THE ROLE OF THE EUROPEAN UNION AND OTHER INTERNATIONAL ORGANIZATIONS IN THE PROCESS OF THE REGIONALISATION OF THE PEACEKEEPING OPERATIONS

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Abstract
Due to the increase and complexity of conflicts with internal and international caracter the United Nations had to realize that their capacity to protect peace and international security have been surpassed by the caracteristics and dynamics of the conflicts that the international society has been confronted with. In this context the regional organizations had to assume a number of tasks on their own or in cooperation with the United Nations with the objective to contribute to maintaining international peace and security.

Introduction

The regionalization of the peacekeeping missions (PKM) is a process with which the regional organizations (RO), subregional organizations or similar agreements are involved in the initiative, constitution, dispersion and management of peacekeeping missions. They act either in an autonomous way or in a common action with the United Nations respecting the principle of cooperation and according to what is established in the Charter of the United Nations.

Without doubt this process of regionalization of the peacekeeping missions results from several historical events that in one way or another has contributed to its realization. Among the factors that led to the regionalization of the PKM we can destinguish: the end of the Cold War[1], since during this historical process the Security Council of the United Nations saw itself many times incapable of deciding upon a dispersion of a PKM. Either the United States of North America interfered or the Ex-USSR depending on the country in which the PKM was going to be dispersed.

It has to be mentioned that the Cold War was the main reason for the illegitimate application of the dispositions of the chapter VIII of the Charter of the United Nations since it limited the capacity to act for the regional organizations, in respect to the management of determined crisis that affected international peace and security. This situation resulted in the fact that United Nations capacity to act in internal conflicts got out of hands, as it happened in Somalia, Ruanda and Yugoslavia. This and the deep financial crisis in which this international organization was, drove the PKM[2] to a failure. Among other aspects for the failure was the absence of an own military body in the United Nations that would have permitted to exercise its functions and oblige to comply its resolutions, the reduction of cash money that the state

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[1] Inoue, Y. (1993). United Nations peace-keeping role in the post-cold war era: The conflict in Bosnia-Herzegovina. Loyola of los Angeles International and Comparative Law Journal, 16 (1), 245-274.
[2] Durch, W. (1993). The evolution of UN peacekeeping: case studies and comparative analysis. Washington, USA: Henry L.Stimson Center.

members aported for the realization of a PKM and the incapacity of the United Nations to move rapidly and effectively its cash, among other aspects[3].

With this investigation we are parting from the assumption that the process of regionalization of the PKM has permitted that the management of internal or international crisis that affect international peace and security could be deviated. This way the efforts to reach peace in certain areas have not been rejected by certain parties of the conflict, which had accused the United Nations not to be a valid interlocutor, since they had tolerated several decisions of its state members that had been on the outer margin of the Charter of the United Nations.

Regarding this it is the objective of this investigation to analyze the contribution of the process of regionalization of the PKM in order to achieve a pacific living together within the international community. The evolution of this process of regionalization will be studied, observing the different phases through which this process has gone. This way the leaving of the universal model of the PKM will be analyzed, the establishing of its process of regionalization and its reaching of perfect functioning. In the second part of this analysis the different forms will be regarded in which the PKM are implemented into the regional organizations (RO).

This investigation aims at: 1) contributing to the debate about the so called externalization or privatization of peacekeeping. 2) Reaffirm the importance of establishing a real and effective cooperation between the United Nations and the RO. 3) Establish that the actions taken by the RO in the area of peace and international security correspond to the norms of the Charter of the United Nations; 4) diffund the positive and negative experiences of the RO in this subject.

Finally we have to indicate that the present investigation uses a multidisciplinar method in which theory and practics are of the RO in maintaining peace and international security. Regarding the sources used, it was consulted the international doctrine as well as different norms that emanate from the United Nations and the regional organizations.
The following paragraph will study the process of regionalization of the PKM with several meetings and agreements that have been adapted by the United Nations and the RO.

1. Evolution of the process of regionalization of the PKM

The first efforts taken by the United Nations and the RO in order to reach an efficient cooperation in the area of peacekeeping began in 1991, when the General Assambly of the United Nations solicited one of its special comitees, in particular the one of the Charter of the United Nations and the of strengthening the role of the organization that they would concede priority to topic related to peacekeeping and international security with the objective to strengthen the role of the United Nations[4].

In this context in January 1992, the Security Council of the United Nations invited the General Secretary to do an analysis and to give a recommendation in respect to the capacity of the United Nations in the area of preventive diplomacy and in establishing and maintaining peace. Also the contribution should be studied that the RO could make to peace and international security.

In the framework of the United Nations a document with the title "Agenda for Peace" was emitted in which was tried to reach the participation of the RO together with the United

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[3] Boutros-Ghali, B. (2000). À la recherche de la paix. Recueil des Cours: Collected Courses of the Hague Academy of International, 23-26. Sidhu, W. (2003).The United Nations and regional security: Europe and beyond. Boulder, USA: Lynne Rienner Publishers.
[4] United Nations. Resolution A/RES/46/58 of 9 December 199, "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

Nations in all operations aiming to maintain peace. Considering that there was not established a precise definition of what an agreement or a regional organisation was, it was possible to enlarge the criterion in which was defined what entities could be regarded as RO. Nothing contrary could be extracted from what is written in the article 52 to 54 of the Charter of the United Nations and this way the criterion was changed dramatically which accepted until this date only three regional organizations: The Organization of the American States, The League of Arab States and the African Union as regional organisms or agreements, with effects from the chapter VIII of the Charter. Later, in January 1993 the President of the Security Council of the United Nations invited the RO, in order to study the means with which the cooperation between them and the United Nations could be improved in the area of peace and international security.

Now the different phases are going to be analyzed of the process of regionalization of the PKM. Among thes phases we can point out: the leaving of the universal model of the PKM, the establishing of a process of regionalization of the PKM and the perfectioning of the process of regionalization of the PKM.

1.1. Leaving behind the universal model of the PKM

After the publication of "Agenda for Peace" and with the new vision of what could be understood by a regional agreements a number of meetings took place with the General Secretary of the United Nations and the highest representatives and the main international organizations with regional caracter. The links of cooperation between these organizations in respect to maintaining peace should be strengthened. The first meeting between the representatives of the United Nations took place on the 1st of August of 1994 with the objective to establish the principles with which they would act, the areas where they would intervene mutually and the ways in which they would cooperate. In this meeting they came to the conclusion that it was necessary to adopt a flexible coming closer between the organization with universal caracter and the organizations with regional caracter. This coming closer would have to be pragmatic and decisions would have to be taken from case to case rather instead of adopting a universal model for cooperation, a way of acting which depended mainly on the fact that financial means were lacking for conducting peacekeeping operations. The interchange of information in regard to the crisis that were coming up became the main mechanism that surged from the first conference.

On the 17th of February 1995, the General Assemly of the United Nations established in the " Declaration about a better cooperation between the United Nations and the agreements and regional organisms of peacekeeping and international security", the need that the regional agreements, should begin to develop a more active role in the pacific solution of controversies, in the preventive diplomacy and in the establishment, maintaining and consolidating of peace, as long as they were conform with the principles and suggestions of the Charter of the United Nations and repected the souvereinity, territorial integrity and political independence of the States[5].

1.2. The establishment of the process of regionalization of the PKM

The process of cooperation between the United Nations and the RO, within the area of regionalization of the PKM, evolved more smoothly during the second meeting that took place between the representatives of the United Nations and the RO, which took place on the 12th of February of 1996 with the objective to analyze in more details topics such as the

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[5] United Nations. (1995). Resolution A/RES/49/57 of 9 December 1994, "Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security" .

preventive diplomacy, the peacemaking and peacekeeping operations and the maintaining of peace. At the same time in this meeting aspects were taked about in respect to the forms in which such a cooperation should be developed, the principles that should inspire them and the mechanisms to improve the dialogue between them.

In this event participated with the United Nations thirteen international organizations with regional character. Among others participated the General Secretary of the Organization of American States, the representatives of the Presidency of the European Union, the Auxiliary General Secretary of the North Atlantic Treaty Organization and others. With the participation of these different RO in terms of their objectives and nature, the adoption of a wide criterion in regard to the definition of what could be considered a RO was consolidated finally and definitely.

Regarding the great number of internal conflicts that took place in Africa, the Security Council of the United Nations asked its General Secretary, to elaborate a report about the causes of the conflicts in Africa and about the ways in which the United Nations could cooperate with the RO and subregional organizations that took measures in this continent. In response to this pledge on the 13th of April, 1998, the General Secretary of the United Nations emitted a report titled "the causes of the conflicts and the foundation of long-lasting peace and a sustainable development in Africa[6].

In this report, it was admitted that the United Nations had committed some errors in certain cases, for example the fundamental rights had not been protected properly of the citizens of some African countries where PKMs had been carried out, so for example in Somalia and Ruanda. Considering this, the international community was asked to act and to explore new means to promote peace and security in this continent. Among this means the process of regionalization of the PKM was an important contribution since the RO had better military and financial resources in order to execute a PKM than the United Nations. Later, on the 28 of May 1998 the Security Council adopted the resolution S/RES/1170 (1998), that took up the report presented by the General Secretary and establish a working group that should analyze the recommendations of the report in regard to maintaining peace[7].

Considering the African situation, on the 29th of July 1998 a third meeting took place between the General Secretary of the United Nations and the representatives of the RO where it was suggested to increase the cooperation in preventive actions that these organizations carried out, in order to improve the interchange of information, train the staff in a common ws ay and to make the civil population aware of the importance of preventing conflicts. Following these suggestions within the process of regionalization of the PKM the Security Council adopted the declaration S/PRST/1998/28 on the 16th of September 1998, with the objective to recommend the strengthening of the RO and African subregional organizations to participate in the PKM that were carried out on this continent.

Later on the 6th of February of 2001 a forth meeting took place between the representatives of the RO and the General Secretary of the United Nations, in which the subject of the peace-building operations was talked about. In this meeting a number of directives could be established that guided the acting in such operations, whenever they were linked to a PKM. This way the cooperation between the United Nations and the RO can become an important aspect for negotiations to reach peace in certain areas and to promote security and stability there. The negotiations can also incentivate a good government,

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[6] United Nations, Report of the Secretary-General on the work of the Organization, The causes of conflics and the promotion of durable peace and sustainable development in Africa, 13 April 1998. Berman, E. & Sams, K. (1999). The limits of regional peacekeeping in Africa. Peacekeeping & International Relations, 28 (4), 1-2.

[7] With the report presented by the General Secretary Kofi Annan and the suggestions made by the work group the Security Council of the United Nations adopted several resolutions with respect to Africa. Among the main resolutions can be found: S/RES/ 1171 of 5 June 1998; S/RES/1196 of 15 September 1998; S/RES/1197 of 16 September 1998 and others.

democracy and the respect for the human rights and the promotion of justice, reconciliation and development[8].

1.3. The perfectioning of the regionalization of the PKM

The intention to continue with the perfectioning of the process of regionalization of the PKM could be seen when between the 29th and 30th of July 2003 a fifth meeting between the General of the United Nations and the representatives of the RO took place. The main challenges for peace and international security affecting the world at this moment should be analyzed. The participants of this meeting pointed out that there existed the need to have such meetings more frequently. By meeting more often a better interchange of strategical, operational and political could take place[9].

On the 24th of September 2003 the United Nations and the European Union emitted a common declaration about the cooperation between both organizations for the management of military crisis. According to their agreement they wanted to deepen the cooperation that had started during the Balcan conflict by transfering responsibilities of the United Nations` International Police Task Force to the European Union Police Mission in Bosnia and Herzegovina.

In the sixth meeting between the United Nations and the representatives of the RO, which took place from the 25th to the 26th of July of 2005 it was repeated that the prior responsibility for peace and international security corresponded to the United Nations. In this context the European Union recognized the primary role of the Security Council in the area of peace and international security. They accepted that it was a priority that the United Nations could return to act with complete power in this objective.[10] However, with this declaration it was also declared that the European Union could carry out their own PKM. But in regard to the PKM that the EU could carry out in cooperation with the United Nations a number of modalities were established. So, for example can be distinguished the Support Operations according to which the EU acted under the mandate of the United Nations as it happened in Bosnia and Herzegovina. At the same time it was possible that the EU could carry out operations in which it would take over political control and strategic management of a component of a mission of the United Nations. Also, it was considered the possibility to establish a PKM with a bridge model, according which the European Union would deploy a PKM in a provisional way until the United Nations would implement an operation or reorganize the existing one[11], just as it happened in the case of the Operation Artemis. Finally, another model of cooperation was contemplated which could be called reserve model, where the EU would put its military forces under the control of the United Nations. This model would be useful in the United Nations missions in Africa.

Finally, with respect to the process of regionalization of the PKO it can be said that after many summits organized between the United Nations and the RO, this process has been consolidated, thanks to the diplomatic forces that have tried to create appropriate mechanisms that allow these PKM (that do not form part of the structure of the United Nations and that for this reason are no subsidiary organs of the Security Council) contribute to maintain a pacific living together between the members of the international community. However, with the beginning of the process of regionalization of the PKM (also called process of externalization or privatization of maintaining peace), the United Nations slowed down its activities in the

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[8] United Nations, Secretary-General, Press Release SG/SM/58958. (1996). Secretary General to convene first meeting between UN and Regional Organizations, 1996, p. 1.
[9] United Nations, Secretary-General, Press Release SG/2084. (2003). Secretary General to convene fifth meeting between UN and regional organizations. 2003, pp. 1-2.
[10] European Union, "Joint Declaration on UN-EU cooperation in crisis-management", 24th of September 2003, paragraph.
[11] Ibid., paragraph 9-12

area of maintaining peace and international security, and it limited its activity to simply authorize the RO to implement a PKM and to use force whenever it was necessary to defend its mandate. This way a convergence was produced between the universal centralization and the regional decentralization in the execution of the functions linked to maintaining peace and international security.

Due to the indifference of the United Nations in respect to the realization of the PKM, the RO and the subregional organizations conducted great forces with the objective to contribute to maintain peace and international security. They established a number of mechanisms to resolve conflicts and to realize PKM within the respective, constituted treaties and within the norms that should allow them development. They committed themselves to conduct their actions in the area of peace and international security in accordance with the Charter of the United Nations. However, the capacity of the RO to establish and to maintain peace varies quite a lot. Some RO have obtained a great experience in this area and others are learning rapidly. On the other hand there are still RO that do not have the capacity to realize a PKM. According to the international doctrine[12], which has pointed out the need that in the area of international security the decisions should be adopted and executed on a multilateral scale, that means by the United Nations (that would act like a "public police") and not by military or civil contingents that the states put under the dispostion of a RO (that would act like a private police), and that in respect to them would try to maintain exclusiv control.

Regarding this the participation of the RO in the realization of a PKM is fundamental, since fundamental rights still have been vulnered in cruel internal conflicts, that even in the 21. century keep affecting humanity. For this reason, to avoid the risk that would cause the fact that a RO acts in contrary to the dispositions of the Charter of the United Nations, the United Nations have to exercise an effective control over the acts of the RO in the area of maintaining peace and international security. However, it has to be said, that in reality the United Nations have been more concerned with the analysis of the conformity of the constitutional treaties of the RO with the dispositions of the Charter than they have verified the compatibility between the acts that the regional organizations have carried out during the realization of the PKM and the dispositons of the Charter[13].

But the United Nations should continue to help the RO, to capacitate them in crisis management, as long as the recourses permit this and consider the circumstances of each case in concrete. The cooperation and coordination between these organizations must be carried out in a constant, clear, balanced and not discriminating way[14]. So, the global system that regulates the maintaining of peace and international security is a product of constant interaction between the general system implemented by the United Nations and the particular systems implemented by the RO or the States that lead multinational forces.

2. The practical implementation of the PKM of the RO

In the present paragraph it is analyzed how the PKM have been developed that the RO have conducted in the international scenario. This way it is studied how the PKM have been

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[12] Cardona, J. (2005).La externalización/privatización del uso de la fuerza por las Naciones Unidas. In A. Salinas de Frías, & M. Vargas Gómez-Urrutia (Eds), Soberanía del Estado y Derecho Internacional. Homenaje al profesor Juan Antonio Carrillo Salcedo (pp. 317-342). Sevilla, España: Servicio de Publicaciones de las Universidades de Córdoba, Sevilla y Malaga.

[13] According to the opinion of the international doctrine, the Charter of the United Nations has tried to avoid to give a specific qualification of the organizational model of peacekeeping to avoid the complete identification with an ideal model of centralization or decentralization und this way an ambivalent position can be kept. Vid. Sánchez, V. (2005). La potestad coercitiva de las organizaciones regionales para el mantenimiento de la paz. Medidas que no implican el uso de la fuerza armada. Madrid, España: J.M.Bosch Editor.

[14] Marnika, M. (1996). Regional peacekeeping: The case for complementary efforts. Peacekeeping & International Relations, 25, (3), 9-11.

placed in areas of conflict with the cooperation of the United Nations. Also, the civil, military and or mixed-operations will be analyzed that the RO have carried out in order to contribute to peace and international security.

Now we are going to analyze each one of the suggestions of how to implement the PKM of the RO.

2.1. The implementation of the PKM with cooperation of the United Nations

Before the beginning of the process of the regionalisation of the PKM of the RO it became evident that the United Nations needed to count on the cooperation of the RO, since several PKM occured and due to their complexity and nature they needed the interaction between both organizations. With the beginning of the process of regionalization, the RO, carried out a number of PKM in cooperation with the United Nations that can be classified as PKM: integrated, coordinated, parallels and sequentials.

2.1.1. The implementation of the integrated PKMs

From the lessons learnt from the experiences of the United Nations and the RO in Haiti and Kosovo this type of PKM can be characterized as one in which the application of the principle of cooperation has developed a unique or joint chain of leadership with the objective to persecute, contain, moderate and terminate the hostalities that are being produced in a conflict of internal or international nature. This objective is reached with a strict distribution of functions between the United Nations and the RO that participate in them.

This way, the International Civilian Mission in Haití (MICIVIH), that was established under a joint leadership chain between the United Nations and the Organization of American States in February 1993 has made a great contribution to the development of the process of regionalization of the PKM since it allowed to demonstrate the need and importance of a cooperation between the general system and a particular system implemented by a RO, when it was tried to reach the maintaining of peace and international security. Also with this PKM, it could be promoted and protected the fundamental rights of the citizens of Haiti that had been injured systematically[15].

Also the role of the United Nations Interim Administration Mission in Kosovo (UNMIK)[16], shall be pointed out, that was established to contribute and to reestablish peace and security in this area. In contrary to the MICIVIH, it was established under the unique leadership of the United Nations. Among the main lessons that we have learnt from the UNMIK it can be mentioned that it became evident that there was a need for a strict division of the functions between the United Nations and the RO that participated in a multifunctional PKM in order to avoid duplicity of the efforts to achieve the mandate of the mission and over all, to avoid that conflicts surge between the organizations that integrate a PKM. Precisely to strengthen the confidence and cooperation, between the organizations that participate in a PKM, the United Nations and the RO that cooperate with them, should designate an official of contact that would assume functions of getting closer together in case that differences between these two organizations occur and this way a quick solution can be provided for every problem if it affects the normal development of the PKM.

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[15] United Nations, Report of the Secretary-General, The situation of the democracy and human rights in Haiti of 18 Novembre 1997.

[16] The RO that participate in UNMIK are NATO (in the area of military security), la OSCE (in the area of reestablishing a rule of law) and the EU (in the area of general reconstruction in Kosovo).

2.1.2. The implementation of the coordinated PKM

The participation of international organizations of universal and regional character in the conflicts that took place in Abjasia (Georgia) and between Etiopia and Eritrea have allowed to obtain a number of lessons in terms of describing what the characteristics of this type of PKM are. This PKM always carry out a number of formal and regular enquiries between them, with the objective to distribute functions and interchange experiences, regardless of the fact that the United Nations and the RO have sent out autonomous contingents and manage their own chain of leadership.

Within this type of PKM the work of the Collective Peacekeeping Forces of the Community of Independent States in Abjasia and the United Nations Observer Mission in Georgia(UNOMIG)[17] shall be pointed out, that had been established with the objective to investigate and to prevent the violations of the agreement on cease-fire and the separation of forces that had been signed in Moscow on the 14th of May 1994. It has to be said that both PKM, although they had been autonomous in respect to their structure and leadership control, coexisted in a coordinated way since June 1994. The Security Council of the United Nations was informed by the Council of the leaders of the State of the Community of Independent States, that in conformity with the dispositions of the chapter VIII of the Charter of the United Nations, they had decided to deploy a peacekeeping force in Abjasia (Georgia). In this context, the collective peacekeeping forces of the Community of Independent States in Abjasia and the UNOMIG had realized within a smooth cooperation common patrols in the Valley of Kodori with the objective to observe the situation with regularity and independence.[18]

The main lesson that we have learnt from this type of operation exists in the fact that with a coordination between the United Nations and the regional organizations in regard to the management of their peacekeeping operations the international organization with universal character can exercise a real and effective control over the activities that the regional organizations carries out in the area of maintaining peace and international security. Also it can be evaluated if the activities of the regional organizations are adequate and correspond to the dispositions in the Charter of the United Nations. For example in the conflict of Abjasia such a case took place when the Community of Independant States informed the Security Council of the United Nations about the force level and number of military staff that had been deployed in Abjasia and the activities that had been realized by this Euro-western regional organization, a situation that would problably not have happened that easily if the coordination mentioned before had not existed. This way the coordination between the peacekeeping operations deployed in a certain territory, have made it easier to fulfill the disposition in Article 54 of the Charter of the United Nations and at the same time allowed that from the side of the United Nations a control could take place of the activities that a regional organization conducted in an area and this way it could be contributed to in an efficient way to the stabilization of an area in conflict and it could also be prevented that armed conflicts would re-occur.

Also, the works have to been mentioned that have been done in a simultaneous and coordinated way by the United Nations Mission in Ethiopia and Eritrea (UNMEE) that was deployed by the United Nations and the African Union Liaison Mission for Ethiopia/Eritrea

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[17] The United Nations Observer Mission in Georgia (UNOMIG) was established by the resolution S/RES/881(1993, 4 of November).

[18] Because of the veto of Russia that hindered the Security Council to prolongate the mandate, the United Nations Observer Mission in Georgia (UNOMIG) stopped its activities on the 15 of June 2009. (European Union, 2009, Declaration of the Presidency of the EU about the end of the Mission of the United Nations in Georgia, Brussels 19 of June 2009).

(OLMEE)[19], that was deployed by the African Union. As a main lesson that has left us the acting of these two international organization is the fact that they had institutionalized the coordination that took place between them. It was a common commission established between them and there could be faced all the aspects that made it difficult for each one of them to carry out their activities in the area of maintaining peace and where the United Nations were allowed to supervise the activities of a regional organization. This way the United Nations could control if the activities of a regional organization were apt with the dispositions of the Charter of the United Nations.

2.1.3. The implementation of the parallel PKM

Learning from the lessons taken by the experiences of the PKM that the United Nations and the Organization for an African Union carried out in Ruanda, this type of peacekeeping operation can be characterized as one where an organization of universal caracter and one of regional character limit their coordinations and use them only in an informal and sporadic way. Neither suitable mechanisms are established nor a stable coordination between the peacekeeping operations that have been deployed regardless of the geographic proximity of both.

In the empiric case the inconvenience to carry out this type of action in the area of peacekeeping and international security was demonstrated in the action taken by the United Nations and the African Union organization in Ruanda, when they deployed, in parallel and without any coordination the contingents of the Second Group of Neutral Military Observation of the African Union Organization (in order to supervise the fulfilling of the agreement of Arusha from June 1993)[20] and the Observation Mission of the United Nations in the frontier of both countries[21] (UNO, resolution 846 from 1993, 1993). This way an innecessary duplicity of forces was produced and the utilization of human resources and logistics. Finally this had to be remedied with the deployment of the Help Mission for Ruanda[22] that ended up absorbing the two PKM mentioned before helped to supervise the fulfilling of the Agreement of Arusha and the repatriation of the refugees, and objective that could not be reached before due to the constant dis-coordination that existed between the United Nations and the African Union Organization (at the moment African Union)[23]. The main lesson learnt from these experiences is, that the lack of coordination between the organizations involved in a certain territory can slow down or even interfere with the efforts for peacekeeping and international security. Also during this time of bad management it can be favored a environment in which the fundamental rights of the people affected in this conflict can be harmed.

2.1.4. The implementaion of the sequential PKM

The participation of the international organizations with universal and regional caracter that in the conflicts that occured in Burundi have taught us a number of lessons from which this type of PKM can be characterized, as those where the United Nations deploys

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[19] With the resolution S/RES/1430 (2002) of 14 August the Security Council reaffirmed its support for the mission of the African Union and urged in continuing to support this peace process.

[20] The organization for the African Union (at the moment African Union), has deployed in Ruanda two neutral Military Observer Groups (NMGO I). The first group was deployed in July 1991 and the second group (NMGO II) was deployed between August and October 1993.

[21] United Nations. Resolution S/RES/846 of 22 June 1993.

[22] United Nations. Resolution S/RES/872 of 5 October 1993.

[23] Vid. Bruce, J. (1999). Military intervention in Ruanda's, two wars: Partnership and indifference. In B. Walter, & J. Snyder (Eds.), Civil wars, insecurity and intervention, (pp. 116-145) New York, USA: Columbia University Press. Walter, B. & Snyder. (1999). Civil wars, insecurity and intervention. New York, USA: Columbia University Press.

before of after a RO a PKM, resulting in a sort of replacement in crisis management in those areas where their military or civil contingents have been relocated.

The main lesson that we learn from this type of operations is that it has been demonstrated that due to the urgency with which it is required to deploy the contingents of a PKM in a certain place and with the incapacity to react operationally in an immediate way (in same cases) it can be useful to deploy the military and civil contingents provisionally. And this contribution can be realized between the United Nations and the RO assuring during this time period that the victims of the conflicts do not find themselves in a state of helplessness.

So the substitution and later absorption that took place in the Mission of the African Union in Burundi (AMIB) (Executive Council of the African Union, 2003) by the operation of the United Nations in Burundi (ONUB)[24] constitutes a typical case of sequential peacekeeping operation, that also permitted in a successful way to guarantee the respect for the cease-fire agreement, promote the reestablishing of trust between forces in Burundi, realize activities of disarmament and demobilization of troops, contribute to the finalization of the electoral process, etc.

2.2. The implementation of civil, military and/or mixed PKM

The different functions that have been assumed by the PKM of the RO have caused the need of not only deploying military forces in the PKM but also civil contingents or contingents with mixed composition that can carry out tasks such as humanitarian assistance or assistance in electorial processes. Considering this and according to this criterion the PKM can be: civil, military and/or mixed.

2.2.1. The implementation of the civil operations

This type of peacekeeping operation is characterized by the fact that it is only composed of civil members, whose main function is to supervise the respect for the fundamental rights, verifying the legitimity of the electoral processes, educate and make the civil population aware of the topic of pacification, among other aspects.

Within this type of PKM the acting of the International Civil Mission in Haiti has to be pointed out which was only composed of civil observers, that had the mandate to evaluate the situation of the human rights in Haiti. In regard to the number of observers that had been sent during the seven years of duration of this PKM it can be shown that the MICIVIH could deploy according to its mandate un contingent of up to 240 observers in the territory of Haiti. This way in October 1993 the mission had deployed 230 observers with 45 nationalities that operated in thirteen offices distributed everywhere in the territory of Haiti. Then in 1995 the number of civil observers that stayed in Haiti declined to a number of 193 observers[25], (89 sent by the OAS and 104 provided by the United Nations). However, during the electoral process for the legislative power and municipality which took place in 1995 in Haiti, the MICIVIH sent 120 observers[26]. Later, the presence of observers was reduced till 1996 to 64 observers (32 from the OAS and 32 from the United Nations) a number which remained on average till the end of the PKM in March 2000[27].

Also another case of this type of operation, the Observation Mission of the European Union in Georgia was approved by the Ministers of Foreign Affairs of the European Union on the 15th of September of 2008. With this operation a civil mission of 200 civil observers sent

[24] The United Nations Operation in Burundi (ONUB), was established with the resolution S/RES/1545 of 21 May 2004.
[25] United Nations. Resolution A/RES/49/57 of 17 February1995.
[26] Organization of the American States. (February 1996). Final report about the Election Observation Mission of the OAS about the legislativ and municipal elections in Haití.
[27] Daudet, Y. (1992). L'ONU et L'OEA en Haïti et le Droit international. Annuaire Français de Droit International, XXXVIII, 89-111.

to areas of security situated in Georgian territory around South Osetia and Abjasia with the objetctive to maintain peace and security in this area that has been convulsed by a conflict that contains a number of very complex aspects. This way the European Union supervised the draw-back of the Russion troops situated on Georgian ground beyond the two secessionist regions.[28]

2.2.2. The implementation of the military operations

The peacekeeping operations of this type are characterized by deploying military troops in the area that used to be in conflict with the objective to guarantee the peace process. They can even use force when they are authorized by the Security Council of the United Nations. In regard to the duration of the deployment of the military contingents in a certain state, it can be said that this can be for a short or long time. The first actual situation takes place when the peacekeeping operation is only constituted to serve a military back up which goes ahead the relocation of another peacekeeping operation.

The collective forces of peacekeeping of the Community of Independent States deployed in the area of Transnistria (Moldavia) constitute such a type of peacekeeping operation. With respect to this it has to be said that in regard to the conflicts in this area of Transnistria the Council of the leaders of state of the Community of the Independent States and the President of Moldavia decided to relocate these collective forces, that, before had been accused of not acting in an impartial way and to be extremely oriented to a military behaviour during the fulfillment of their mandate. So they had been the objective of several notifications and constant violations of the human rights and the International Humanitarian Law.

It has to be said that the PKM composed of military staff should consider that a military success is not possible by itself. During their activities in this peacekeeping operations they are not soldates of war but they are soldates of peace.

2.2.3. The implementation of the mixed operations

The present type of peacekeeping operation is characterized by the fact that it is deployed in a common way in the area where the mission is going to realize its activities with civil and military members and this way it shall be reached that continuing conflicts are avoided. It is the question if mixing civil and military agents in a PKM could generate a number of problems depending on the fact whether the actions that they are taking are carried out by these two parties in a mutual way or in case that they are not carried out in a mutual way if the differencies of their mandates, perspectives and means really lead to undermine the positive aspects of the PKM.

Considering this question it can be said that in the case of the Mission of the African Union in Burundi (AMIB) that was established in April 2003 the fact that it had been established by military contingents from South Africa, Ethiopia and Mozambique and also by civil observers from Burkina Faso, Gabon, Mali and Tunesia did not create any barriers that would have prevented a completion of the mandate, and due to its actions a adventagious environment could be created to establish the United Nations Operation in Burundi that it was finally substituted by.[29] Also the interaction that took place between the Kosovo Force and the United Nations Interim Administration Mission in Kosovo has marked an important milestone

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[28] Manrique de Luna, A. (2009).The observation mission of the European Union in Georgia: Functions assumed by this peacekeeping operation. Journal of International Law of Peace and Armed Conflict, 22, (1), 41-43. Manrique de Luna, A. (2013) Las operaciones de mantenimiento de la paz de las organizaciones internacionales de carácter regional. Ed. Dykinson, Madrid.
[29] United Nations. Resolution S/RES/1545 of 21 May 2004.

in regard to distributing functions related to peacekeeping and international security between different organizations and considering advantages.

The European Union has also carried out a PKM with mixed composition with the deployment of the EU Support Mission for the Mission of the African Union in the Sudanese area of Darfur which was established with the Joint Action 2005/557/PESC of the Council from the 18th of July 2005 and it successfully contributed to the capacitation of the police componente of the Mission AMIS II which was deployed by the African Union in Darfur. For example it contributed by supporting with technical assistance, the sending of military observers and the instruction of troops.

Considering what was analyzed before it can be shown that the success of the PKM with mixed caracter results from the fact that it avoids that military forces that integrate the PKM start to assume functions that can be considered civil functions[30].This way and thanks to the great efforts between civilians and military troops it can be possible to reach long-lasting peace that can be improved with deeper links between both components that are involved in a peacekeeping operation[31].

Conclusions

Since the last century, the RO have started to assume a preponderante role in peacekeeping and international security. The criterion of what can be considered a RO that can carry out a PKM has become more open. This way the organizations with general, economic and/or defensive objectives have adopted a number of mechanisms that allow them to manage an internal or international crisis that puts in danger peace and international security. However it is necessary that the it has to be continued to improve the cooperation between the United Nations and the RO, so that the RO can improve the mechanisms to stabilize peace and international security and that they can count more and more on the acceptance of the parties that are confronted in a conflict. At every moment they have to respect and consider the dispositions of sthe Chapter VIII of the Charter of the United Nations during their activities.

The activities carried out by the PKM of the RO – with exeption of some not well received acts of the Community of the Independent States – can count with a major acceptance by the parties involved in internal or international conflicts, since there are less doubts about the legality of their actions and since it is easier for them to deploy en a certain territory in comparision with the United Nations, which could not overcome their difficulties in carrying out peacekeeping operations.

In the area of Europe the military activities have mainly been assumed by the North Atlantic Treaty Organization and the Community of Independent States. However, the European Union has developed new military capacities that have allowed her to deploy its peacekeeping operations with military character autonomously or using the capacities of NATO (Berlin Plus Agreement). The PKM that are realizing activities with civil caracter have mainly been developed by the Organization for Securtiy and Cooperation in Europe and by the European Union with the sending out of observation missions and policial missions.

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