqué PSC/PR/COMM (XVIII) issued on 14 December 2006, highlighted the ‘establishment of a Coordination and Consultation Mechanism between the African Union Peace and Security Council and the United Nations Security Council (UNSC)’.¹²⁰ The PSC committed itself to undertaking extensive consultations within the AU system, so as to examine the legal aspects of such a Mechanism. The Council would then outline a strategy on how to establish a mechanism of cooperation and coordination between the PSC and the UNSC.¹²¹

Article 17 of the PSC Protocol states that the Council shall maintain close and continued interaction with the UNSC in the fulfillment of its mandate to promote and maintain peace, security and stability in Africa.¹²² The Protocol recognizes that the UNSC has the primary responsibility for the maintenance of international peace and security, and that it does not seek to usurp this role in Africa. Article 17 also stipulates that, where necessary, recourse will be made to the UN to provide the necessary financial, logistical and military support for the PSC.¹²³

Similarly, Chapter VIII of the UN Charter identifies cooperation between UNSC and regional and sub-regional organizations as an important pillar of the international system of collective security. With regards to Africa, the UN has recognized the need to ensure effective coordination and collaboration, given that more than 60 percent of the Security Council’s agenda focuses on crisis situations on the continent. Following the inauguration of the PSC in March 2004, UNSC adopted two presidential statements; S/PRST/2004/27 of 20 July 2004 and S/PRST/2004/44 of 19 November 2004 renewing its commitment to cooperation between the Council and regional organizations.¹²⁴ In December 2008, a

¹¹⁷ *Ibid.*

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*

¹²⁰ African Union Peace and Security Council. *African Union Peace & Security Council Report No. 2*. September 2009.

http://www.iss.co.za/dynamic/administration/file_manager/file_links/NO2SEP09.PDF?link_id=3893&slink_id=8193&link_type=12&slink_type=13&tmpl_id=3

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ *Ibid.*

¹²⁴ *Ibid.*

Panel headed by the former Prime Minister of Italy, Romano Prodi, issued a report on ‘the modalities for support to African Union peacekeeping operations’ (see A/63/666–S/2008/813) stating that the role played by regional organizations in promoting peace and security is indispensable to the work of the UN Security Council.¹²⁵

The key areas where there is a convergence of interest and action between the PSC and the UNSC is in the establishment of the regular exchange of information and views; in the coordination of joint fact-finding and assessment missions in potential crisis situations; in the coordination of mediation efforts; and in the design, planning and implementation of peace operations.¹²⁶ The deployment of the AU / UN Hybrid Operation in Darfur (UNAMID) is a current example of the convergence of interests between the PSC and the UNSC. There were clearly challenges in the deployment of UNAMID, specifically in the design and planning phases and currently operational effectiveness still faces some constraints.¹²⁷ It is too early to adjudicate as to whether UNAMID is the appropriate model for the cooperation between the PSC and the UNSC, not least because the situation in Darfur is far from being adequately resolved (see the Country Analysis on Darfur in this Issue). The difficulties facing UNAMID at the strategic level of coordination between the PSC and the UNSC should serve as a catalyst for reviewing and improving the working relationship between both bodies.¹²⁸

Ultimately, it is thought that the relationship between the two bodies should be clearly articulated and characterized by mutual respect, legitimacy as a basis for operational effectiveness.¹²⁹ Currently, there are sentiments among some key members of the UNSC that it should not entertain or encourage the perception that the PSC and the Security Council are equal partners in form and substance. A recent meeting between the UNSC and the PSC in Addis Ababa, in May 2009, spent an inordinate amount of time discussing whether the two bodies were engaged in an informal or formal meeting.¹³⁰ The issue implicit in this debate was whether the UNSC and the AU PSC were in effect ‘equal’ partners. Essentially, as the only body officially mandated to oversee international peace and security, some key members of the UNSC prefer to see their counterparts in the AU PSC as playing a subsidiary role and function to their initiatives. This has implications for the PSC’s decision-making processes, and is a tacit critique of the AU’s trend towards a certain degree of unilateral action, notably the deployment of AMISOM in Somalia.¹³¹ Obviously, given the longevity of the UNSC, one cannot discount its experience and institutional memory in addressing crisis.¹³² Nevertheless, the PSC has now asserted its right to intervene in crisis on the African continent. Given the UNSC’s perverse prevarication during the Rwandan genocide in 1994, it is just and appropriate for the PSC to continue to assert this right to intervene in crisis situations in Africa. The UNSC has to respect and recognize the AU’s important function as a partner, and revise its stance and working relationship with the PSC in the maintenance of peace and security in Africa.¹³³

Members of the AU, the PSC and the UNSC could also take individual initiatives to strengthen the relations between the two bodies. Uganda for instance is member of both bodies and was the chair of the UNSC for the month of July 2009.¹³⁴ Some useful initiatives to enhance the working relationship between the PSC and the UNSC could include inviting the country presiding over PSC to attend the UNSC’s regular and closed sessions where African issues are being addressed (without the right to vote) in

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² *Ibid.*

¹³³ *Ibid.*

¹³⁴ *Ibid.*

accordance with Article 37 of UNSC provisional rules of procedures.¹³⁵ This could increase the degree of coordination and harmonization on how to address crisis on the African continent. It would also enhance the buy-in by African states and the international community of key actions to resolve crisis on the continent.¹³⁶

The PSC can also reciprocate this gesture, in accordance with Article 17 of its Protocol, by issuing an invitation to the country presiding over UNSC to attend PSC meetings where African issues of common concern are to be discussed. Ultimately, such a series of exchanges can only augur well for the working relationship between both bodies as well as also contribute towards the operationalisation of the coordination and consultation mechanism between the AU PSC and the UNSC.¹³⁷

Peacekeeping Operations

Further to Security Council resolution 1631 (2005), regional organizations have become significant contributors to international endeavors to support States in transition from serious conflicts and/or political instability to sustainable peace (see A/61/204-S/2006/590).¹³⁸ Examples include the African Union in Burundi, Ethiopia and Eritrea, the Democratic Republic of the Congo, Somalia and the Sudan; the European Union in Chad, the Democratic Republic of the Congo and the Sudan; and OAS in Haiti.¹³⁹

The collaborative efforts in support of the African Union Mission in Burundi (AMIB) (2004-2005), the African Union Mission in the Sudan (AMIS) and then the African Union-United Nations Hybrid Operation in Darfur (UNAMID) (2004 to the present), as well as the African Union Mission in Somalia (AMISOM) (2007), present rich opportunities to draw lessons and best practices that could be built upon in order to develop and establish appropriate mechanisms.¹⁴⁰

While the African Union has started and assiduously continued with the processes for establishing an “African Standby Force,” it is also working on the legal and other standards to be reached in operations and in training.¹⁴¹ The African Union’s basic assumption is that the African Standby Force will undertake peacekeeping activities with a view, in due course, to handing them over to the United Nations.¹⁴²

With the increasing and deepening relationship between the United Nations and regional organizations, there has also been a determined and ongoing initiative by several partners to support African countries with a range of capacity-building schemes designed to develop and enhance the quality and quantity of either African peace operation capabilities or African contributions to United Nations operations.¹⁴³ Part of these support packages has been primarily intended to create African capacity to launch, lead and sustain peacekeeping interventions under the auspices of the African Union and/or the subregional organizations.¹⁴⁴

Many hurdles in UN-AU cooperation remain, however, even with the increased interest in closer political and operational collaboration between the two groups. Fundamentally, the UN is organized to support UN-led missions and *not* designed to support development of regional organizational capacity. Further, the UN is not organized to assist in the deployment of regional forces on more than an ad hoc basis—even

¹³⁵ *Ibid.*

¹³⁶ *Ibid.*

¹³⁷ *Ibid.*

¹³⁸ *Ibid.*

¹³⁹ The Henry L. Stimson Center, *United Nations-African Union Coordination on Peace and Security in Africa*, August 2007.

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

¹⁴⁴ *Ibid.*

when the Security Council authorizes or blesses such missions. Many innovations in the UN's relationships with the AU and other organizations have thus developed through temporary responses to operational needs rather than through long-term strategic planning. For example, in 2004, the UN sent a team to AU headquarters in Addis Ababa, Ethiopia to help the organization plan for its initial deployment into Darfur. From the outset, however, the team was funded and staffed solely for that special effort, and was not envisioned as part of broader efforts to build AU peacekeeping capacity.¹⁴⁵

While the African Union needs international support to organize, manage, and lead peace operations, it too is not well designed for working with outside partners. This complicates, for example, the AU's ability to effectively accept needed offers of support from other entities. Gaps in AU institutional capacity also present the organization with significant challenges in recruiting and deploying personnel, meeting logistical requirements, managing mission operations, and sustaining forces on the ground. The AU has faced additional difficulties in developing doctrine and matching mandates to mission tasks.

The African Union is unable to pay for its missions from budget support of its Member States. As a result, AU missions are heavily dependent on international financing to maintain operations and associated logistical needs. Funding for AMIS, for example, is largely reliant on contributions from developed states, including the European Union (EU), the United States, Canada, the United Kingdom, and Japan. Even with this support, reports suggest that the AU has been unable to regularly reimburse its troop contributors. When outside partners have offered financial support, it has tended to go for strengthening AU operations rather than for building AU institutional capacity, leaving overall organizational development somewhat uneven.¹⁴⁶

The African Union and the United Nations are likely to remain engaged in promoting development throughout Africa in the decades ahead. The AU's involvement in peacekeeping is a welcome step towards building the capacity to respond to crises within Africa. But the AU faces significant challenges and gaps, which will take time to address and should temper the high expectations.¹⁴⁷

The West has encouraged the AU to take on the burden of peacekeeping in places where Western forces are not willing to deploy and to take on tasks beyond the AU's capabilities. The African Union could become more wary of such complex missions as Darfur and Somalia in the future. Moreover, the UN faces its own overstretch in peace operations, especially in Africa, as it faces unprecedented requirements to deploy and manage multiple, complex peace operations.¹⁴⁸

While UN mechanisms for cooperating with the AU and other organizations have evolved in recent years, new efforts are needed to make the relationship and collaboration predictable, systematic, and mutually beneficial. A more institutionalized, strategic partnership between the two organizations—one that recognizes their shared goals—will be essential to the sustained success of their peace support activities. Among the many areas of the UN-AU relationship that deserve attention, a few key themes and recommendations stand out from discussions of their work in peace operations.¹⁴⁹

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

The main recommendations largely proposed by the international community are:

- **Strengthen the UN-AU partnership by developing a shared vision, which** reflects shared priorities and goals for capacity building in AU peace operations.¹⁵⁰
- **Improve systematic communication to foster improved recognition of respective concerns.** For the UN and the AU to develop a shared vision for future cooperation, effective communication is needed. Decision-making in the UN Security Council and the AU Peace and Security Council has sometimes revealed poor coordination and disparate working cultures, resulting in inconsistent policies and divergent expectations. Disjointed procedural guidelines at each organization, for example, can produce obstacles to information exchange and policy development. More organized communication between the UN and AU is also crucial for giving appropriate weight to the considerations of both groups and for creating a genuine partnership. In the 16 June communiqué, the Security Council and the PSC made an important step towards harmonizing their operational requirements and broader capacity-building needs by pledging to hold a joint meeting at least once a year. Communication between the two bodies should not take place only at annual meetings, however, as discussions throughout the year are essential to ensure adequate information sharing and dialogue. The UN and AU may also need to expand military and political advisors at each others' offices, for example.¹⁵¹
- **Support AU capacity-building efforts with funding, headquarters capacity and sustainable deployments.** In the past, gaps in financial and materiel resources have hampered the AU's ability to initiate and sustain peace operations, as well as to develop institutionally and to lead its programs. As a young organization, the AU is building its headquarters capacity, and must find capable military planners and headquarters staff.¹⁵²
- **Formalize UN support and collaboration with regional organizations.** As recent events have shown, building long-term AU peacekeeping capacity will run in parallel with support to existing and new AU operations— even as the UN faces its own overstretch in peace operations. Strategies are needed to ensure adequate support and funding for both UN and AU efforts, despite the potential trade-offs. Taking a step in the right direction, the General Assembly Special Committee on Peacekeeping has endorsed a proposal from the Secretary-General to establish a dedicated capacity for coordinating “all issues related to cooperation with regional arrangements” to help streamline multilateral efforts.

As recommended by the High Level Panel, the UN could also develop a mechanism that generates financial and resource support for regionally-led peace operations, authorized by the Security Council on a case-by-case basis. The UN could use citation of Chapter VIII as a trigger for such funding support, for example, through assessed contributions, as it does for UN-led peace operations. This approach would enhance the UN's longer-term ability to work with regional organizations such as the African Union, and potentially other regional groups. With the frequent “hand-offs” of regionally-led missions to UN leadership, this mechanism could potentially assist in earlier planning for such transitions; harmonize collaboration in areas such as deployments and logistics; and better support planning and peacebuilding efforts that involve both organizations.¹⁵³

Conflict Prevention

Most regional organizations are undertaking conflict prevention activities. At the request of the Security Council, the UN submitted a report on the implementation of Security Council resolution 1625 (2005) on

¹⁵⁰ *Ibid.*

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ *Ibid.*

conflict prevention, particularly in Africa (S/2008/18), in which was stressed the importance of assisting regional organizations to build their own preventive capacity.¹⁵⁴

In Africa, the African Union and several of its regional economic communities are engaged in this capacity building, while in Europe, OSCE and the European Union maintain a conflict prevention centre with early warning systems. In the Americas, OAS is performing a similar function. In all regions, the development of agreed regional norms and principles on governance and prevention has been of fundamental importance to the establishment of these new structures. Collaborative efforts in conflict prevention and mediation have been undertaken with the African Union, including its regional economic communities. Nearly every mediation effort in Africa has been conducted with some level of cooperation between the African Union, sub regional organizations or groups and the United Nations. Currently, the United Nations and the African Union are engaged in a joint effort to broker peace in Darfur, where envoys from both organizations are supported by a Joint Mediation Support Team. In West Africa, the Economic Community of West African States (ECOWAS) has often taken the lead in regional peacemaking with the support of the United Nations Office in West Africa. In Central Africa, the Economic Community of Central African States (ECCAS), with United Nations support, has decided to set up a sub regional early warning mechanism designed to assist the Community and its member States to address early threats to prevent them from degenerating into conflict. The relationship between the United Nations and regional organizations, however, needs to be strengthened and formalized by, among other processes, establishing mechanisms through which such partnerships between the United Nations and regional organizations can better be managed.

The Security Council's Ad Hoc Working Group on Conflict Prevention and Resolution in Africa organized an interactive seminar on the theme "An effective global conflict prevention strategy in Africa: the role of the Security Council" (see S/2007/783) on 3 December 2007. The Working Group made several recommendations on cooperation with regional organizations, in conformity with Chapter VIII of the Charter. A number of them highlighted the need to give adequate support to the initiatives and actions of regional and sub regional organizations in conflict prevention and settlement of conflicts, including in the framework of interregional partnerships.

On mediation-related issues, the Department of Political Affairs, through its Mediation Support Unit, is offering support to the African Union in several areas. At the African Union's request, an expert is being deployed to assist in developing an operational plan for the Panel of the Wise, including the establishment of its secretariat. Part of this assignment will entail identifying relevant experiences and lessons learned from other mediation units of regional and international organizations.¹⁵⁵

Regarding knowledge management support, options are being explored to develop an AU toolbox of mediation experience similar to the "UN Peacemaker", the Department of Political Affairs' own online databank of peace agreements and mediation experience. On training, three approaches have been agreed upon between the African Union and the Department: (a) participation of the African Union and the African regional economic communities in United Nations-tailored early warning and conflict prevention courses; (b) annual training of AU staff and that of the regional economic communities in political analysis; and (c) development of a specific mediation training programme for the African Union and the regional economic communities. In 2007, AU staff participated in two United Nations tailored workshops in Sando, Sweden, and New York. The African Union and the Department of Political Affairs have also agreed to share mediation knowledge and expertise more regularly. Another area of cooperation concerns desk-to-desk exchange between AU and United Nations political, peace and security affairs officers,

¹⁵⁴ United Nations, *Report of the Secretary-General on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security (S/2008/186)*, 7 April 2008.

¹⁵⁵ *Ibid.*

similar to the existing United Nations-European Union dialogue. A first such dialogue on countries and cross-cutting areas of mutual interest is planned for this year.¹⁵⁶

The Mediation Support Unit is also working closely with a number of regional organizations worldwide to build regional mediation capacity. To this end, a series of consultations have been carried out with mediators in Africa (Cape Town, South Africa, October 2006), Latin America and the Caribbean (San José, March 2007), and the OSCE area (Mont-Pèlerin, Switzerland, May 2007). These consultations provided an opportunity to identify “best practices” and lessons learned, to share experiences between regional organizations, and to consider ways in which the United Nations can better support mediation efforts in a regional context in the future. Plans are under way for the holding of similar regional consultations in Egypt and Singapore this year.¹⁵⁷

Disarmament

The Office for Disarmament Affairs is the convener of the high-level meetings Working Group on disarmament and non-proliferation. In cooperation with OSCE, the Office organized a meeting of the Working Group in Vienna in July 2007, which adopted several recommendations on promoting the universality and implementation of multilateral disarmament and non-proliferation instruments, and protection and assistance in case of attacks with weapons of mass destruction. These recommendations would be submitted at the next high-level meeting.¹⁵⁸

The Office for Disarmament Affairs has three Regional Centres for Peace and Disarmament: in Africa (Lomé), Asia and the Pacific (Kathmandu), and in Latin America and the Caribbean (Lima). The regional centres provide substantive support to Member States and regional organizations for activities in the field of peace and disarmament. Early Warning Enhance the early warning methodology and systems currently utilized by the AU throughout the development of a multi-risk early warning tool that includes socio-political, natural, human-made and economic vulnerabilities¹⁵⁹

Protection of Civilians and Humanitarian Coordination

The Office for the Coordination of Humanitarian Affairs has engaged with the African Union and sub regional organizations to advance a more effective policy framework for the protection of civilians. A meeting on the protection of civilians was held in April 2007 in Dakar with the participation of the African Union and other stakeholders. One of the main outcomes of the meeting was the recommendation that regional organizations such as the African Union develop, with support from the United Nations, their own strategies and policy frameworks for the protection of civilians in armed conflict, which can be used to guide their activities and their membership. The Office will continue to work closely with the African Union, in particular to support it in integrating and promoting the protection of civilians in its policy and operational work.¹⁶⁰

At the operational level there are numerous examples of cooperation with the African Union to better protect civilians and enhance humanitarian coordination. Over the first four years of its deployment, the African Union Mission in the Sudan (AMIS) and the United Nations humanitarian community worked closely to reduce threats facing the most vulnerable populations. Collaboration between AMIS/UNAMID and the international humanitarian community extended to joint organization of firewood patrols and developing community policing mechanisms. Similarly, the joint efforts saw the formation of

¹⁵⁶ *Ibid.*

¹⁵⁷ *Ibid.*

¹⁵⁸ *Ibid.*

¹⁵⁹ *Ibid.*

¹⁶⁰ *Ibid.*

community-based conflict mediation mechanisms to help to reduce tensions in displaced camps and with other communities, in addition to improving humanitarian access.¹⁶¹

Priority policy areas for humanitarian action at the regional level in the short term include the consolidation of various disaster early warning systems that are being used by regional partners, including the African Union. The Office for the Coordination of Humanitarian Affairs has recently developed an integrated multi-risk early warning tool that includes socio-political, natural, human-made and economic vulnerabilities, in an effort to further support the streamlining and consolidation of different early warning methodologies and lead to a global multidimensional and timely analysis system that supports appropriate responses by humanitarian actors.¹⁶²

At the programme level, the International Strategy for Disaster Reduction has supported the development of regional and sub regional disaster risk reduction strategies and programmes by the African Union, ECOWAS, the Intergovernmental Authority on Development and the Southern African Development Community. These programmes aim at reducing vulnerability to natural hazards, which in recent decades have led to scarcity of land and water. This scarcity has in turn led to the increased prevalence of resource-based conflicts in Africa. The Strategy is in the process of placing staff within the above-mentioned regional organizations and has drawn up a comprehensive programme to address drought risk reduction in Africa.

After more than a decade of debate about the right relationship, practical mechanisms are needed to facilitate more effective institutional collaboration. The UN is still identifying ways to work with regional organizations such as the African Union. Its operational relationship with the AU has developed through immediate, if temporary, efforts to support AU mission needs rather than through longer-term strategic planning. Likewise, the African Union is not well designed for working with outside partners, despite its reliance on international support to organize peace operations. Expanding awareness in Washington and other capitals about the AU's actions on the ground could further bolster international financial support and appropriate assistance, and enable improved harmonization of support as well. Renewing governments' financial, political, and operational support to the UN's peace operations and its headquarters ability at this time of stress will further assist the institution to manage its missions and to work well with its partners in Africa.¹⁶³

Conclusion

Chapter VIII of the Charter stipulates that all enforcement action undertaken by regional arrangements or regional agencies must be authorized by the Security Council. Any endeavor to enhance the relationship between the United Nations and regional organizations under Chapter VIII will need to be based on a clearer definition of the basis and processes of such cooperation.¹⁶⁴ In Africa, in particular, which has experienced a multiplicity of conflicts, the African Union and its predecessor institution, the Organization of African Unity (OAU), have for some time been engaged in conflict prevention, management and resolution. When the African Union undertakes peace and security interventions, it perceives its actions as a contribution to the international community and therefore needs the support of external actors.¹⁶⁵

Understanding and appreciating how such partnerships should be framed is crucial as there is the potential for misunderstanding and misperception concerning the meaning and scope of such a partnership. The real challenge is to find ways to replace the improvised, at times selective, resource-skewed approach

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

¹⁶³ *Ibid.*

¹⁶⁴ *Ibid.*

¹⁶⁵ United Nations, *Report of the Secretary-General on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security (S/2008/186)*, 7 April 2008.

with more planned, consistent and reliable arrangements. Beyond the immediate funding for a regional mission start-up, procedures would need to be in place to review, on a case-by-case basis, how to ensure sustainable, flexible and predictable funding for long-term planning, deployment and sustainment of a peacekeeping operation undertaken by a regional organization and authorized by the Security Council. The recommendations contained in the report can contribute significantly in addressing common security challenges and deepening and broadening dialogue and cooperation between the Security Council and regional organizations, in particular the Peace and Security Council of the African Union.¹⁶⁶

Addressing the systemic challenges described here— from financing to personnel, from logistics to political challenges—will help both institutions and their Member States to have more success in mitigating regional conflicts through prevention, stronger mediation efforts, and peacekeeping. Improved cooperation should further facilitate sustainable growth for the African Union and its efforts on the continent while maintaining a high level of respect and awareness for human rights and the needs of civilians. Countries that back the United Nations and regional peace operations in Africa should work to support these systematic changes. This emerging capacity is essential for the UN and AU to become more equal partners, as well as for the AU to be able to respond independently to peace and security challenges and for the UN to work well with regional organizations overall.

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