

The United Nations (UN), and the Security Council in particular, have the primary responsibility for the maintenance of international peace and security. However, the changing nature of global threats to security and the increasing demands for intervention in diverse crisis scenarios has led to recognition of the need for restructuring the UN security architecture and enhancing its operational capabilities. The papers gathered together in this volume and the conference report assess the contributions of Italy and the European Union to the functioning and reform of the UN security system and put forward policy recommendations aimed at increasing their role in the definition and implementation of the international security agenda.

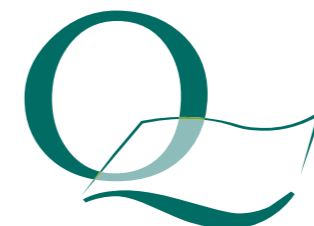
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# STRENGTHENING THE UN SECURITY SYSTEM

## THE ROLE OF ITALY AND THE EU

edited by Nicoletta Pirozzi



Quaderni IAI

ISTITUTO AFFARI INTERNAZIONALI

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This publication is the result of the Workshop “The contribution of Italy and the European Union to the collective security system of the United Nations”, held at Palazzo Rondinini in Rome on November 30, 2007 and organised by the IAI in cooperation with the Centro Studi sul Federalismo (Turin) and the European Policy Centre (Brussels). The event was part of a project conducted by the IAI in cooperation with the Italian Ministry of Foreign Affairs and with the support of Compagnia di San Paolo.

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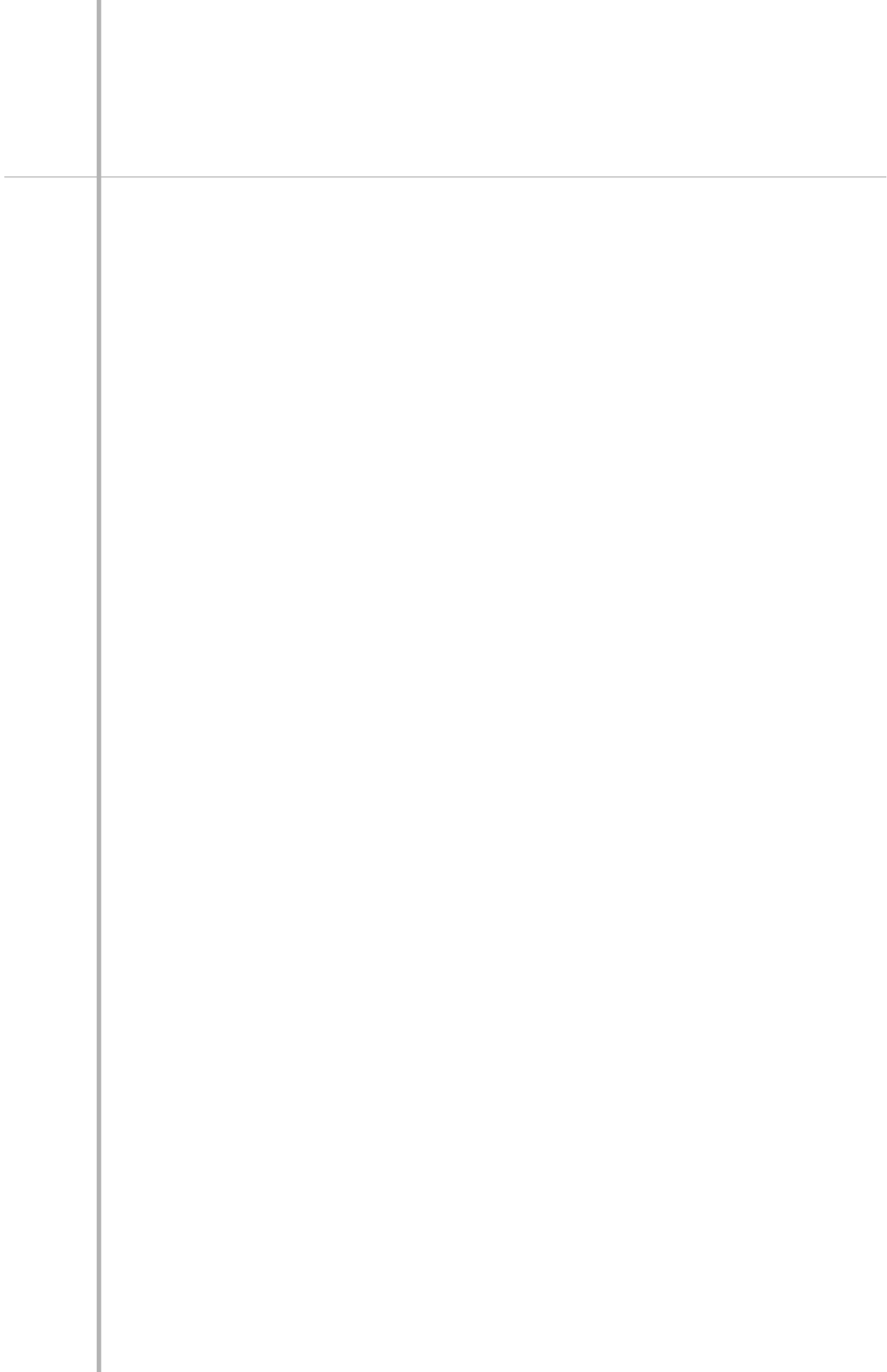
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## PREFACE

Italy has traditionally devoted particular attention to the activities of the United Nations (UN) and its supreme body, the Security Council (SC). Security Council resolutions and, more generally, the policies and initiatives of the United Nations system as a whole, have always been followed and debated with great interest not only by Italian politicians, but also by the wider public. It is therefore not a coincidence that at the beginning of the Nineties, with the reawakening of the debate on changing the composition of the Security Council, the issue quickly turned into a hot national question, mainly due to Italy's fear of being marginalised in a reformed SC. It has always been perceived that such marginalisation in the SC would fail to recognise Italy's international standing. Italy is one of the most fervent supporters of multilateralism; its financial contribution to the UN budget is among the highest in the world (6th) and its participation in international operations ranks seventh. Finally, Italy is one of the EU founding states and a member of the G-8. Today, Italy's interest in the UN is even greater than in the past, particularly in light of its heavy involvement in the Lebanese crisis and its engagement in finding a solution to the serious impasse of the multilateral system, including the stalemate of the European integration process.

On 30 November 2007, the Istituto Affari Internazionali (IAI), Rome, the Centro Studi sul Federalismo (CSF), Turin, and the European Policy Centre (EPC), Brussels, convened a workshop in Rome entitled "The contribution of Italy and the European Union to the collective security

system of the United Nations". The event was organised in cooperation with the Italian Ministry of Foreign Affairs and with the support of the Compagnia di San Paolo. The participants included government representatives from Italy and other EU member states, officials from the UN and EU institutions and academic and other non-government experts from Italy and Europe.

The purpose of the workshop was to draw some lessons from Italy's main achievements and shortfalls *vis-à-vis* the UN halfway through its temporary participation in the Security Council, and to consider new efforts to promote EU common positions, policies and actions in the UN framework more effectively. In order to develop practical analyses and identify viable proposals for an enhanced contribution on the part of Italy and the EU to the UN collective security system, three sessions discussed the workshop's themes, focusing on: proposals for a greater EU role in the UN and the Security Council, Italy's contribution to the policies and reform of the Security Council and Italy's participation in the UNIFIL II mission in Lebanon. A final report sums up the substance of the debate, largely based on the three background papers, which constitute the core of this publication.

G.B.

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# 1. THE EU IN, WITH AND FOR THE UN SECURITY COUNCIL: BRUSSELS, NEW YORK, AND THE (REAL) WORLD

*Sven Biscop and Antonio Missiroli*

The European Security Strategy (ESS) puts great emphasis on the importance of the UN for the success of the EU's view of "effective multilateralism" and its ambition to "share in the responsibility for global security and in building a better world". As the ESS states, "the fundamental framework for international relations is the United Nations Charter. The United Nations Security Council has the primary responsibility for the maintenance of international peace and security". Therefore, "strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, is a European priority".

The ESS is not a legally binding document, and opinions differ about its more or less normative character. As in particular Javier Solana, the High Representative for the Common Foreign and Security Policy (CFSP), likes to underline, it is rather a broad 'doctrinal' text marking the degree of convergence inside the EU, and a set of guidelines for possible action. Still, it also enshrines a number of commitments that cannot and should not be ignored – and the fact that it was drafted and agreed after the spectacular divisions among EU members on the Iraq war (which became apparent also in the United Nations Security Council proper) only adds to its relevance in this respect.

For its part, the Treaty on European Union (TEU) states that "Member States shall coordinate their action in international organisations" and "uphold common positions in such forums". Moreover, "Member States represented in international organisations [...] where not all the Member States participate shall keep the latter informed of any matter

of common interest". Last and certainly not least, "Member States which are also members of the United Nations Security Council (UNSC) will concert and keep the other Member States fully informed. Member States which are permanent members of the Security Council will, in the execution of their functions, ensure the defence of the positions and the interests of the Union, without prejudice to their responsibilities under the provisions of the United Nations Charter".

These provisions, enshrined in Art.19 TEU, have long defined the way in which the EU Members States have coordinated (or not) their policy and voting behaviour at the United Nations. While such coordination has worked better and better - albeit with occasional hiccups on matters of 'strategic' importance - at the level of the UN General Assembly and in most specialised agencies, it has proved patchy and uneven at the level of the Security Council.

This is mostly due to the way in which the two European permanent members of the UNSC, Britain and France, have interpreted the scope of the proviso enshrined in Art.19.2 ("without prejudice..."). To a lesser extent, however, it is also due to the fact that the other EU Member States, whenever elected for two years as non-permanent members, still tend to interpret that mandate as primarily 'national'. This interpretation is certainly true in strictly legal terms, but arguably less so in political ones, especially considering the recent development of EU foreign policy on a number of issues also of strategic relevance (from Iran to the Middle East and Kosovo).

This paper will *not* address the ever-controversial issue of how Europe and/or the EU *should* be represented on the UN Security Council.<sup>1</sup> It will *only* try to assess to what extent the EU manages to speak and act as one within the UN Security Council and to contribute to global peace and security by cooperating/coordinating with UN peacekeeping operations in the field – thus juggling between the ambitions of the ESS, the constraints of the TEU, and the realities of the international system.

<sup>1</sup> See David Malone (ed.), *The UN Security Council: From the Cold War to the 21st Century*, Lynne Rienner, Boulder (Co.), 2004; Jeffrey Laurenti, "What 'Reinforcement' for the Security Council?", in Martin Ortega (ed.), *The European Union and the United Nations: Partners in Effective Multilateralism*, Chaillot Paper No. 78, EU Institute for Security Studies, Paris, 2005, pp. 69-82; and the issue No. 4, October-November 2005 (XL) of "The International Spectator".

## 1. EU coordination in New York – and with Brussels

Today, the EU as such does not have a formal status at the United Nations: only the European Community (EC) has one but as a simple observer. As a result, the Union does not have the legal competence or authority to act on behalf of its Member States – either in the General Assembly or, even more so, in the UNSC.

Yet this does not mean that, politically, the EU as such is entirely absent from the UN. As indicated above, there even are legal impulses for the EU Member States on the UNSC to speak with a single voice (whenever a “common position” applies) and to keep the other partners “fully informed”. However, the TEU does not provide for any formal/binding mandate from the Council to the Member States on the UNSC. Even if and when there is delegation by the Council – in practice, by the Political and Security Committee (PSC) – this can only be an informal one: that is, the Member States on the UNSC still have the possibility of acting autonomously.

Furthermore, there are always several EU Member States on the UNSC, namely between a minimum of two (the permanent ones) to a theoretical maximum of five – if both the two non permanent members elected every other year by the General Assembly from the Western Europe and Others group and the additional one from Eastern Europe happen to belong to the Union – or even six, in the unlikely but still conceivable event that e.g. Cyprus is elected for the Asia group. So there is the possibility that divergent positions are taken by them – although the same Member States do sit in the EU Council and the PSC, and can thus influence decision-making there. Some analysts go as far as to argue that EU overall influence in the UNSC gains from having multiple spokespersons – provided, of course, they spread the same message and sing from the same hymn sheet.<sup>2</sup>

A two-pronged question can therefore be asked: to what extent do the Member States coordinate the positions to be taken on the UNSC in the EU Council/PSC? And, if and when they do so, to what extent are these coordinated positions resounded by those EU Member States sitting on the UNSC?<sup>3</sup>

<sup>2</sup> See Johan Verbeke, “EU Coordination on UN Security Council Matters”, in Jan Wouters, Frank Hoffmeister and Tom Ruys (eds.), *The United Nations and the European Union: An Even Stronger Partnership*, The Hague, TMC Asser Press, 2006, pp. 49-60.

<sup>3</sup> The following paragraphs draw heavily on Sven Biscop and Edith Drieskens, “Effective Multilateralism and Collective Security: Empowering the UN”, in Katie Verlin Laatikainen and Karen E. Smith (eds.), *The European Union at the United Nations. Intersecting Multilateralisms*, Basingstoke, Palgrave MacMillan, 2006, pp. 115-132. See also Hanna Ojanen, *The EU and the UN: A Shared Future*, *The Finnish Institute of International Affairs*, Report No. 13, Helsinki, 2006.

Today, in most scheduled UNSC debates, the country holding the EU Presidency is invited to attend sessions even during deliberations and to illustrate common positions. In practice, it usually makes a statement on behalf of the EU, to which the other Member States on the UNSC routinely refer. Most of the time not only the candidate countries, but also the countries participating in the Stabilisation and Association Process and the European Free Trade Association (EFTA) members align themselves with these EU Presidency statements.<sup>4</sup> Moreover, the EU Presidency has occasionally invited also the High Representative for the CFSP Javier Solana to speak in order to present a common position, whenever applicable. Obviously, neither the High Representative (HR) nor the Presidency has the right to vote.

However, the majority of the negotiations on draft resolutions are conducted by the UNSC members in the caucusing sessions or in informal meetings outside of formal instances. As a result, although the Union has been increasingly visible in the formal UNSC meetings, the degree to which the EU is present and 'tangible' in actual proceedings depends on the extent to which the Member States sitting on the UNSC allow for this. When for instance Germany and Spain announced their intention to offer a seat to the EU Presidency within their delegation during their two-year stint on the UNSC (2003–04), they were blocked by France and the UK.

Belgium and Italy, elected for the period 2007–08, have therefore adopted a much more pragmatic approach, aiming for incremental improvement in the EU presence. It has also to be said that legal and practical hurdles (including the fact that at formal meetings each mission can rely on a maximum of three seated posts at the UNSC table) make it almost impossible formally and permanently to associate an EU Council representative - from the Presidency and/or the HR office - to any national delegation, as e.g. Italy had initially suggested.

There is therefore a fundamental difference between presenting the EU view on certain issues before the UNSC, and any form of joint European decision-making on the UNSC.<sup>5</sup>

<sup>4</sup> In 2004 e.g., the Irish and Dutch Presidencies issued 39 such statements to the UNSC. In line with the comprehensive security approach the EU stands for, the topics included conflict regions like the Balkans (8), West and Central Africa (5), the Middle East (4), Timor-Leste (4), Afghanistan (2), Sudan (1) and Haiti (1), as well as horizontal issues including terrorism (5), non-proliferation (2) and conflict prevention, crisis management and post-conflict reconstruction (7).

<sup>5</sup> See Katie Verlin Laatikainen, "Norden's Eclipse. The Impact of the European Union's Common Foreign and Security Policy on the Nordic Group in the United Nations", *Cooperation and Conflict*, Vol. 38, 2003, No. 4, pp. 409–441.

For many years, the two European permanent members, France and the UK, have given their obligation under Art.19 TEU to provide information about the developments within the UNSC a minimalist interpretation, limiting themselves to answering questions at the weekly meetings of the EU Heads of Mission in New York.<sup>6</sup> Generally speaking, they do not accept any constraint on their position as permanent members – especially not if coming from the EU, as they claim their legitimacy is not regional but stems from the international community at large. They do not refrain - as Chris Hill pointed out - from using their EU membership when it suits them; however, they have also to take into account obligations and loyalties vis-à-vis the other permanent members in order to preserve their trust and cooperation.<sup>7</sup>

This partially changed in January 2001 as the practice of ‘Article 19’ briefings was established. In these weekly briefings - chaired by the Presidency but held at the level of Political Counsellors (not Heads of Mission) - one of the European UNSC members informs the permanent missions of the EU Member States at the UN about the ins and outs in the UNSC. The Iraq crisis, during which these briefings were organized on a daily (and even hourly) basis in an attempt to settle the intra-European disputes, gave this development a new impulse as EU Member States are now mostly briefed at an earlier stage. In addition, briefings are now more forward-looking, as the upcoming week’s agenda and even draft resolutions are tabled. According to an unwritten rule, when EU members on the UNSC distribute documents in the Security Council, these are also circulated among the other EU partners outside of it.

Yet, in comparison to the weekly meetings of the Heads of Mission and the informal contacts in the corridors and antechambers of the UNSC, ‘Article 19’ briefings do not often provide much new information. What is more, even if since 2002 all missions have appointed dedicated UNSC coordinators, these meetings are still devoted to information-sharing (and, at best, consultation) rather than coordination.

<sup>6</sup> See Paul Luif, *EU Cohesion in the UN General Assembly*, Occasional Paper No. 49, Paris, EU Institute for Security Studies, 2003, pp. 16–19.

<sup>7</sup> See Christopher Hill, “The European Powers in the Security Council: Differing Interests, Differing Arenas”, in Katie Verlin Laatikainen and Karen E. Smith (eds.), *The European Union at the United Nations. Intersecting Multilateralisms*, quot. in fn. 3, pp. 49–69; and also Johan Verbeke, “EU Coordination on UN Security Council Matters”, quot. in fn. 2, p. 55.

Recently, Italy has tentatively appointed a 'focal point' within its own mission to liaise permanently with the EU Presidency, and indirectly also with the PSC. This has not always worked out smoothly, but it has nonetheless represented an interesting development in terms of intra-EU coordination, and not only in New York: it could also come to constitute a precedent on which to build in order to spread adequate information across the entire range of 27 Foreign Ministries with very different sources and resources.

On the whole, however (with the exception of the EU Member States having agreed in the spring of 2005 to consult extensively on UNSC resolutions providing for the possibility of economic sanctions against individual Al-Qaida and Taliban members), systematic *ex ante* coordination on UNSC matters is still out of the question, especially for the permanent members. Process, in other words, should not be taken for progress, at least not at face value. Much as regular consultation and a degree of coordination among the UN Directors in the Foreign Ministries of the EU countries sitting on the UNSC have also occurred, in the actual decision-making process the Union's presence proper remains quite limited.

This situation could be improved upon – though certainly not in a revolutionary way – by having more *a priori* debates in the EU institutions in Brussels in function of the agenda of the UNSC: common positions can be upheld, in fact, only if and when they exist. More often than not, however, common positions, declarations and statements adopted in Brussels are too general in nature and contents to offer the right framework for representing the EU view in the UNSC, where decisions have to be more operational and are indeed binding.

On the other hand, as the experience of EU participation in UN Conferences has proved, too detailed and too rigid EU positions end up limiting the room for negotiation with other players, which in turn is very unpractical and also unacceptable for the EU Member States on the UNSC – and especially for Britain and France, who greatly value their position as permanent members (although France sometimes tries to obtain a fixed position from the PSC, notably in cases when the view of Paris may be different from London's).

A balanced approach may thus be required, aiming perhaps at common decision-*shaping* rather than decision-*making* proper, with debates in the Council and PSC setting a common background (if not a specific framework) to guide the EU Member States on the UNSC while leaving them sufficient room for manoeuvre. This would also require that the Council

and the PSC be informed about developments in New York adequately and quickly – in real time, so to speak.<sup>8</sup>

Currently, the involvement of EU Brussels in UNSC New York varies markedly. In the fall of 2007, for instance, the debate in the PSC on the planned EU operation in Chad quickly focused on the specifics of the operational dimension, leaving the Member States in New York free to deal with the political/multilateral dimension of the issue. On the crisis in Burma, on the other hand, the EU institutions were much more politically active, to the extent that some Member States almost forgot the leading role of the UN and the Secretary General's envoy in pushing for a high profile EU-own initiative.

A further element to be factored in is the fact that the EU-27 Heads of Mission in New York are often very senior diplomats at the top of their career, and therefore not very keen on receiving what may look like instructions from their more junior colleagues in the PSC. In addition, staffing tends to vary enormously both between the Permanent Representations in Brussels and, even more so, between the EU missions in New York. And, needless to say, the ability to play a role depends heavily also on sheer human and financial resources, seniority, experience, and networking skills.

Regarding New York, in particular, the quantity and quality of human resources available to the 27 Heads of Mission play a significant role also in determining their respective influence. At least three different layers can be singled out here: a) predictably, Britain and France are the best equipped missions, with personnel amounting to 25/30 people each on a regular basis; b) non-permanent members tend to strengthen their missions for the two years they sit on the UNSC, then to return to a more modest normality: still, marginal differences persist even inside this layer, as e.g. Italy can now (late 2007) rely on up to 25 officials, Belgium on 17, and Slovakia on 13; c) those EU countries who are not sitting on the UNSC are normally the least endowed but, even among them, marked differences exist e.g. between Germany and Spain, at one end, and the smallest Member States at the other (though they do exist also between medium-size EU countries, as e.g. the Netherlands, Sweden and Austria tend to allocate more staff than others).

Still, it is fair to say that in the domain of intra-EU coordination between Brussels and New York some progress has occurred, albeit

<sup>8</sup> See once again Johan Verbeke, "EU Coordination on UN Security Council Matters", quot. in fn. 2, p. 57.

incrementally, since 2003. Such progress was epitomised on 19 December 2007 when the Belgian Ambassador to the UN went before the cameras in the aftermath of the UNSC session devoted to Kosovo and spoke on behalf of not only all 5 EU members (with his four colleagues standing behind him) but also of the EU as a whole (echoing the conclusions of the European Council from the week before) – let alone, for once, the US itself.

Building on that requires dedication, skill, foresight, and also a degree of luck. In the second half of 2008, in fact, two important factors may have a significant impact on this evolutionary process. First, France will hold the EU Presidency, thus being confronted with a potential dilemma between its EU and UNSC roles: the way in which it will decide to play either/both may have an impact on future developments, as from 2009 onwards – if the new Lisbon Treaty (see below) is ratified according to plan – there will be no more rotational EU Presidencies in external relations.

Secondly, in late 2008 the two Western Europe and Others non-permanent seats currently held by Italy and Belgium will be up to a vote in the General Assembly: the countries who have manifested an interest to apply, so far, are Austria, Iceland, and Turkey. If Austria is not elected, from January 2009 the three European non-permanent seats will thus be held by Croatia (recently elected over the Czech Republic for the Eastern Europe group), Turkey, and Iceland – that is, two candidates for EU accession and one EFTA member, but none with an institutional link with the EU Council and the PSC. If so, the link will have to be ensured by the two European permanent members - with all the usual question marks over their interest in genuine EU coordination at the UNSC level.

On the other hand, the suppression of the rotational EU Presidency in external relations is not the only change in the EU foreign policy system foreseen by the new Treaty. To start with, such Presidency will be replaced by an elected President of the European Council, based in Brussels for two and a half years (renewable once), and especially by a High Representative of the Union for Foreign Affairs and Security Policy who will be, at the same time, what Javier Solana is today (HR) and also a Vice President (VP) of the European Commission in charge of external relations. Such double-hatted HR/VP will also chair the Council of EU Foreign Ministers; will be assisted by a dedicated European External Action Service (EEAS), including officials from the Council, the Commission and the Member States; and, finally, will rely on a representative of his own to chair the PSC.

It is perhaps too early to assess the overall impact of this new architecture on the EU foreign policy system at large, as many important details still have to be thrashed out, including the precise impact of the Declaration attached to the Treaty (n.14) on Britain's insistence, which states i.a. that these new provisions "will not affect the existing legal basis, responsibilities and powers of each Member State in relation to the formulation and conduct of its foreign policy, [...] including a Member State's membership of the Security Council of the UN".<sup>9</sup>

As regards EU-UN coordination, however, at least one thing is pretty sure: the Council representation and liaison office that has been set up recently in the Commission premises at the UN - whose details were finalised under the German EU Presidency in early 2007 - to support the rotational Presidency in coordinating EU policy in the UN at large is likely to take up a growing importance and, arguably, also size (it currently includes only a good handful of fully-fledged officials). In fact, it will act under the authority of the HR/VP and thus directly chair the meetings of the EU-27, including possibly also 'Article 19' ones. It will also ensure a permanent link with the PSC chair in Brussels, thus easing and even strengthening the exchange of information and, arguably, the coordination between the two cities. And it is expected also to become an integral part of the EEAS, thus ensuring that all the Member States have adequate representation and input into its functioning. If so, the limited and incremental progress highlighted above may well turn into a quantum leap – though not overnight.

## 2. EU contribution in the field

EU representation in the UNSC, however, is only half of the story: in fact, presence is a means to achieving influence, which in turn is a means to achieving peace and security in the world. In order to live up to its responsibilities and ambitions, therefore, Europe must also be able to contribute to that on the ground. And while its political standing still suffers from a number of limitations, the EU is increasingly active in peace-keeping, crisis management and preventive diplomacy. However, its

<sup>9</sup> For a first assessment see the Joint Study by Egmont, EPC and CEPS, *The Treaty of Lisbon: Implementing the Institutional Innovations*, Brussels, November 2007; and Graham Avery, Antonio Missiroli et al., *The EU Foreign Service: How to Build a More Effective Common Policy*, EPC Working Paper No. 28, Brussels, November 2007.

commitment shows a limited degree of consistency, both geographically and functionally – i.e. in terms of the types of operations undertaken. The EU Member States are certainly not averse to deploying their forces to ensure peace and security outside their borders. Geographically, the large majority is deployed in the Balkans, in Europe's backyard, where the EU and the Member States logically assume major responsibilities; and also in Afghanistan and Iraq, as a follow-up to the interventions – the latter rather more controversial than the former – initiated by the US and coalitions of willing partners that included a number of EU countries.

Furthermore, the large contingent of nearly 8,000 UN 'blue helmets' from EU Member States in Lebanon is a positive example of European commitment and provides an enormous opportunity to increase the Union's standing in the Middle East, if adequate diplomatic follow-up is assured. But it contrasts somehow with the 1,000 troops of EUFOR RDC reluctantly deployed in the capital of the Democratic Republic of Congo in 2006, which, its temporary success notwithstanding, remained an isolated episode and lacked an adequate follow-up. The same applies to Darfur: only after the African Union (AU) took on the operation did the reluctance to intervene give way to intense EU-NATO competition to gain visibility through second-line support for the AU. And only in mid-2007 did the EU start considering - on France's initiative - an operation in neighbouring Chad as an additional and specific contribution. And even then it took the Union several months of wrangling and bargaining before sufficient troops could be mustered for the appointed operational commander to be able to give the go-ahead – thus showing a certain inadequacy at linking strategic thinking with practical implementation.

Participation in other UN operations than UNIFIL II, notably in Sub-Saharan Africa, remains minimal: in July 2007 the EU-27 accounted, Lebanon apart, for less than 3,500 out of nearly 84,000 'blue helmets': just 4.1% of the total. This is consistent with the Department for Peace-Keeping Operations' (DPKO) head Jean-Marie Guehenno's often raised concern about the EU countries' declining willingness to commit their military and police personnel to *UN-led* peacekeeping operations – which is partially offset, however, by the same countries' engagement in *UN-mandated* multinational peacekeeping forces, as highlighted above, and of course by the generous financial contribution of the main EU countries to the DPKO budget.

Member States are still extremely divided over the use of force – both in

general and especially under the EU flag. On the one hand, the so-called Petersberg tasks enshrined in Art.17 TEU (and now refurbished in the Lisbon Treaty) do envisage also high-intensity military peace-enforcement missions. On the other, the European Security and Defence Policy (ESDP) launched in 1999 has translated so far into low- or at best medium-intensity ones<sup>10</sup> – while NATO's ISAF in Afghanistan has escalated into a true and risky peace-enforcement operation. Similarly, the 2004 blueprint for the establishment of EU battle-groups - albeit agreed at 27 and translated into a phased implementation plan - has yet to result in a concrete deployment, under whatever flag.

The EU, in other words, tends to be as selective as possible in the missions it agrees to undertake under its own flag, while things appear more complex when it comes to NATO, *ad hoc* coalitions, or the UN itself. The EU tends – to paraphrase Lawrence Freedman's distinction – to opt only for “operations of choice” rather than “operations of necessity”:<sup>11</sup> short-lived (following the ‘quick in, quick out’ principle) and/or relatively light in nature and scope. The military operation Althea in Bosnia-Herzegovina was a partial exception to that, at least at the outset, and so will probably be the civilian operation expected to take over from UNMIK in Kosovo – the latter, in particular, may well turn into the first EU “operation of necessity”.

One explanation for that is related to the intrinsic difficulty to find not only political agreement but also consequent engagement at 27: since acting as EU is only one option among others, numerous political considerations are often taken into account before deciding to do so. Another (complementary) explanation lies with European public opinion: while it is normally very supportive of humanitarian-motivated operations, in fact, it tends to be much more in doubt when such operations become high-end, risky and costly. The ‘body bag’ test remains a difficult one for many EU governments and publics, let alone the soaring financial costs of protracted military missions in countries far and away from the European continent.

The problem is, of course, that any operation meant to meet the “responsibility to protect” (as articulated by the UN and subscribed to

<sup>10</sup> For an overview see Jolyon Howorth, *Security and Defence Policy in the European Union*, Palgrave Macmillan, Basingstoke, 2007.

<sup>11</sup> In his pamphlet on *The Revolution in Strategic Affairs* (Adelphi Paper No. 318, IISS, Oxford University Press, 1998), Lawrence Freedman famously drew a distinction between “wars of necessity” and “wars of choice”.

by all EU countries) could well start as humanitarian par excellence but end up requiring “robust intervention”. And some EU Member States even have *constitutional* limitations to adhering to such actions. In this respect, UNIFIL-II could constitute rather a remarkable exception than a precedent that could turn into a rule – and it is worth recalling that it turned into a blue-helmet operation only after other options (including a NATO-EU mission under the ‘Berlin-plus’ mechanism and an autonomous ESDP operation) were considered.

Last but certainly not least, EU countries have a problem with available resources. In spite of the large overall numbers of European armed forces - the EU-27 have up to 2 million men and women in uniform - the percentage of deployable ones is rather limited: according to recent estimates, little more than 70,000 have been employed and deployed in UN-mandated operations (under various flags) over the past 5-7 years, often on a rotational basis, i.e. roughly 4 % of the overall pool. This can easily be seen as too little too late, as the ESS indirectly acknowledges; but it is not so bad either, after all, especially if measured against the state of affairs in most EU countries at the end of the Cold War.<sup>12</sup>

Still, many problems have yet to be addressed: the low cost-effectiveness of a plethora of small-scale capabilities; unnecessary intra-EU duplications; the presence of over 400,000 quasi non-deployable conscripts; capability gaps in terms of ‘enablers’ (strategic lift, command control and communications); and, more generally, slow transformation from territorial defence to expeditionary warfare. These problems are likely to affect and limit EU action in the years to come, even if addressed properly and decisively: a substantial increase in deployments is only conceivable, in fact, in the medium to long term.

There are, sadly, too many conflicts and crises in today’s world for the EU to deal effectively with (all of) them, especially in a leading role. Prioritisation is therefore inevitable. Two sets of criteria could help to determine in more detail when and where the EU must lead - or make a substantial contribution to - diplomatic and military intervention, up to and including the use of force if necessary and mandated by the UNSC. First and foremost, the EU must contribute to the resolution of conflicts and crises that are of strategic importance for Europe, its values and its interests. Geographically and functionally, this would certainly include

<sup>12</sup> See the analysis by William Wallace and Bastian Giegerich, “Not Such a Soft Power: The External Deployment of European Forces”, *Survival*, 46, No. 2, Summer 2004, pp. 163-182.

the Balkans, the Middle East and arguably also the Gulf, but a debate seems in order to further clarify the Union's strategic interests. What would be Europe's role in case of conflict in the Caucasus, for instance, or in the Far East, or if vital energy supplies would be cut off?

At the same time, the collective security system of the UN (and the EU itself, in a way, as its main supporter and largest regional group on the UNSC, including two permanent members) can only be legitimate if it addresses threats to *everyone's* security. Too much selectivity, in other words, may undermine the system.

Even though it cannot always play a leading role, the EU must shoulder a significant share of the responsibility for global peace and security by playing a more active collective role in decision-making in the UNSC *and* by contributing adequate capabilities to UN crisis management and peacekeeping operations, either with UN-led blue helmets or through 'sub-contracted' EU-led missions. If any automaticity of availability of troops is difficult, a political decision could be made on the order of magnitude of a 'reasonable' European contribution, in function of which the EU can then act as a clearing house for national ones.

If the European (though not formally EU) commitment in Lebanon is, yet again, a positive example,<sup>13</sup> the current contribution of less than 3,500 blue helmets for the rest of the world and two battle-groups on stand-by for operations primarily (but not exclusively) at the request of the UN means that the EU is still punching below its weight - in Europe, in the Euro-Atlantic area, and in the wider globalised world.

In this domain, the Lisbon Treaty offers once again a promising opportunity to bolster EU capabilities as it foresees the possibility of setting up "permanent structured cooperation" in defence matters. The scheme is mentioned in the TEU and further elaborated in an attached Protocol - both were already incorporated in the ill-fated EU Constitutional Treaty - that also specifies the criteria for the Member States to participate in it. These include the achievement of high military operational readiness through national or multinational force packages, and through pooling and/or specialisation of means and capabilities; participation in "major joint or European equipment programmes"; and increased cooperation with a view to meeting agreed objectives on "the level of investment expenditure on defence equipment".

<sup>13</sup> See Nicoletta Pirozzi, "UN Peacekeeping in Lebanon: Europe's Contribution", in *European Security Review*, No. 30, September 2006; see also Natalino Ronzitti e Federica Di Camillo, "Italy's contribution to UNIFIL II" in this publication.

As such, of course, these criteria leave much room for interpretation – which may well be the point of keeping them relatively vague. Still, if properly articulated (at a later stage) and consequently implemented, they could create additional incentives – based i.a. on being *in* rather than *out* of a new core undertaking – for the Member States to enhance their overall capabilities in this domain. Especially pooling, by reducing intra-European duplications, could produce much more deployable capabilities even within the current combined defence budget resources. This, in turn, is likely to benefit also the international community and encourage the EU to put them at the disposal of the UN whenever there is a common interest to do so.

All the limitations mentioned above notwithstanding, in other words, today's situation is resoundingly better than the realities of just a decade ago. Here too progress has been slow and incremental but tangible – and a quantum leap is as much necessary as it is still hard to perform.

## Conclusion

For the EU in the UNSC, therefore, the challenge in the years ahead is twofold: in order to meet the objectives it has set and the expectations it has generated, in fact, it has to improve the way in which its Member States consult and coordinate on the UNSC, thus filling the existing gap with the way it acts and votes in the General Assembly. And it also has to improve its overall operational capabilities for peace-building missions, both for its own sake (i.e. to make ESDP more credible) and for the sake of the effective multilateralism – centred on the UN system – it has pledged to support and enforce.

In all these domains, tangible progress has occurred over the past few years, but much remains to be done. Constraining factors remain, either at the level of diplomatic culture and instincts (especially in some Member States) or in the willingness to invest more resources (human and financial) in peace-building across the world. The recently signed Lisbon Treaty is expected to spur and further energise the limited progress registered so far in both areas, but much will depend also on its actual implementation. In addition, the task given to Solana by the

December 2007 European Council to conduct (by December 2008) an overall evaluation of the ESS and its implementation to date may come to represent a unique opportunity to review the ambitions enshrined in it – including effective multilateralism – in light of the experience made since 2003.

Ultimately, however, what could prove decisive for the future is the ability to achieve a few ‘successes’ in those crises where the EU has already invested considerable diplomatic and operational capital – be it in Kosovo, sub-Saharan Africa or the wider Middle East. And also, possibly, in the increasingly complex policy domain – lying as it does at the juncture between New York and Brussels, and between diplomacy and peace-building – of imposing sanctions on State and/or non-State actors in order to influence their domestic and international behaviour.

Sanctions, of course, can be imposed for a number of different reasons, ranging from overt coercion to temporary deterrence, or just to send a political signal and make a statement: and both the UN and the EU have used them to such different ends – sometimes in parallel, sometimes not.<sup>14</sup> The record so far in terms of effectiveness is mixed, and the EU has never been really confronted with a potential alternative between acting in conformity with UN deliberations or on its own, although differences in the timing and scope of ‘restrictive measures’ – as sanctions are called in EU parlance – have indeed occurred at least since the 1980s.<sup>15</sup>

The Iran case, however, could create a delicate dilemma for the EU’s commitment to effective multilateralism, especially if the EU is called to enforce new sanctions for which there is no viable consensus inside the UNSC. For their part, Darfur and especially Kosovo are showing how difficult it is to combine the plea for multilateralism (often seen as both a means and an end in itself) and the quest for effectiveness. Also in this respect, therefore, the way in which New York will coordinate (or not) with Brussels is likely to prove a crucial test for the Union’s credibility and effectiveness on the international scene.

<sup>14</sup> For an overview (including also EU-related case-studies) see Peter Wallensteen and Carina Staibano (eds.), *International Sanctions: Between Words and Wars in the Global System*, Frank Cass, London, 2005.

<sup>15</sup> For a detailed assessment see Clara Portela, *The EUs “Sanctions Paradox”*, SWP Comments, No. 18, October 2007, pp. 1-8 ([www.swp-berlin.org](http://www.swp-berlin.org)).



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## 2. ITALY AT THE UNITED NATIONS SECURITY COUNCIL

*Ferdinando Salleo and Nicoletta Pirozzi*

This brief study has been carried out half way through the two-year term to which Italy was elected in the UN Security Council. Therefore it is still too early to be able to make an assessment of Italy's presence in the supreme body of the United Nations. It is not too early, however, to reflect on its role and activity, and to make considerations based on experience and draw a few lessons. It is also an opportunity to answer some key questions. What does campaigning for election to the Security Council (SC) entail? What objectives should Italy pursue in its two-year term in the UN's main body? How is the Security Council going to evolve? Is Italy's presence in the SC only a parenthesis in its general flow with the stream of the world organization or has the time come to reflect on the possibility of developing a more demanding and long-term foreign policy?

### 1. Italy's foreign policy and the United Nations

The United Nations were already a part of the genetic code of the Italian democracy long before the country's laborious admission to the world organization in 1955: the decision to make the safeguarding of security and order a multilateral matter dates back to the Italian Constitution of

<sup>1</sup> See Andrea De Guttry and Fabrizio Pagani, *Le Nazioni Unite. Sviluppo e riforma del sistema di sicurezza collettiva*, Il Mulino, Bologna, 2005.

1947.<sup>1</sup> Exactly sixty years have gone by since the founding fathers, alongside the rights of the citizens, decided to set down the objective of pursuing peace and justice among nations, and prescribed the multilateral option as a reference for the foreign policy of the new Italy as a constituent part of the principles on which the democratic State was built.<sup>2</sup> Art. 11 of the Constitution contains the renunciation of war “as a means for settling international disputes”. The members of the Constitutional Assembly did not mean to legitimate an over-ambitious and intransigent pacifism: theirs was an aspiration towards the ideal, however distant, of a community of nations governed by the rule of law. Without prejudice to the inalienable right to self-defence – set down in the United Nations Charter in 1945 – the Italian Constitution indicates a concrete political choice dictated by realism as befits a middle-sized power like Italy, and singles out diplomacy as the way to deal with crises. Thereby, it set recourse to force, when necessary, in a multilateral framework. In this way, international law and more specifically the organisation’s rules were indicated as the frame of reference for solving crises and conflicts. In the multilateral context, despite the recurrent crises of confidence throughout the latter half of last century, the fundamental role of the Security Council continues to be the focus of the United Nations, not only as a political guide for international security, but also as the hub for the related bodies tasked with specific economic, social, scientific and assistance duties. In the United Nations’ system as it is configured today after the political transformations of the 1990s and the end of the Cold War, the Security Council’s statutory task of maintaining peace has expanded to include not only crises and conflicts between States, but much more frequently today crises within States. Conceived in a context dominated both conceptually and in reality by States and their unlimited sovereignty, the Security Council and the UN as a whole are having difficulty in dealing with the consequences of the weakening of the Westphalian system that survived two world wars – a system shaped by the law and the international sociology conceived after the Thirty Years War and based on the predominance of the State, sovereign within its borders and free from outside intervention, fundamentals which

<sup>2</sup> *Italian Constitution*, Article 11: “Italy repudiates war as an instrument offending the liberty of the peoples and as a means for settling international disputes; it agrees to limitations of sovereignty where they are necessary to allow for a legal system of peace and justice between nations, provided the principle of reciprocity is guaranteed; it promotes and encourages international organizations furthering such ends.”

are still confirmed by the historic interpretation of Art. 2.7 of the 1945 UN Charter. The subsequent profound transformations in a global society that raised the number of members from the 50 founding States to the current 192, including tiny States and so-called failed or failing States, have forced the world to face increasingly frequent internal crises (civil war, ethnic conflicts, revolts, human rights violations) rather than trans-border threats (aggression, territorial claims, etc.). Today, the United Nations appear to be inadequate in dealing with the complexity of crises amplified by the dynamics of interdependence among States which has taken on the characteristics of globalisation. In the same way, the UN has difficulty in dealing with another phenomenon that the end of Cold War bipolarism has made more evident: the active international presence, alongside States, of powerful global non-State players. Some of them pursue recognised and acclaimed causes, such as most non-governmental organizations, others however have criminal ends, such as terrorist groups and international criminal networks, often more powerful than most of the members of the United Nations and above all elusive because they are not linked to any specific territory. Yet they interact aggressively with States.

The UN does not fulfil the Kantian dream of a world government even though it may be "The Parliament of Man", as in the title of historian Paul Kennedy's recent book.<sup>3</sup> In any case, the organisation set up to tackle the defects that brought about the collapse of the League of Nations, prelude to the Second World War, is more a system created by the most important nations after the conflict in an attempt to establish an order that privileges law as the guiding instrument for the construction of political consensus. The General Assembly, ideally the parliament of nations, was designed to consider important problems, and to express and shape the Security Council that would provide for adequate measures to ensure peace and security.

Especially at a time in which, also due to the shortcomings of the UN system, many calls for rejection of the universal organisation - and, more generally, of the multilateral method - are coming from those who in practice are the cause of its impotence, it may be worthwhile recalling that the alternative to the rule of law is the law of the jungle asserted with force, the ancestral "might makes right". If it is true that the mul-

<sup>3</sup> See Paul Kennedy, *The Parliament of Man: The Past, Present and Future of the United Nations*, Random House, New York, 2006.

tilateral method is invoked by the weak, while the strong believe that they can deliver justice by themselves, yet the protection of the weak is in fact the main conquest of the rule of law that characterises advanced societies. And it is the multilateral method that tries to achieve this objective, above all in the United Nations: as Gaetano Martino said in commemorating Dag Hammarskjöld fallen in the Congo, “everything must be done to make strength just and justice strong”.<sup>4</sup>

## 2. UN reform

Does the UN work? Yes and no, rather like most complex entities. Nevertheless, while there is little talk of its successes, its shortcomings and scandals always make the headlines. However, it must be pointed out that the accusations directed at the organization often come from aprioristic adversaries of the multilateral method<sup>5</sup> and by the advocates of a simplistic pretence of realism. In any case, as pointed out by Dwight D. Eisenhower, surely not a dreaming poet, it is better to reform the UN and direct its action than abandon it to irrelevance or, worse yet, strip it of power as the American neo-cons would wish – to control spending by cutting down waste and pursuing efficiency, rather than strangle it financially.

The main critiques underline the discredit that the UN has brought upon itself by its weak action during crises, the lack of control of profligate and unmotivated spending, the huge bureaucracy with personnel nominated on the basis of pressure from member countries rather than merit. Various scandals have broken out recently, from the alleged abuses of the ‘blue helmets’ to the detriment of some African countries to kickbacks to the officials managing the ‘Oil for Food’ programme in Iraq. Undoubtedly, enquiries and punishment, reparation for damages and sentences for the *culpa in vigilando* are meant to dissipate these shadows and restore trust. Yet, besides the fact that numerous *grands commis du monde* brought prestige to the UN, some of them by giving their life for the world organization (from Hammarskjöld to Vieira de Mello), it seems appropriate to ask whether the brunt of these dysfunc-

<sup>4</sup> See Gaetano Martino, *Hammarskjöld and the Future of the United Nations*, lecture at George Washington University, 12 September 1961.

<sup>5</sup> See Jesse Helms, “The American Sovereignty and the UN”, in *The National Interest*, 22 December 2000.

tions and weaknesses should be carried by the United Nations or by the Member States.

The UN is not a third party with respect to its members as is to some extent the case for supranational organizations: the UN is its members, small and large, for they decide on the problems of crises, epidemics and underdevelopment brought before the world's assembly. Or do not decide, in that they are incapable of abandoning their rigid demagogic positions, worried about their particular interests of the moment or reluctant to make available men and funds for missions of peace and global causes, whether economic, social or environmental. The modest – in some cases negligible<sup>6</sup> – results of the commitments solemnly taken on in adopting the Millennium goals, for example, demonstrate the gap between declamatory politics and concrete accomplishments.

In particular, as already mentioned, the Charter entrusts the Security Council, and especially its five permanent members (P5), with a special responsibility. In a way, while the General Assembly is an expression of widespread political sense, the SC is the executive organ in which the P5 are somewhat like a shareholders' agreement, to use a business metaphor: in addition to their permanent presence and veto power, they also have greater responsibility.

Therefore, it is this weakening of the UN role in the major controversies that has made it urgent that the Member States, above all those in the SC, take on a shared commitment to reform. The political causes of the UN's mediocre credibility – the impotence during crises and the loss of prestige of its main bodies – are evident and there is enough agreement on them that it should not be too hard, at least theoretically and speculatively, to sketch out the main principles of a reform. Indeed, those principles were already defined in the Report made public in December 2004<sup>7</sup> by a panel of experts and high-level personalities appointed by then Secretary General Kofi Annan and were taken up by the Secretary General's in his own Report transmitted to the General Assembly in March 2005.<sup>8</sup>

<sup>6</sup> See *The Millennium Development Goals Report 2007*, <http://www.un.org/millenniumgoals/pdf/mdg2007.pdf>.

<sup>7</sup> See *A More Secure World: Our Shared Responsibility*, Report of the Secretary General's High Level Panel on Threats, Challenges and Change, 2 December 2004, <http://www.un.org/secureworld/report2.pdf>.

<sup>8</sup> See Kofi A. Annan, *In Larger Freedom. Toward Development, Security and Human Rights for All*, New York, United Nations, 21 March 2005, <http://www.un.org/largerfreedom/>.

Nevertheless, the reform has come up against the obstacles generated by the power structure created by the Charter and consolidated over time: it would in fact call for a vast consensus including the five permanent members, who are instead hesitant to give up their privileged position. The statutory structure of the Security Council is the main cause for the paralysis of the United Nations, while the next one lies in the low level of prestige of the collegial bodies and the third resides in the inadequacy of the structures meant to deal with crises.

It has been observed that collegial bodies are paralysed when there is disagreement among the major protagonists, and the SC is consequently unable to act because of crossed vetoes. The power of interdiction of the P5 is the root cause of this dysfunction which can only be overcome if an agreement is reached in the wings, on the margins of the body, and therefore to the detriment of its ethical-political authority as a whole.

How can the credibility of the UN's bodies be strengthened? The first thing would be to make sure that the countries that aspire to participating in the elective bodies have the right qualifications. This would restore the authoritativeness those bodies have lost as a result of disputes among members. The collegial bodies' regional representation is set down in the Charter, but its automatic application has frequently generated absurd situations and a kind of internal power system similar to that of the Security Council characterized by forms of patronage or reciprocal vetoes, and a resulting overall passivity. The worst cases have been the election, upon regional designation, of countries that are in violation of the organisation's obligations, even of those for which the specific body they are candidated for is immediately responsible. This mechanism of election based on regional representation cannot be automatic but must comprise the State's qualification on the basis of its behaviour with respect to the principles of the Charter, in particular for the Security Council and for human rights issues, but also for economic bodies and aid agencies.

The Human Rights Commission has been transformed into a partially restricted but not necessarily more effective Council, in which the criterion of equal geographic distribution has once again prevailed over the evaluation of the effective contribution of its members towards the promotion and protection of human rights.<sup>9</sup> The reform of the Secretariat

<sup>9</sup> See General Assembly Resolution A/RES/60/251, *Human Rights Council*, 3 April 2006. On the structure and functioning of the Human Rights Council, see also Natalino Ronzitti, "Dal nuovo Consiglio la speranza di una più efficace politica Onu", in *Affarinternazionali*, 11 April 2006, <http://www.affarinternazionali.it/>.

is still being discussed including the restructuring of the Department for Peacekeeping Operations (DPKO) through the creation of a new Department of Field Support.<sup>10</sup> The Peacebuilding Commission, set up in June 2006 with the ambitious and urgent objective of organising the resources and proposing integrated actions for reconstruction and peacebuilding operations in post-conflict situations, still has to demonstrate its value added in terms of working out strategies and impact on the ground with respect to the plethora of players already working in this sector.<sup>11</sup>

After much hesitation and misunderstandings, the course of the Iraqi conflict has forced the United States to ask the United Nations for a greater commitment and presence in Iraq: this opportunity to reawaken and requalify multilateralism should not be missed. Any reform process will have to set out priorities if the UN is to reacquire its political function, work for non-proliferation and conflict prevention, relaunch its economic and social action, development aid, preventative health care and environmental protection.

### 3. Reform of the Security Council

Pre-eminent is the reform of the Security Council, the body meant to act as an international stabilizer. It is one of the bodies in which the crisis of the UN is most acute but where the problem is also more complex and difficult to tackle. This is due not only to its enormous visibility as the main body of the system and its executive tasks which touch upon the sensitive aspects of all questions, but also to the fact that both supporters and adversaries of the organization aim their hopes and arrows at the SC, their last resort calls and their accusations of paralysis and impotence, as well as the explicit vetoes or threats of veto of some of the permanent members and, as a consequence, the reciprocal political and diplomatic opposition which *de facto* blocks the Council.

Originally designed to overcome the operational deficit inherent in the assembly structure of the League of Nations, the Council was conceived

<sup>10</sup> See General Assembly Resolution A/RES/61/279, *Strengthening the capacity of the United Nations to manage and sustain peacekeeping operations*, 1 August 2007.

<sup>11</sup> See General Assembly Resolution A/RES/60/180, *The Peacebuilding Commission*, 30 December 2005.

as the 'concert' of the major powers: the P5 that in various ways won the Second World War were called upon to sit perpetually as permanent members to ensure the effectiveness of the body. At the same time, the rotation of the minor elected countries was meant to enlarge the political legitimacy of the consensus. The first attempts to open up the membership of the SC took place during the Cold War and the decolonization time: they were concluded in 1965 with a compromise that touched the power structure only marginally and made it possible to increase the number of elected members to the current ten. With the change in the power balance on the international scene and the prospect of a multipolar world, aspirations to a permanent seat arose. After the end of the Cold War, they gradually turned into pressure on the part of Germany and Japan, important economic powers, and more recently of India and Brazil, while South Africa, freed of *apartheid* is now starting to make its weight felt.

The scenario has been complicated by the African Group's request for two permanent seats, one to be attributed to Arab northern Africa and the other to represent the southern, sub-Saharan part of the continent. Europe, on its part, is over-represented under the present conditions because it has, in addition to the two original permanent members France and Great Britain, two elected members from the Western Europe and Others Group (WEOG, an aggregate still representing the divisions of the Cold War which also includes the United States, Israel and Australia<sup>12</sup>), while another elected member represents the Eastern Europe Group (another residual of the Cold War). But what about the non-African Arabs, the Persian Gulf, the Islamic world? What about Oceania?

The opposition of the excluded was immediate and effective. Italy's objections were based on the argument that countries' participation in peacekeeping missions and contributions to the ordinary budget (often greater than those of permanent members) and in special funds should be taken into consideration. These were joined by those of Argentina and Mexico, hostile to Brazil's demands; of Pakistan, Iran and China, contrary to India's requests; and of the Non-Aligned Countries (NACs),

<sup>12</sup> Israel has been admitted in the Western European and Others Group (WEOG) in May 2000. However, its affiliation to this group is limited: Israel can only participate in elections of UN bodies in New York, while it remains excluded from the WEOG for the elections of other UN bodies in the rest of the world. Israel has been excluded for a long time from regional groups at the UN, due to the opposition of Arab States to its admission in the Asian group.

which called for an opening towards developing countries, for the expansion of the Security Council on the basis of the principle of equal geographic division and for a greater role of the General Assembly where they have an ample majority.

In 2004, the panel of experts and personalities designated by Annan put forward two alternative proposals, model A and model B, sanctioned by the Secretary General who did not however exclude in his report other proposals that emerged on the basis of these models. Model A is based on an increase in the number of permanent members from the current five to 11: of the six new seats, two would be assigned to Asia, two to Africa, one to Europe and one to Latin America.<sup>13</sup> Model B calls for an increase in the membership of the Council through the creation of a new category of non-permanent members that would sit on the SC for four years instead of two and could be re-elected. This would translate into an addition of eight new semi-permanent seats, two for each continent, with the main countries in each geographic area alternating.<sup>14</sup>

Model A is close to the position of the countries that aspire to becoming permanent members; model B is a compromise based on the principle of rotation of seats also contained in Italy's proposal. Yet, neither of these two formulas calls for a change in the system of voting in the SC, leaving the five permanent members' veto right as an untouchable privilege. These two proposals opened up a tough and still unsolved dispute between two opposing groups of countries. The four powers that aspire to permanent seats in the SC have compacted into the G-4 Group and have put forward a proposal for enlargement of the SC by establishing ten new seats, six permanent and 4 non-permanent, for a total of 25 members. Two of the six new permanent seats would be assigned to Africa. The veto right would be limited to the current five permanent members for a period of 15 years, after which a decision would be taken on whether or not to extend it to the new permanent members.

An alternative solution put forward by the African Union increases the number of SC members to 26 by adding six new permanent and five new non-permanent seats. The African Union has asked that two of the new

<sup>13</sup> Model A provides also for three new two-year term non-permanent seats. The UN Security Council would then be composed by 11 permanent members and 13 non-permanent members, 24 members in total.

<sup>14</sup> Model B provides also for one new two-year non-permanent and non-renewable seat. In total, the UN Security Council will then include 24 members: 5 permanent seats, 8 four-year renewable-term seats and 11 two-year non-permanent and non-renewable seats.

permanent and three of the new non-permanent seats would be assigned to Africa. These would be in addition to the two non-permanent that it already has and would guarantee representation of the five African sub-regions (Northern, Western, Eastern, Central and Southern Africa).

These proposals have been countered by a group of countries brought together by Italy and other medium-sized powers, such as Spain, Mexico, Kenya, Argentina, Canada, South Korea and Pakistan, under the name *United for Consensus (UfC)*. The *UfC* initiative is aimed at achieving a reform of the Charter agreed upon a broad consensus and which avoid an increase in the number of permanent SC members. It also calls for a more important role for regional groupings, which would be able to decide by themselves on how to elect and re-elect their representatives and how to rotate seats. The members of the Security Council would increase from the current 15 to 25, with the institution of ten new elective two-year seats divided among the present five regional groupings. None of these proposals has managed to gain the upper hand at the moment because of vetoes within the regional groups and among the five permanent members.

But why increase the number of members of the Security Council, permanent or elected, at all? Aside from the ambitions of the various candidates, which consider a SC seat an acknowledgement of their status as a regional power or the solemn reassertion of their real or alleged merits in the implementation of the organization's goals, the two main arguments put forward have to do with, on the one hand, the SC's greater effectiveness if the new major powers were included and, on the other, the UN's objective of democratization. While the latter is rhetorically strong, but doesn't make much sense when referred to a body that is statutorily restricted and elitist, the former calls for a longer discussion. Certainly, the objective of a more realistic representation of the situation of the international community today is a necessity, but a problematic one, for it would throw into question the privileges of some of the present representatives of the shareholders' agreement signed after the Second World War that are no longer great powers, especially if compared to some of the emerging nations. Nor can it be overlooked that it will be much more difficult to ensure cohesion and governance in a larger collegial body, the composition of which would be questioned and subjected to verification – if not actual blackmail – every day by new aspirants. In other words, even though it might make somebody happy, it would not be wise to aim at a substantial increase in the number of permanent and

non-permanent members (the former could not be increased without increasing the latter); on the other hand, substituting aspirants for some of the current permanent members would be impossible.

At the same time, the basically assembly-type nature of the debate and the consequently potentially demagogic sterility of the General Assembly make it clear that the statutory mandate shall be implemented under the leadership of a small group of countries, once there is a general political consensus. This will have to be done in close connection with or under the control of the community of nations united in the parliament of the world. In fact, both authoritativeness and consensus are needed to deal with the crises (not only political or military) threatening the peace, not only for the security aspects more directly involved but also for their deeper causes, that is the equally strategic aspects of poverty, endemic disease, human rights violations and the energy crisis.

#### **4. Italy's ideas for reform of the Security Council. The 1993 Memorandum**

The Italian Memorandum on reform of the UN Security Council of June 1993<sup>15</sup> was sent to then UN Secretary General Boutros Boutros-Ghali by Foreign Minister Beniamino Andreatta - in the name of the newly formed Government of Prime Minister Carlo Azeglio Ciampi - in response to SG's invitation to make proposals for renewal of the UN machine and for accelerating the decision-making process, starting with the Security Council. The document contained both a political proposal and a practical way to exit from the stalemate of reform. Then, as today, reform was hostage to the ambitions, often disorderly even if motivated, of a few members and to the open or more subtle opposition of the countries that have enjoyed a position of privilege since 1945. Furthermore, with foresight and a strong Europeanist inspiration, in 1993 the Italian Government called for a permanent seat for the European Union.

The Italian idea for reform sprang from the need to overcome the criterion of unchecked automatic regional rotation in the election of States to

<sup>15</sup> See Ferdinando Salleo, "Il memorandum di Andreatta a Boutros-Ghali", in *Arel Informazioni*, Supplemento I/2005.

UN collegial bodies, and that this should hold true even more for the Security Council. In the present order, if an agreement is reached within a regional grouping on the candidate to be designated for a vacant seat assigned to the group (the so-called clean slate), the other countries will respect that decision in the General Assembly vote.<sup>16</sup> The automatic application of the regional criterion had led to such absurdities as the presence in the SC of failed or failing States, *de facto* clients of larger powers, or the election to various bodies of representatives of brutal dictators, aggressors or violators of the very principles of the Statute that they were called upon to uphold. Examples are the election to the Human Rights Commission in Geneva of Cuba, Mugabe's Zimbabwe and Libya – the last one even came to preside over it in 2003; of Saddam Hussein's Iraq takeover of the presidency of the Disarmament Commission, scheduled for 2003 had the US-led invasion not taken place; and today of the nomination of Iran to the commission that will plan the Second UN Conference on Racism in Durban in 2009. The discredit to the bodies brought about by the practice of 'blind' election, has diminished the value of decisions and pronouncements, even the wisest ones, issued in the name of the international community.

Therefore, the Italian Memorandum suggested correcting the principle of regional representation by introducing criteria evaluating the conduct and behaviour of candidates especially with respect to UN principles and resolutions. Not set down in the document sent to Boutros-Ghali, but implicit from the preparatory documents, was the implementation of this proposal by strict examination within each regional grouping of the applicants' qualifications to assess the candidate's conformity to the criteria before the candidature were announced in the General Assembly for a vote by secret ballot. The introduction of this preventive political assessment would have substituted a kind of peer judgment on the controversial cases to a public political debate and to a legal procedure for admissibility, both likely to generate controversy and polemics. For the Security Council, the additional criteria for evaluation that Italy

<sup>16</sup> This happened in the latest elections for the non-permanent seats of the African group and the WEOG at the UN Security Council in October 2006. the decisions taken in the two regional groups about the candidates to the elections have been confirmed by the vote in the UN General Assembly: South Africa for the first group, Italy and Belgium for the WEOG. On the basis of General Assembly decision 34/401, paragraph 16, the Assembly is dispensed with elections where there was a *clean slate* from a regional group, but only for subsidiary organs. Therefore, this provision does not apply to the UN Security Council elections, for which the vote in the General Assembly is necessary.

proposed, in addition to conformity to the organisation's rules, were the country's actual ability to contribute to the body and its willingness to take part in implementing its institutional objectives. To this end, Italy pointed to the candidate's internal organization as a guarantee of "effective support, in terms of labour or military force, or support of a different kind". But it also indicated its cultural contribution and, as a sign of civil progress and freedom, its "advanced mass communications technology" with which it could mobilize public opinion in favour of the United Nations.

The idea put forward by Andreatta was to create ten new permanent, but shared, SC seats to be assigned to twenty countries, which would have to be chosen on the basis of the criteria identified above. These countries would have to be grouped into pairs and each would share one of the new ten seats in a semi-permanent way.

## 5. The 1990s

In the second half of 1990s, Italy's action for UN Security Council reform focused on the valorization of the European foreign and security policy and the blockage of any attempt to increase the number of permanent seats. Italy's action on both these issues was hampered by the open opposition or lukewarm acceptance of the majority of the then 15 EU Member States. Nevertheless, Italy managed to achieve in New York significant results, also by taking advantage of its position as non permanent member of the SC elected for the two-year term 1995-96 and as President of the EU in the first semester of 1996. Italian representatives always tried to promote a higher level of information sharing among the EU Member States delegations to the UN and constantly recalled European positions in its interventions at the UN Security Council.

Italy put all its efforts in preventing the surprise allocation of two new permanent seats to Germany and Japan, together with three other seats to countries from Asia, Africa and Latin America to be determined later. Other Member States like Spain, Canada, Mexico, Argentina, Turkey, Pakistan, Egypt, South Korea coalesced around Italy. This group considerably grew over time, coming to include more than 50 countries from Asia, Africa and Latin America in the so-called *Coffee Club*. At the same time, Italy called for a reform of the SC's methods and procedures, in order to guarantee the respect of the principle of equality between Member States embedded in the UN Charter.

In this perspective, it is worth to recall the action conducted by Italy towards a formal confirmation that the two-third majority required in the General Assembly to approve amendments to the Charter concerning Security Council membership must be counted of all 192 current Member States, not only of those present and voting. To insure against tactical manoeuvres or absences that could lead to a distorted decision, a procedural interpretative resolution (53/30, 23 November 1998) of article 108 tabled by Italy with wide support was adopted by consensus. Furthermore, several initiatives were undertaken with the aim of raising the profile of Rome within the UN system. Italy's presence in various UN bodies increased through 27 successful elections. Steps were also taken in order to reinforce the contribution of Italy in the field of peace-keeping, highlighted by the assignment of a higher number of Italian officials to the UN Secretariat in New York, to the establishment a UN Staff College in charge with training of the UN personnel in Turin, and to the creation of a permanent UN Logistic Base in Brindisi dedicated to operations support. By the same token, Italy's commitment to the world organization brought the designation of two Italian generals as commanders of major UN peace operations (UNMOGIP in Kashmir from 1994 to 1996 and UNIKOM in Iraq-Kuwait in 1996-1997), and to the establishment of a multinational force with a UN mandate under Italian command for Albania (Operation Alba in 1997).

## **6. The stalemate in reform. The new Italian proposals**

In 2005, Italy promoted the *United for Consensus* movement which brings together countries that are quite different from one another but share the same objective of working towards a reform of the Security Council that would enjoy broad support and make the UN more efficient and transparent in its composition and functioning.

The main lines of Italy's position on SC reform, shared in the *UfC*, are, first of all, firm opposition to an increase in the number of permanent seats, as this would inevitably be detrimental to Italy. Instead, it seeks broader participation in the SC through the admission of new non-permanent members, in particular developing countries and from regions under-represented. Furthermore, Italy advocates that SC members should be more responsive towards the regions they represent, especially through election/re-election and rotation mechanisms within the regional groupings themselves. Finally, Italy believes that institutional

recognition must be given to the ever greater role that is being taken on by regional organisations. In the Italian proposal, this principle translates into a flexible approach to regional representation which combines recognition of the importance of regional groupings with an assessment of the candidate country's actual contribution to the UN system. The long-term goal is a permanent seat for the European Union or, in any case, a genuinely European approach by EU members to matters dealt with in the Security Council.

These main lines of action have been confirmed in the positions taken by the Italian Government in response to recent developments on reform during Italy's mandate as a non-permanent member of the SC. The main trends that emerged after the presentation of the Panel's report and the Secretary General's report persist: there is a sharp division between the members of the G-4 and those of the *UfC* movement, while the African Group is pressing for adequate recognition in the SC, but seems to be giving in to growing pressure from the aspiring permanent members.

During 2007, two groups of Facilitators have been appointed by the President of the General Assembly in order to overcome the stalemate generated by the cross-vetoes of the two sides. The first group of five Facilitators was tasked in February 2007 with carrying out consultations on the following questions of SC reform: composition, veto power, regional representation, enlargement, work methods and relations with the General Assembly.<sup>17</sup> Two more Facilitators were charged in March 2007 with conducting bilateral consultations with Member States and groups of Member States to work out proposals on how to continue the reform process on the basis of the report of their five predecessors. The results were presented to the General Assembly on 26 June 2007.<sup>18</sup>

Once it became clear that none of the proposals put forward by the various groups had any chance of prevailing over the others and of being concretely implemented, the report suggested agreeing on a transitory solution that would call for the creation of a new category of SC mem-

<sup>17</sup> See *Report of the facilitators to the President of the General Assembly on the consultations regarding the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council*, United Nations, New York, 19 April 2007.

<sup>18</sup> See *Report to the President of the General Assembly on the consultations regarding "the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council"*, United Nations, New York, 26 June 2007, <http://www.un.org/ga/president/61/letters/SCR-Report-26June07.pdf>.

bers, at present not foreseen in the UN Charter. Suggestions included extended seats allocated for the entire duration of the transition period, or for a period that is longer than the two years currently established for non-permanent members, with or without the possibility of re-election. The report also raised the question of veto power and ways of limiting its use. An integral part of the proposal for an interim solution was to insert a clause that calls for the revision of what has been agreed upon for the transitory period and the completion of the SC reform. On the modality of the reform process, it suggested going ahead with intergovernmental negotiations on the basis of a text that includes the options outlined by the Facilitators rather than continuing consultations.

On September 2007, the members of the General Assembly reached a consensus on the previous year's report of the Open-Ended Working Group (OEWG) which has been meeting annually since 1993 to consider the problem of SC reform. This report formally put the question of SC reform on the agenda of the 62<sup>nd</sup> session of the General Assembly and made explicit reference to the method of intergovernmental negotiation for reaching concrete results.<sup>19</sup>

An alternative to the OEWG report (Draft Resolution L. 69) presented by Brazil, India and South Africa, together with various smaller and developing countries, contained a detailed list of matters that should be the object of result-oriented intergovernmental negotiations for reform of the SC. Among them were an increase in the number of both permanent and non-permanent seats; greater representation for developing countries and economies in transition to bring it in line with contemporary reality; an improved SC work method; equal geographic distribution; and a revision clause.<sup>20</sup> This report was later withdrawn in favour of the OEWG report mentioned earlier.

Some of the elements of the reports of the Facilitators' and the OEWG work are congruent with the Italian position on SC reform. In particular, the reference to the need to find a solution that is not divisive and is based on the widest possible consensus is one of the cardinal aspects of the *UfC* proposal; another is the proposal to continue the reform

<sup>19</sup> See General Assembly, *Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Council*, A/61/47, 14 September 2007.

<sup>20</sup> See General Assembly, Sixty-first session, Agenda item 111, *The Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Council*, A/61/L.69, 11 September 2007.

process through open negotiations rather than consultations on the basis of models and the predefined positions of the various interest groups. In his speech at the opening of the 62<sup>nd</sup> session of the General Assembly, Italian Prime Minister Romano Prodi stated again that Italy is firmly opposed to any proposal for reform that would call for the institution of new permanent SC members while it is in favour of a strengthening of the presence of large regional actors in the sense of introducing their presence in the Security Council.<sup>21</sup> In recent months, a number of noteworthy parliamentary and government initiatives have been promoted by Italy with the dual aim of reviving the national debate on SC reform and giving new impulse to the process at the UN. One of these is the initiative of the Chairman of the Senate Foreign Affairs Committee, Lamberto Dini, to start a survey on the prospects for UN reform. Furthermore, the Italian Government promoted a ministerial meeting of the *UfC* Core Group in New York on September 2007, also attended by representatives of China and Indonesia, aimed at coming to an agreement on a common line of action in view of a possible interim solution as outlined by the Facilitators' Report.<sup>22</sup> The meeting did not discuss or update the *UfC* proposal, but only confirmed the participants' willingness to support a negotiation-based approach, the contents and methods of which would have to be discussed in a new round of consultations and inside the OEWG.

More recently Italy firmly opposed the proposal put forward by Germany to organise a formation of a so-called Overarching Group, which would start working on text elements to be considered for further negotiations in the following categories: size of the Security Council, categories of membership, the question of veto, the election procedure for new members, review and working methods. Germany also added they would not rule out a solution involving a two-step or intermediary approach. Italy fears that the German initiative could derail the current process, which should remain centred on the OEWG, or even lead to the remittance of the decision on reform to a small group of States.

One of Italy's signature initiatives that surely deserves mention is the campaign for a moratorium on the death penalty, something Italy has

<sup>21</sup> See *Statement by the Prime Minister of the Republic of Italy Professor Romano Prodi to the 62nd General Assembly of the United Nations*, New York, September 25, 2007, <http://www.un.org/webcast/ga/62/2007/pdfs/italy-en.pdf>.

<sup>22</sup> Argentina, Costa Rica, Malta, San Marino, Spain, Colombia, Mexico, Pakistan, Turkey, Canada, China, South Korea and Indonesia took part in the meeting.

been fighting for a long time and which it promoted in Europe in 2006. Urged by Italy, the EU Presidency presented to the General Assembly in December 2006 a “Declaration of association” on the moratorium and abolition of the death penalty. It was signed by 85 States but was not put to the vote because of the lack of support from a majority of UN members. On 14 May 2007, the EU’s General Affairs and External Relations Council (GAERC) mandated Italy and the German EU Presidency to draft a resolution and to find as many co-sponsors as possible in view of its presentation to the General Assembly. Consensus gradually grew and Italy worked in close contact with the current Portuguese EU presidency to keep the proposal high on the agenda. The resolution of a moratorium for the death penalty was tabled at the United Nations on 1 November 2007. The text was presented to the Third (Social, Humanitarian, Cultural) Commission by a group of 87 States - led by Albania, Angola, Brazil, Croatia, Gabon, Mexico, New Zealand, the Philippines, Portugal on behalf of the European Union, and Timor East – and the resolution was approved on 15 November 2007 with 99 votes in favour, 52 against and 33 abstentions. The moratorium was then ratified by the General Assembly with a majority of 104 votes in favour, 54 against and 29 abstentions on 18 December 2007, during Italy’s presidency of the Security Council.

## **7. The arithmetic of enlargement**

The special international position that SC permanent members enjoy led many countries to seek candidatures, in the 1960s already, to the group of Five powers that won the Second World War. In addition to invoking the anti-historical nature of the original membership choice and of a power structure that no longer represents the global balance, the argument used by numerous advocates of an increase in the number of permanent members concerns the need to strengthen the regional set-up foreseen by the Charter, and a call to make the SC more democratic. As mentioned, the P5 resisted, granting only an increase in the number of elected seats.

In addition to the political reasons for keeping the permanent seats exclusive, the governance argument also surfaced in Washington’s attempts (likely shared among the other Four) to contain the size of the SC and control the debate, bearing in mind that the SC vote continues to have important political value and a strong international echo. The

political-arithmetic theory is based on the fact that, with the exception of the rather predictable cases leading to a veto which are in any case the object of direct negotiation, the five permanent members vote together on most issues of the governance of the organisation, as historical records seem to show. In other words, the main concern that unites the P5 in managing the SC, with the exception of sharp divergences, is to keep the protests of some countries from playing on revisionism and populism and ending up with a vote that would outweigh and embarrass the great powers.

From that point of view, the SC should to this end have no more seats than would allow for an orderly majority – i.e. friendly and in any case controlled – with a view to insure some degree of certainty, as is the case today with at least nine of the 15 current members. Within them, aside from the P5, are the two representatives of the Western Europe and Others Group, the representative of the Eastern Europe Group and, to date, the two representatives of Latin American and the Caribbean (which explains the fight to exclude Chavez' Venezuela from the election). Under these circumstances, in order to keep control over the SC, the overall number of seats should not increase to more than 20 or 21, considering a regional attribution of new seats that would maintain a favourable balance. Till now, this has been the accepted theory: nevertheless, the crises and the differences that characterise today's international disorder, the increase of populism (the Chavez case, solved with difficulty, was a signal) and the widespread tendency towards intrigue and coalitions, probably warn against increasing the number of elective seats to many more than they are now.

## 8. The politics of enlargement

No one seriously disputes the fictitious nature of the P5, chosen more than fifty years ago for known historical reasons and in global conditions quite different from the present ones. Yet it is evident that instituting even one more permanent member would open a Pandora's box of claims. The *beati possidentes* have no intention of sharing the privileges from which they benefit in terms of power and national prestige.

First of all, the veto: it seems reasonable to rule out that the P5 will want to grant this already controversial right to Japan, Germany, India and Brazil, much less to South Africa and a North African State (given that Africa is asking for two seats). Aware of this obstacle, the aspirants to

the new seats have made it clear that they would be willing to renounce the veto at least for a time, thereby creating a new intermediate category. But the privileges extend to practically all or almost all of the organisation's structures, from the appointment of the Secretary General, for which they have nomination and exclusion rights; to the Secretariat, in which the P5 have the most important positions; and the collegial bodies in which they are almost always represented, with the exception of some cases which immediately make the headlines, such as the exclusion of the United States from the Human Rights Commission in 2001.

## 9. The diplomacy of enlargement

The diplomacy of enlargement is dominated by envy and emulation games among the aspirants as well as among the permanent members. Each of the P5 has promised to support some (or all) of the official aspirants in the awareness that some other permanent member will directly or indirectly oppose it. Thus China opposes Japan and India; Washington was lukewarm towards Schröder's Germany, after having been more favourable to the country under Kohl (and what about under Merkel?) and promises to support Japan as long as it is the only candidate to receive a new permanent seat (an obviously impossible condition); Moscow remains non-committal towards the aspirants; the opening towards Berlin's designs disguises the muffled and unconfessed hostility of Paris in search of political primacy on the continent (increasingly undermined by Germany) as well as of London which sees its UN status as a guarantee of its global role more weakened and costly every day.<sup>23</sup> As a result, the old rule for negotiation of an unsolvable problem still holds: *tenir la dragée haute* for the candidates without antagonising them – for evident diplomatic reasons – but also without ever putting forward solutions to the problem. The P5 thus allow Argentina, Pakistan, Mexico, Italy and the other candidates that fear exclusion to protest, strut and fret, and make promises, but without worrying about the consequences within the organisation, as they are protected by their veto power. In fact, any change to the Charter has to be approved by two thirds of the members of the General Assembly in good standing

<sup>23</sup> France and United Kingdom are the two permanent members which are most contested by the countries aspiring to permanent seats at the UN Security Council. Less contested are United States, China and Russia.

and then ratified by two thirds of the Member States, including the permanent members of the Security Council who can use their veto regardless of the outcome of the vote in the Assembly.<sup>24</sup>

Enlargement diplomacy is carried out both in the UN General Assembly and on a bilateral level with characteristics that in some ways recall the practice of domestic politics, in other ways, lobbying and marketing techniques. It is in the General Assembly that the aspirants present their proposals calling for an increase in the number of seats, both permanent and elective, in the hope that the widespread aspiration of many small and medium-sized countries to acquire one of the latter will win them over to vote an increase in the former.

The *captatio benevolentiae* turns out to be useful in New York, even in very minor questions, by courting States that share some intentions and which have to be won over to the cause, especially the small and distant ones that are unfamiliar with the intricate dynamics of the international scene. In the end, however, the acquired consent is suited more to local UN wheeling-and-dealing than to durable political alliances on important issues. New York politics can be a 'double-edged sword' that has to be used carefully without losing sight of the general context because countries' political susceptibility becomes more acute in the monocultural atmosphere of the East River. In fact, the hostility manifested in the organization towards adversaries – something quite different from opposition on specific political issues – inevitably bears heavily upon relations between States which then react adversely in other theatres. Similarly, an openly impedimental or revengeful action can be harmful to the claim to be working for the benefit and improvement of the organization. The negative consequences of the lack of caution in diplomatic action in New York then emerge in a 'no' vote or in the lack of support for an aspiration.

But even more than in the organisation's everyday dealings, it is in the capitals that bilateral diplomacy has to win over the allies that count, above all the countries, Atlantic and European, that are homogeneous or most similar to us, as well as connect effectively with countries linked by vigorous economic and cooperative, as well as political relations to

<sup>24</sup> *UN Charter*, Article 108: "Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council".

our country. In reality, the credibility of a broad diplomatic action depends on the credit that a country enjoys with the others and which becomes evident within its geographic grouping, whence it reverberates to third countries. On the international scene, but perhaps also in the domestic one, peer judgment has a decisive weight in the assessment of the policies of a player.

In addition to its intrinsic ethical and political value, development aid also plays an important role in winning over many Third World countries to one's cause. This is especially true if it is done in a way that is linked to the objectives and activity of the United Nations. It can also be a potent tool for attracting the beneficiary governments, but it must be managed without dispersion and with exemplary responsibility and transparency.

Besides the diplomacy of interdiction, aimed at preventing an increase in the number of permanent seats which would exclude Italy, there is also pro-active diplomacy, the objective of which is to put forward innovative proposals that attract consensus for alternative solutions to a problem and make approval for those that would be damaging more unlikely. A country's prestige and its ability to obtain the support of the countries in its cultural sphere is essential. It impacts positively on the others and constitutes the foundation on which to base the entire action; it is a fundamental element of the international peer judgment on which, as mentioned, the country's prestige and authority are based.

## 10. Being in the Security Council

For years, many countries proclaimed their 'historic' aspiration to a role on the international scene and a presence in its institutions, but then dedicated short attention, little or no analysis and human resources and only mediocre funding to their foreign policy, until the sudden reappearance of the old craving or the reawakening of a concrete interest or an emotional jerk from the media obliged the public opinion to discover distant crises and forced the parliament and the government to take a position and at times even concrete action. The international order shaped by globalization, economic and financial interdependence and the invasiveness of the information society brought countries and peoples closer together. It has also made borders more porous and actors more aware of the fact that they are faced with the same risks and problems. Thus, being elected to the Security Council is a chance for a coun-

try to move into the spotlight, even if only for a short time, a fact that has important consequences on its ability to manage foreign policy not only in an episodic and occasional way. It is a litmus test for the credibility of its ambitions and its ability to take on a continuous and consistent role in the international order or, alternatively, for the choice to swim with the current, or limiting itself to selling its vote to the highest bidder and waking up only when some brusque event jolts the country back to the duties of its tradition and status.

For all countries, especially the medium-sized and large States that have an international projection, a two-year term in the Security Council highlights the persistent value of the “principle of responsibility”. In other words, what is considered the fundamental element of a government’s political weight at the global level is the willingness and the ability to take on its part of the responsibilities of the international community in pursuing peace and security.

A special aspect of the principle of responsibility is the international media coverage of the Security Council. Inevitably, its members have to take positions on the sensitive issues of the day, even if these will not necessarily be put to the vote – positions that will bear on their relations with the various parties to the dispute as well as on domestic politics at home. The relative disinterest of the public opinion for the work of the General Assembly with its negligible consequences, at least in the immediate future, allows a large number of States to swim with the tide, or not even to take part in the debate. To the contrary, the work of the Security Council, by its nature and the kind of crises it has to deal with, as well as the possible operational consequences, draws attention and underlines the differences between States. As a result, it is essential that every diplomatic move be prepared and decisions and declarations explained. The media coverage of the positions of the SC members on each point in discussion makes it imperative that, especially for those governments that consider their presence in the SC an instrument of power, the consequences of each decision at both the international and the domestic level must be considered. It should not be forgotten that these consequences should be foreseen, *il faut vouloir les conséquences de ce qu'on veut*.

When a country is a member of the Security Council, communication at the national and international level is all important. But careful: communication is not spin, that is mere declamation and propaganda. The effectiveness of communication lies in the clarity in determining its purpose and defining its ends. Each government requires the support for its foreign policy of its people, parliament and political forces. This is even

more true when the international action is exposed to the judgment of other governments with the immediacy that the Security Council confers upon all discussions and deliberations: it is a difficult test that has to be passed daily. Analogously, in the Security Council a country is tested daily for its ability to pursue its foreign policy in the United Nations by severe and not always friendly judges, that is the other governments. Each country's foreign policy is obviously the expression of its national interests or rather of the people's and government's perception of them. It has to be expressed as a function of the country's foreign projection and its identity, represented by the political force of its values and the vigour of its economy on foreign markets – in brief, by the strength of its international presence which translates into concrete political and economic activity. The process of shaping a foreign policy starts out from an awareness of values. These are then translated into the principles needed to implement it, which are in turn transformed into political and planning directives (definite objectives and means congruent to the ends). Finally, these directives are enacted into concrete political and diplomatic initiatives. A SC seat offers a country the opportunity to define its ideal profile and its ability to put the necessary means at its disposal.

Realism and idealism, wrote Roberto Ducci, have vague confines in politics, but the ideal always has to commensurate to the possible.<sup>25</sup> It is not enough to proclaim a commitment to a noble cause; select initiatives have to be advanced. Conversely, it is not necessary to be sure of success; values, above all those of identity, and the causes to be promoted have to be projected internationally. This means that initiatives have to be chosen that reflect recognizably Italy's values and can attract enough consensus to be able to move ahead. In this respect, the action carried out by Italy with passion and without too much concern for political circumspection and the calibre of the adversaries to get the United Nations to declare a moratorium on capital punishment is a case in point. Above and beyond the intrinsic value of the initiative, bound to broaden the international awareness of the superiority of humanistic justice, it is not without merit that Rome chose to involve the UN, thereby strengthening *erga omnes* the multilateral method which Italy publicly supports and on which it confers a fundamental role in its foreign policy choices.

<sup>25</sup> See Roberto Ducci, "Fare l'Europa", in *Cosmopolita*, 1944, in Roberto Ducci, *Le speranze d'Europa (carte sparse 1943-1985)*, Rubbettino, Soveria Mannelli, 2007.

## 11. Signature initiatives

Today, Italy is present in various UN bodies: besides having been elected with a landslide vote (185 out of 192 votes) to a non-permanent seat in the Security Council for the 2007-08 two-year period after its candidature was sanctioned by the WEOG Group to which it belongs (making it the European country with the most SC mandates), Italy is a member of the Council for Human Rights for 2007-10<sup>26</sup> and participates in the Peacebuilding Commission as a member of the group that provides the UN with the most funding. Italian representatives sit on the International Criminal Tribunals for the Former Yugoslavia and for Rwanda, and on the International Criminal Court, the Committee on the Rights of the Child and the Commission on the Elimination of Discrimination Against Women. Yet, as Andreatta wrote in 1993, “under the new international conditions, it is not enough to belong, we have to work, demonstrate, qualify ourselves with our presence and our weight”.<sup>27</sup> Thus, Italy is called upon for the remainder of its term in the SC to undertake initiatives that can help to shape the image of a country that is active on the international scene with proposals that will be followed up by concrete implementation actions.

Italy’s credentials at the UN already include a significant commitment in terms of men and treasure in numerous peacekeeping operations, an essential function of the SC, carried out under the UN’s aegis.<sup>28</sup> Italy also contributes almost 5 percent of the UN’s ordinary budget, which puts it in sixth place in the contributors’ ranking.<sup>29</sup> This fundamental contribution to the UN should be adequately acknowledged and trans-

<sup>26</sup> The two WEOG seats have been assigned to the Netherlands (121 votes) and to Italy, which received 101 votes against the 86 votes given to Denmark.

<sup>27</sup> See Beniamino Andreatta, “Una politica estera per l’Italia”, in *Il Mulino*, n. 5, September-October 1993, p. 881-891.

<sup>28</sup> As at 31 May 2007, Italy is the 7th contributor to UN operations in terms of military and police forces in UN peacekeeping operations with 2.588 personnel, following Pakistan (10.619), Bangladesh (9.677), India (9.342), Nepal (3,635), Jordan (3.573) and Ghana (2.926). Among the EU countries, Italy is followed by France (the 10th contributor with 2.074), Spain (the 19th contributor with 1.161), Poland (the 23rd contributor with 966) and Germany (the 25th contributor with 938). The United States are the 42nd contributor, with 314 personnel. See [http://www.un.org/Depts/dpko/dpko/contributors/2007/may07\\_2.pdf](http://www.un.org/Depts/dpko/dpko/contributors/2007/may07_2.pdf).

<sup>29</sup> As at 30 May 2007, Italy is the 6th contributor to the UN regular budget, with 101.618.334 US dollars, following the United States (with 493.166.893 US dollars), Japan (with 332.605.470 US dollars), Germany (with 171.604.735 US dollars), United Kingdom (with 132.890.130 US dollars) and France (with 126.067.557 US dollars). See <http://www.italyun.esteri.it/italyun/docs/adm-budg/regbudg.html>.

lated more effectively into political weight in the important discussions and decisions in the SC.

In January of this year, Antonio Cassese wrote that one should not have too many illusions about the role Italy can play as a non-permanent member of the SC, since the SC's operational rules limit its political role to those cases in which there are serious contrasts between the P5 and there is still some room for mediation on the questions at hand.<sup>30</sup> Yet there are margins for action and influence for Italy that could be used in the coming months by means of initiatives in the institutional, political, economic, social and security fields – initiatives that could be successfully completed in the remaining year of Italy's mandate or could be carried on by others, while continuing to bear Italy's name and imprint. The revival of the Doha Round of trade negotiations, the environment, energy, non proliferation, the fight against endemic disease are all, for example, causes that are deeply and widely felt.

The most important of the political-institutional initiatives is Italy's campaign to make 'European use' of its SC seat. This refers to its intention to promote the progressive harmonisation of the positions of the EU members of the SC and to favour the maturation of a EU profile. Since 1993 Italy has been fighting for a more important role for the European Union in the Security Council through the creation of a permanent EU seat, in line with the genuine Europeanist spirit that has always marked its foreign policy and with the aim of preventing a SC reform that would disfigure the European presence by assigning a seat to Germany rather than to Europe. A solution of this kind, in fact, would only consolidate the *directoire* of France, Germany and the United Kingdom that seems ever more clearly to be replacing the defunct Franco-German axis, and weaken the action of Europe's Common Foreign and Security Policy (CFSP). After its election, Italy put forward a proposal to integrate a representative of the European Union Presidency and of the High Representative for CFSP into its delegation. This was given up because of strong opposition from France and Great Britain and a lukewarm reception from Germany, which was to hold the EU Presidency at the beginning of Italy's mandate in the SC. Italy has therefore concentrated on promoting European positions, constantly drawing attention to the European point of view in its SC interventions and setting up a 'focal point' at its headquarters in New York

<sup>30</sup> See Antonio Cassese, "L'importanza delle battaglie perse", in *La Repubblica*, 3 January 2007.

for continuous contact with the other EU countries' representatives, with the EU Presidency and the Council Secretariat. Finally, Rome has urged that a much more effective coordination mechanism be devised among European SC members and between them and the other European countries in an attempt actually to implement Art. 19 of the Treaty on the EU.<sup>31</sup>

The objective now is to consolidate the positions reached by setting up formal coordination mechanisms between the Union's Member States that can survive Italy's presence in the SC. This comes up against the determined opposition of the two European States that are permanent members to any kind of close preventive coordination and even more to a European mandate for their action.<sup>32</sup> Italy's task will be to have a text approved in Brussels that contains the innovations introduced, perhaps by picking up on and expanding an analogous text drafted by Germany, France, Spain and the United Kingdom (then SC members) in 2002 and later shelved because of the internal divisions generated by the Iraq war. Another field in which Italy can make an important contribution is the reassertion of the multilateral approach in conflict prevention and crisis resolution, as well as in stabilisation interventions and post-conflict rehabilitation. The Italian Government has already demonstrated that it can perform this task with its contribution to the deployment of the UNIFIL II operation in Lebanon. Strongly requested by Italy, the oper-

<sup>31</sup> In particular: targeted meetings in the EU capitals among the five EU members of the UN Security Council at UN Directors level aimed at preparing joint initiatives; monthly meetings among the five Permanent Representatives and Coordinators to the UN in New York; discussions at the Political and Security Committee (PSC) of the EU Council in Brussels on issues that are in the UN Security Council agenda; greater exchange of information on the *week ahead* at the UN and enhanced coordination among the heads of mission of EU members in new York in the framework of the weekly article 19 meetings.

<sup>32</sup> In contrast with the need for a better coordination between the EU members of the UN Security Council is the declaration No. 14 annexed to the Final Act of the Lisbon Treaty: "[...] the provisions covering the Common Foreign and Security Policy including in relation to the High Representative of the Union for Foreign Affairs and Security Policy and the External Action Service will not affect the existing legal basis, responsibilities, and powers of each Member State in relation to the formulation and conduct of its foreign policy, its national diplomatic service, relations with third countries and participation in international organisations, including a Member State's membership of the Security Council of the UN. The Conference also notes that the provisions covering the Common Foreign and Security Policy do not give new powers to the Commission to initiate decisions or increase the role of the European Parliament. The Conference also recalls that the provisions governing the Common Security and Defence Policy do not prejudice the specific character of the security and defence policy of the Member States".

ation under UN aegis has come to be appreciated for its multilateral nature, its Mediterranean dimension and its peacemaking mission. Italy has the most Blue Helmets in the operation (2379 as compared to the 1578 seconded by France, the second contributing country) and took over operational command on February 2007.

It is also upon Italian urging that a new Strategic Military Cell has been set up in the DPKO in New York. The objective was to rationalise the procedures for management of UN missions which, up to that time, had impeded the Blue Helmets employed in crisis and conflicts from taking rapid and effective action. This has meant setting of a direct chain of command between the commander on the field and the strategic cell headed by the UN Secretary General. Despite the obstacles that arose in the first few months of the Cell's operation as a result of lack of a precise division of competences with the DPKO, this innovation could make an important contribution to the implementation of the expected reform of the peacekeeping department. The challenge is to extend this unity of intent at the international level to other crisis scenarios in the Middle East area, above all Israel and Palestine, once political conditions will allow it.<sup>33</sup>

In keeping with this reinforcement of multilateral dynamics, another urgent question is Kosovo. Here Italy has been seeking the definition of a status that is both agreed upon and legitimated by the UN, also in order to avoid dangerous internal divisions in the European Union which could arise in the event of stalled negotiations, a Russian or Chinese veto or a unilateral declaration of independence in Pristina. Any of these circumstances would hinder the initiatives planned for the stabilisation of the region, above all the deployment of a European mission to replace UNMIK. Nevertheless, the situation evolves and calls for a concerted decision – first among Europeans – that might bring to Italy's acceptance of an interim solution.

Darfur is another conflict scenario for which a SC intervention appears to be urgent. On 31 July 2007, the Security Council approved Resolution 1769 authorising the deployment of a joint UN-African Union mission of 26,000 troops including military and police personnel to facilitate the peace process in the region. Italy is among the main funders of the mission and has agreed to provide air transport and helicop-

<sup>33</sup> See *Italy in the UN Security Council (2007-2008)*, Dossier Farnesina, Ministry of Foreign Affairs, July-August 2007, <http://www.esteri.gov.it>.

ters as well as to participate in training programmes. A political meeting with donor countries in Rome is being considered.

Italy is also operational on various fronts in Afghanistan: in addition to the significant contribution of Italian contingents to the ISAF mission and of humanitarian assistance and development aid initiatives in Kabul and the Afghan provinces, the Italian Government has also taken on, as a member of the UNSC, the role of *rapporteur* on Afghanistan, contributing substantially to the renewal of the mandate for Unama last spring. Italy is particularly engaged in the sector of rebuilding justice: on July 2007, the Italian Government, along with the Afghan Government and the United Nations, organised a conference on justice and the rule of law, committing itself to an supplemental allocation of 10 million euro for 2007 in addition to the funds already earmarked.

One crisis scenario in which Italy could be called upon to play a role is the persistent Somali crisis, catalysing international attention on the difficult process of national reconciliation and the dramatic humanitarian situation. Italy is a member of the International Contact Group on Somalia and hosted a meeting on September 2007 which appealed for the urgent planning and deployment of a UN mission to the country.

On the day after Italy's election to the Security Council, Italian Ambassador to the UN, Marcello Spatafora, stated that Italy's ability to orient the decision of the SC, above all with respect to developing countries, also depends on its actual financial commitment to development. But in this regard, Italy actually has an unsatisfactory record, though being one of the rich countries in the world and one of the largest EU member countries in terms of financing.<sup>34</sup>

Finally, Italy's contribution to the multilateral approach could unfold in two crucial fields: the fight against terrorism and against nuclear prolif-

<sup>34</sup> On the basis of OECD data on net official development assistance in 2005, Italy (with 5.091 USD million) falls far behind the United States (27.622 USD million), United Kingdom (with 10.767 USD million), Germany (with 10.082 USD million) and France (with 10.026 USD million). Considering the data on financial contribution to development assistance as a percentage of GNI in 2005, Italy (with 0,29%) lags again far behind United Kingdom and France (both with 0,47%) and Germany (with 0,36%), while the United States follows with 0,22%. Comparing these data with the preliminary data for 2006, Italian contribution diminishes about 30%. In 2006, Italy (with 3.672 USD million) is again behind the United States (with 22.739 USD million), United Kingdom (with 12.607 USD million), France (with 10.448 USD million) and Germany (with 10.351 USD million). As a percentage of GNI, Italian contribution in 2006 will be 0,20%, UK contribution 0,52%, French contribution 0,47% and German contribution 0,36%. US contribution will be 0,17% of GNI. (OECD, 3 April 2007).

eration. For the latter, by renewing Italy's commitment to a stronger role for the UN and the International Atomic Energy Agency (IAEA), in particular by supporting El Baradei's actions. As for the fight against terrorism, the negotiations for the adoption of a global convention on international terrorism are bogged down on the basic and unavoidable question of defining international terrorism and the exclusion from that definition of the struggle for self-determination. The distinction between the firm opposition to violence unleashed against innocent civilians remains a criterion that belongs to Italy's humanistic tradition. While concrete progress in this direction seems impossible in the short run, Italy has a part to play in the framework of the Counter-Terrorism Implementation Task Force (CTITF) set up by the Secretary General in September 2005 and the implementation of the Global Counter-Terrorism Strategy adopted by the General Assembly a year later.<sup>35</sup> The objective is to coordinate the initiatives for fighting international terrorism within an integrated and coherent framework. Undertaken by the UN, these initiatives are focused on identifying and preventing the causes of the phenomenon as well as on security aspects, in consideration of protection of human rights and the rule of law.

## Conclusion

While diplomatic action has a defined temporal horizon with an inherent tactical dimension, and is therefore designed for the short and medium term, it is also true that general and strategic lines of action have to be dominated by the political vision dictated by long-term interest. Thus, even if Security Council enlargement, especially of the number of permanent seats, does not seem to be happening in the present and is unlikely to happen in the near future, Rome shall stay on guard. Italy will have to keep alert to signs of danger and build a position of substance rather than of appearance without, however, giving in to hand-wringing or to the over-dramatisation and the consequent political-diplomatic dependence generated by fear of exclusion. The warning that prevailed in France after losing the Alsace-Lorraine was "always think about it, never talk about it".

<sup>35</sup> See General Assembly, *The United Nations Global Counter Terrorism Strategy*, A/RES/60/288, 20 September 2006, <http://www.un.org/terrorism/strategy-counter-terrorism.html>.

Actually, given the dangerous mobility of the international scene, a sudden change of front cannot be ruled out in the face of an unexpected situation of serious threat that would put the security and peace at risk and call on the major protagonists to pay unforeseen political prices. It is well known that a rear-guard policy can easily be overwhelmed in times of acute crises. Consequently, it would be incautious, indeed unwise, not to think of a preventive political line of action preparing feasible alternatives aimed at adapting the international community's instruments of intervention to the new situation and at compensating for the UN's well known deficiencies by contributing to its effectiveness rather than by stripping it of power.

While it does not seem likely that the permanent European seat that Italy has been advocating for 15 years will come into being nor that the regionalism that is slowly gaining ground in the organisation will be able to overcome the opposition of the P5 in the foreseeable future, a merely impedimental policy seems to be sterile in the long run and could actually lead to entering into harmful alliances or to raising counter-coalitions. The facts underline at any rate that the present composition of the Security Council is unrealistic, does not reflect the international equilibria and is more suffered than accepted by the community of nations even in the awareness that an effective reform is impossible because the stalemate (that is damaging to the organisation and its efficiency) is the result of cross-vetoes. Apart from the justness of the aspirants' demands, which have to be set into the right perspective, it seems logical to take into consideration both the importance of actively involving the major players in building the order that the international community demands and on which it would, in the end, have to decide, and the political value of the perception that has matured with respect to this persistent anomaly. In addition, Italy's dedication to the principle of the predominance of the multilateral approach is affected by the distortion of the Security Council in that, *de facto*, the absence of several protagonists encourages *ad hoc* agreements and alliances, coalitions of the willing and other specific aggregations that in the end marginalise the United Nations as an institution.

In this perspective, an interesting alternative could be to strengthen the role and the competences of the G-8, the group created long time ago to bring together the most important industrial democracies of the time in working towards the orderly management of the world's economy and finances. Meanwhile, some political issues have gradually found their way onto the Group's agenda. The informality of the G-8 – which

grew with ups and downs from the G-5 to the G-7 and now the G-8 – was an asset that produced excellent results in the past through confidential concertation among the leaders. The reform and enlargement of the G-8 are beyond the scope of this study, yet is worth bringing the matter up, not to dodge the question of SC enlargement but to examine an effective political alternative which could provide a reserve card. Furthermore, alongside the United States, the United Kingdom, Germany, France, Japan, Italy – which will hold the Chair in 2009 – Canada and Russia, the Group includes Europe, thus giving the Union a specific role underlined by the presence of the Commission as well as of the country that holds the presidency if it is not already a part of the G-8. In fact, the thorny question of Europe's presence in the Group is no longer the object of controversy, despite the continent's over-representation.

It is true that the Group has changed in recent years, losing its characteristic of deliberative concertation and taking on a more ceremonial nature, involving 'family photos' and also, together with political and economical debates, meritorious attention to the needs (but not the causes) of humanitarian emergencies. Yet, a strengthening of the G-8's role could get around the distortions caused by the exclusion of the new important powers from the Security Council by bringing them in a "core group" to play an active part in global governance. Each is then responsible for transferring the results to the international fora and entities in which G-8 countries are major stock-holders.

As mentioned, the global situation and the relative equilibria have changed considerably, with a marked acceleration in the recent past. With Russia's entry, the G-7 turned into the G-8 and changed its characteristic, by losing its substantially homogeneous composition made of the largest industrial democratic countries. This was the price to pay for the attempt to increase the Group's effectiveness and acculturate to the orientations towards democracy and the market a country that was coming out of 70 years of totalitarian rule and centralized economic planning. By taking in the Russia of Yeltsin (and now Putin), the G-8 *de facto* downplayed the importance of the democratic nature of its members. Now, when looking at the possible admission of China, there seems to be little difference between Russia and China in terms of democracy and human rights. Furthermore, with the changes in the international economy, the Group seems to have overlooked the ranking of the major industrial countries as well, in that many of the new emerging powers amply outstrip a few of the current G-8 members. In other words, mem-

bership in the G-8 can no longer be limited by the original political and conceptual premises. Today, the invitation to other countries to join depends on the political will of the members and on the reasonable prospect that the new members will want to cooperate and take on responsibility in working towards global stability.

Among the candidates for admission to the G-8 – declared or cautiously hinted, occasionally with feigned indifference – are above all China, undisputedly a great power from all points of view; then India, Brazil and South Africa, all aspiring to a permanent seat in the United Nations as well. There is, in fact, the same kind of pressure for enlargement to the new global powers that is being exerted on the UNSC, but in a less formal and legal context. It is important, therefore, to decide whether it is better to evaluate the pressure on the G-8 in favour of enlargement by defining some kind of conditionality, or to concentrate efforts on the issue of enlargement of the Security Council. Naturally, the Group requires some fundamental rethinking. Its mission has to be redefined so that it can be enlarged to new players without this aggravating the present unhappy characteristic of ‘photo opportunity’. The informality of the summits should not overshadow the need for attentive preparation of the options to be submitted to the leaders and the concrete decisions to be adopted, nor should it translate into an exercise without structure. The intersessional method of concertation and follow-up management will have to be strengthened, with the latter possibly handed over to the UN or the Bretton Woods institutions with the consent and support – actually the leadership – of the major powers.

In view of the relationship between the two enlargements to aspiring powers, the main argument against the G-8’s opening to new members is the fear that this could have a locomotive effect in the Security Council. In other words that, despite the difference in membership of the two entities and the different aspirants, the legitimization of entry into the G-8 could provide strong support for India, Brazil and South Africa to postulate a permanent seat in New York, in addition to the usual factors of size and contribution. This argument is certainly valid, yet the presence in the G-8 of Italy, Germany, Japan and Canada, as well as the European Union, destined to take on legal personality after the adoption of the Lisbon Treaty, would disarticulate the aspirants’ claim; it would split the current UN front of four pretenders and would make it more difficult to rationalise their aspirations in diplomatic terms.

Alongside the tactical reasons that suggest giving more attention to the enlargement of a reinforced and reformed G-8 are some of the political

considerations already expressed for the Security Council. The difficulty in reforming the latter's composition and work method – apart from the questions of number, the attribution of privileges, permanent status and the veto – is not only aggravated by the bureaucracy, but also affected by the inability of the system to transform blind and automatic regional rotation into selection of those countries that have the necessary prestige, have fulfilled their obligations and can effectively contribute to the system. This is the main obstacle to UNSC reform: on the contrary, a co-optation method of selection, invitation by peer judgment such as the G-8 plus would provide might prove a pragmatic way-out. While confidently hoping that a real reform may one day turn the Security Council into the instrument to protect peace and security that the founders envisaged in San Francisco, a G-8 that represents the fulcrum of global governance would be an effective tool for involving the major players on the international scene in common action in a period of serious turbulence and for restoring in the meantime the effectiveness of the United Nations that all its members demand.

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### 3. ITALY'S CONTRIBUTION TO UNIFIL II

*Natalino Ronzitti and Federica Di Camillo*

#### **Introduction**

The United Nations (UN) presence in Lebanon dates back to 1978. Italy has been on the scene since 1979, when it joined UNIFIL, and later the Multinational Force dispatched to Beirut in 1982.

Lebanon's politics and history are strictly intertwined with those of Israel, Syria's expansionism and the Palestinian conflict.

The following chronology points out the major events of interest for this paper before the 2006 Summer war and the Israeli invasion of Lebanon:

- After Israel's proclamation of independence in 1948, Lebanon took a stance along with other Arab countries against Israel and the partition of the British mandate on Palestine. Between Lebanon and Israel there is only an armistice concluded on 23 March 1949 after the general war between the Arab States and Israel. However, the hostilities between the two countries never ended, with periods of major and minor intensities (for instance, Israel raided Beirut airport in 1968 and destroyed several civil aircraft in retaliation for a terrorist attack carried out by a terrorist Palestinian commando trained in Lebanon), as well as short periods of peaceful relations.
- In 1976, Syria made a massive penetration into Lebanon with the excuse of preventing massacres caused by civil war.

The first massive Israeli military operation took place in 1978, and ended with the establishment of a security zone on Lebanese territory, separating North Lebanon from Israel.

- UNIFIL (United Nations Interim Force in Lebanon) was set up by UN Security Council (SC) Resolution 425 of 19 March 1978. It was a small peacekeeping force with the task of monitoring the withdrawal of the Israeli forces and assisting the Government of Lebanon in restoring its authority in the area. UNIFIL was mandated to operate in the Southern part of Lebanon, but it was not very successful in preventing the resurgence of hostilities.
  - In 1982, Israel invaded Lebanon in order to get rid of the Palestinian Liberation Organization (PLO) and its guerrillas. Beirut too fell into Israeli hands. Israel did not prevent the Phalangist militias from entering the refugees camps of Sabra and Shatila and killing civilians.
  - A multinational force made of troops coming from France, Italy and the United States was dispatched on August 21, 1982 to Beirut, with the task of ensuring the safe departure of PLO leaders and militias. A second Multinational Force followed. It was not mandated by the UN Security Council but was dispatched with the consent of the Lebanese Government which in fact controlled the Beirut area.
  - In 1983, a peace treaty between Lebanon and Israel was concluded. It was ratified by Israel but not by Lebanon. In 1985, Israel withdrew from the borderline security zone. However the hostilities did not end. Now Israel has to face the Hezbollah party, a group which was unable to stop the invasion of Lebanon in 1982, but gained currency within the Arab part of the Lebanese population and with time managed to equip itself with weapons.
  - Syria occupied most of Lebanon between 1988 and 2001, but was obliged to withdraw in 2005, implementing SC Resolution 1559 (2004) which called upon "all remaining foreign forces to withdraw from Lebanon".
  - The leader of Hezbollah was killed during an Israeli operation in 1992. In 1993, Israel, having been attacked by Hezbollah in the Northern part of its territory, retaliated with a short campaign against Hezbollah headquarters.
  - In 1996, Israel responded to Hezbollah's intrusion with a three-week military operation.
  - In 2000, Israel occupied the southern part of Lebanon for a month.
- Since its institution, UNIFIL has been on the ground uninterruptedly, without being able to impede the series of deadly events summarized. But this comes as no surprise because of the small number and the poor

equipment of the blue helmets dispatched to Lebanon and the nature of their mandate. UNIFIL military personnel were not authorized to use force, except in self-defence. The force was authorized by the central Government to operate in Southern Lebanon, which was not under its control, and Israel and the other forces on the ground did not show a co-operative attitude.

## 2. The Hezbollah Rocket Attack and the Israel's Reaction

The *casus belli* for the 2006 Summer war was mainly the activity of Hezbollah. Hezbollah has its own armed militia, which was dislocated in the Southern part of Lebanon, but was also present in Beirut before the 2006 war. Hezbollah is a political movement organized into a political party and possessing its own armed militia. The militia was not able to resist the Israeli invasion in 1982, but during the years it was able to increase its military capability and is now a considerable armed force. Israel and the United States consider Hezbollah a terrorist organization. On the contrary, Hezbollah is not listed as a terrorist organization by the European Union. Hezbollah took part in the general elections of 1992 and stayed on the opposition until 2005, when Hezbollah ministers became part of the Cabinet of the Prime Minister Fouad Siniora, with an effective veto power. The South of Lebanon is the ideal place for carrying out military operations against Israel, through the launch of rockets across the border and rapid incursion into Israeli territory. For its military equipment and training, Hezbollah depends on Syria and Iran. The Security Council adopted, on 2 September 2004, Resolution 1559 requesting the dismantlement and disarmament of all militias stationed in Lebanon, including the withdrawal of Syrian forces. The call for Hezbollah's disarmament was reiterated by Resolution 1680 (2006). Neither resolution was implemented by Hezbollah.

On 12 July 2006, Hezbollah launched a series of rockets attacks against Israel across the Blue Line, which is the armistice line between Lebanon and Israel. At the same time, Hezbollah militiamen intruded onto Israeli territory and attacked a patrol. Three Israeli soldiers were killed, two were injured and two more were captured. Immediately a major conflict erupted. Hezbollah attacked across the Blue Line; the Israeli forces penetrated into Lebanese territory, with the aim of rescuing their two comrades. The attempt failed and Israeli suffered more victims. Afterwards, the conflict escalated into a deadly war. UNIFIL tried vain-

ly to negotiate a cease-fire. This proved impossible from the outset, since Hezbollah refused to give back the two Israeli soldiers. The hostilities officially ended on 14 August 2006, after the Security Council was able to adopt Resolution 1701 on 11 August, incorporating a number of measures aimed at impeding the resurgence of hostilities.<sup>1</sup>

### 3. The Rome Conference

SC Resolution 1701, adopted unanimously, was preceded by an intensive diplomatic effort. Given its interests in the Mediterranean, the Italian Government was one of the main protagonists. A Conference was convened in Rome on 26 July 2006 and attended by representatives of 15 States, *inter alia* the Prime Minister of Lebanon, Fouad Siniora, and the US Secretary of State, Condoleezza Rice. Israel was not present. The Conference, which was co-chaired by Italy and the United States, was also attended by the UN Secretary General (SG), Kofi Annan, representatives of the European Union and the President of the World Bank. A seven point plan, disclosed by the Lebanese Prime Minister at the Conference in Rome, was later adopted by the Lebanese Council of Ministers. It paved the way for the adoption of SC Resolution 1701.<sup>2</sup> As for the other international organizations potentially interested in the area, NATO did not play a significant role, even though the new mechanism of out-of-area missions (or non-Article V missions) has shown that NATO has the capabilities to intervene outside the territory of its Member States. The other organization potentially interested, i.e. the European Union, preferred to contribute through its Member States to

<sup>1</sup> This paper does not examine the legal problems involved in Israel intervention in Lebanon. Natalino Ronzitti has tackled this question in his article on "The 2006 Conflict in Lebanon and International Law", in *Italian Yearbook of International Law*, Vol. 16: 2006, Leiden and Boston, Brill, 2007, pp. 3-19, on which he is relying for some parts of this article. On legal problems, and in particular on the question of self-defence against non-State entities, see also Carsten Hoppe, "Who Was Calling Whose Shots? – Hezbollah and Lebanon in the Armed Conflict with Israel", *ibidem*, pp. 21- 40 and Enzo Cannizzaro, "Entités non-étatiques et régime international de l'emploi de la force: une étude sur le cas de la réaction israélienne au Liban", in *Revue générale de droit international public*, Vol. 111, No. 2, 2007, pp. 333-354.

<sup>2</sup> The seven points are spelled out in a letter addressed from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations to the Secretary General and to the President of the Security Council: A/60/974-S/2006/639, <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Lebanon%20S2006639.pdf>.

the strengthening of UNIFIL, covering about half of the force to be dispatched, including the European members of the maritime UNIFIL, even though the EU can now carry out peacekeeping missions under its own lead. We will comment on this later.

Strengthening UNIFIL was the natural consequence of the fact that UNIFIL had already been operating in Lebanon since 1978. Its mandate was extended on 31 July 2006 by one month by SC Resolution 1697, while the hostilities were still going on. The renewed force will be called UNIFIL II.

#### 4. The Content of UN Security Council Resolutions on Lebanon

To date, the SC has passed two resolutions since the Israeli intervention in Lebanon: Resolution 1701 of 11 August 2006 and Resolution 1773 of 24 August 2007.

Resolution 1701 is not a Chapter VII resolution, as was preferred by France but not supported by the other SC members. Chapter VII is not mentioned. It is a classical *Chapter VI plus* resolution, even though in the preamble the SC recognises “that the situation in Lebanon constitutes a threat to international peace and security”, as configured in UN Charter Article 39. At most, it sets up a peacekeeping force with a robust mandate, replete with ambiguities as is normal in a negotiated text of the SC. However, the resolution also contains mandatory provisions, such as the one imposing an arms embargo, and to this end affirms that all States should take the necessary measures to forbid the shipping of weapons into Lebanon, including the sale of such items to entities and individuals in Lebanon. According to a doctrinal opinion, para. 15 of the 1701 Resolution on arms embargo is mandatory, while the other provisions are obligatory only for Israel, Lebanon and Hezbollah since they gave their consensus on the content before the resolution was adopted.<sup>3</sup>

The resolution, as is customary for this kind of act, does not put the blame and responsibility for war on any party. It calls for the full cessation of hostilities by both contenders, i.e. Hezbollah and Israel. Lebanon is considered a victim of the conflict rather than a party to it. The question of Lebanese prisoners in the hands of Israel since its intervention in

<sup>3</sup> See Ruth Lapidot, “The legal effect of the Security Council Resolution 1701 (2006) on cessation of hostilities in Lebanon”, in *Festschrift in honour of Michael Bothe* (forthcoming).

Lebanon in 1982 is only touched upon in the preamble. Likewise the preamble addresses the “unconditional release of the abducted Israeli soldiers”, thus flagging that they cannot be considered hostages to be returned in exchange for Lebanese prisoners.

UNIFIL II was increased to a maximum of 15,000 troops and its mandate enlarged.<sup>4</sup> In addition to the tasks assigned by the previous resolution, UNIFIL II was given new ones: monitoring the cessation of hostilities; assisting the Lebanese armed forces in their deployment in Southern Lebanon, keeping the South of Lebanon free from militias and disarming armed groups; helping to ensure humanitarian aid; assisting the Lebanese Government in securing its borders in order to prevent the entry of weapons and related materials.

During negotiation of the resolution, a moot point was whether or not UNIFIL II could use force to support the Lebanese Government. Reading both paras. 8 and 11 (e) of the resolution, one can conclude that UNIFIL II, at the request of the Lebanese Government, is to help keep the border area with Israel free of any armed personnel and weapons. Moreover, it may be implied from para. 12 that UNIFIL II is authorized to take all necessary action in areas of deployment of its forces to ensure that the area is not used for hostile activities. The Government of Lebanon is called upon to secure its borders to prevent the entry of weapons and related material and, to this end, it can request UNIFIL II’s help.

The resolution also addresses the question of the delimitation of the border between Israel and Lebanon. Reference is made to the internationally recognized borders as contemplated by the Israeli-Lebanese General Armistice Agreement of 23 March 1949 and to the Blue Line dividing the two States. A further factor of complication is represented by the Shebaa farms, a small territory whose sovereignty is contested between Syria and Lebanon. Israel considers it part of the Golan Heights, under *occupatio bellica* since its war with Syria, while Lebanon wants the territory free of the Israeli presence, in accordance with Resolution 425 (1978), which called for Israeli withdrawal from Lebanese territory. The resolution requests the Secretary General to make proposals for delimitation of Lebanon’s international borders, including the Shebaa farms, and to report to the Security Council (para. 10).

<sup>4</sup> In the UN jargon, the UNIFIL now deployed in Lebanon is called UNIFIL II. The 15,000 personnel is the maximum of troops to be deployed. By June 2007, UNIFIL II counts 14,400 soldiers belonging to 30 countries, even though the bulk of force is made from Italian and French contingents.

The mandate of UNIFIL II was extended to 31 August 2007. In the meantime, the SC expressed its intention to consider “further enhancement to the mandate” in a later resolution to achieve a permanent cease-fire and a long-term solution (para. 16).

On 24 August 2007, the SC passed Resolution 1773 and extended the mandate of UNIFIL II to 24 August 2008, i.e. on a yearly basis as was done for Resolution 1701 (2006). The operative part of the resolution is preceded by several preambular clauses. They condemn all terrorist attacks against UNIFIL II and recall the UN Convention on the Safety of United Nations and Associated Personnel. The preamble also emphasizes the need for further coordination between UNIFIL II and the Lebanese Armed Forces (LAFs) in order to establish an area free of any armed personnel and weapons between the Blue Line and the Litani river, except those of the Lebanese Government and UNIFIL II. As in the previous resolution, the preamble points out the need to address the causes of the conflict, recalling that the abducted Israeli soldiers have not been released. At the same time, the issue of the Lebanese prisoners in Israel is again pointed out.

The legal bases of the resolution are both the consent of the Lebanese Government and *Chapter VI plus* of the UN Charter. The preamble makes reference to the Lebanese Prime Minister's letter to the UN Secretary General of 25 June 2007 requesting the extension of UNIFIL II's presence and at the same time determines that the situation in Lebanon “continues” to constitute a threat to international peace and security, according to Article 39 of the UN Charter (which is in effect Chapter VII language).

As for the operative part, the resolution does not name a particular State but addresses “all parties concerned”, which means all State and non-State actors involved in the Lebanese crisis. In particular it calls upon them:

- to respect the cessation of hostilities and the Blue Line;
- not to endanger the UN personnel and to ensure full freedom of movement to UNIFIL II.

The resolution also points out the zero-tolerance policy on sexual abuses and urges troop-contributing countries to take the necessary measures to prevent and punish such abuses. Since UNIFIL II is under the customary practice of a force organized by the SG under SC mandate, which has the control and the political responsibility of the implementation of the operation, the SG is requested to report to the SC every four months (or at any time as necessary).

## 5. The EU's Role

This paragraph will assess the need for an EU presence in the management of the Lebanese crisis and the opportunities missed (Sec. I), as well as the contributions provided to UNIFIL II by the EU as a whole and by the EU countries (Sec. II). The last section will describe Operation Mimosa, carried out by the Italian Navy in support of the evacuation and the humanitarian activities in Lebanon in default of an EU dedicated framework (Sec. III).

### *Sec. I – The need for an EU presence*

The uncertainty of the EU's approach vis-à-vis the Lebanese crisis became evident early on, given the ambiguous stance on the ceasefire: "[...] The question whether pressure should be put on Israel to accept an early cessation of hostilities turned out to be a thorny issue for Europe. While many Member States, including Finland - which held the EU Presidency - argued that the EU should demand an early and basically unconditional cease-fire, Germany, the UK and the Czech Republic adopted a more ambivalent position. Although the EU became involved at an early stage in the conflict, its diplomatic initiatives were hampered by these internal disagreements. For example, on 17 July 2006, a General Affairs and External Relations Council (GAERC) resolution called for an immediate cessation of hostilities but went on to state that 'the EU recognises Israel's legitimate right to self-defence, but it urges Israel to exercise utmost restraint...'. On 1 August, the GAERC again adopted a compromise conclusion. While the Finnish draft had called for an immediate and effective cease-fire, the final conclusion used a weaker formulation. Its key sentence reads as follows: 'The Council calls for an immediate cessation of hostilities to be followed by a sustainable cease-fire.' After the meeting, Germany's Foreign Minister, Steinmeier, declared that the resolution does not imply an immediate cease-fire. During the crisis, Javier Solana, as well as the EU Troika and Commissioner Stavros Dimas, responsible for the Civil Protection Mechanism, travelled to the region. However, Dimas restricted himself to discussing humanitarian issues. Solana, too, had no mandate to speak out on behalf of the 25 Member States on the political questions concerning the conditions and timing of a ceasefire. This weakness was recognized by European leaders. After the war, Jacques Chirac complained that 'Europe was insufficiently active in the Lebanese crisis...'[...]'".<sup>5</sup>

<sup>5</sup> See Matthias Dembinski, "Europe and the UNIFIL II Mission: Stumbling into the Conflict Zone of the Middle East", in *CFSP Forum*, Vol. 5, No. 1, January 2007, pp. 1-4, <http://www.fornet.info/CFSPforumpastissues.html>.

These internal disagreements resulted in a weak political role for the EU before the international community.

The Rome Conference of 26 July 2006 - where indeed no agreement was reached on an immediate ceasefire<sup>6</sup> - was co-chaired by Italy and the United States, but not by the EU.

This happened in spite of the fact that some Member States had urged that Solana be provided with a strong mandate on behalf of the European Union allowing him to undertake a political initiative for the peace process, exploiting the credibility the EU has built up in the region.

Still, for the strengthening of UNIFIL II, the EU Member States "[...] rejected an initial proposal of the EU Council General Secretariat to assign the EU the role of a 'clearing house' for the management of the national contributions to the UN mission.[...]"<sup>7</sup>

The extraordinary EU Council convened on 25 August 2006 - promoted among others by Italy - dealt with the contributions to UNIFIL II coming from EU countries.

UN Secretary General Kofi Annan participated in the meeting, but the possibility of an EU-led mission with a UN mandate was not considered. This option was considered by the Political and Security Committee of the EU Council, also taking into account the important contributions pledged by EU countries, but many factors intervened: the UN framework seemed to be more acceptable to all parties to the conflict and strengthening the smaller UNIFIL operation already in place appeared to be easier than launching a new mission, also in order to keep the balance among participating countries: we refer for instance to the case of Turkey, which seemed to prefer acting within a UN framework instead of an EU one.<sup>8</sup>

<sup>6</sup> A compromise formula stated that [italics added]: "[...] The Rome Conference participants expressed their *determination to work immediately to reach with the utmost urgency a cease-fire* that put an end to the current violence and hostilities. That cease-fire must be lasting, permanent and sustainable.[...]", *International Conference for Lebanon: Co-Chair Statement* (26 July 2006: Rome), [http://www.europa-eu-un.org/articles/en/article\\_6147\\_en.htm](http://www.europa-eu-un.org/articles/en/article_6147_en.htm).

<sup>7</sup> See Nicoletta Pirozzi, "UN Peacekeeping in Lebanon: Europe's Contribution", in *European Security Review*, No. 30, September 2006, pp. 1-3, [http://www.isis-europe.org/pdf/esr\\_32.pdf](http://www.isis-europe.org/pdf/esr_32.pdf).

<sup>8</sup> "[...] Interestingly, NATO was never an option, because of the connotations it carries in the Middle East – a sound argument for the maintenance of an alternative mechanism to launch operations, i.e. ESDP.[...]", Sven Biscop, *For a 'More Active' EU in the Middle East - Transatlantic Relations and the Strategic Implications of Europe's Engagement with Iran, Lebanon and Israel-Palestine*, Brussels, Academia Press for Egmont - The Royal Institute for International Relations, 2007 (Egmont Paper No. 13) <http://www.irri-kiib.be/paperegm/ep13.pdf>.

Moreover the EU as such was not and is not formally present in the UN Security Council and it is difficult to set up an EU position to be carried out by EU members of the SC.

This explains, at least in part, why the EU Member States did not have a definitive stance for the initiative, did not agree sufficiently on how to manage the crisis, and were afraid of losing some control over their foreign policies.

This was a missed opportunity to confirm the role of the EU in world-wide security management, and to make a clear cut with the low-profile conduct of the former UNIFIL by introducing a fresh military, political and economical credibility that the EU, as a global actor, could have provided.

### *Sec. II – The contributions of the EU and EU countries*

Despite the lack of an EU role as a whole, the symbolic value of the extraordinary EU Council with the presence of the UN Secretary General should be recognized: “[...] Kofi Annan declared that ‘Europe had lived up to its responsibility and provided the backbone of the force’, while a European Council press release stated that further contributions were likely and ‘this gives a leadership role for the Union in UNIFIL’.[...]”.<sup>9</sup>

The number of troops committed by EU countries covered over half of the total 15,000 men allowed by SC Resolution 1701 (2006) to strength the UNIFIL contingent. Still Annan declared: “[...] I welcome the sizeable deployment of European Blue Helmets to Lebanon, considering that previously less than 6 per cent of all United Nations peacekeepers had come from Europe. The 7,000 European troops pledged to UNIFIL II more than doubled the total number of military troops from European and NATO countries in all United Nations peacekeeping missions. [...]”.<sup>10</sup>

One may notice that these are more troops than are employed in the EUFOR-Althea operation in Bosnia-Herzegovina, the largest military EU mission so far, which counted more than 2,000 at the end of August

<sup>9</sup> See Richard Gowan, *The EU's Security Strategy and the United Nations*, Paper for the 48th Annual ISA Convention, Chicago, 28 February 2007, [http://www.cic.nyu.edu/internationalsecurity/docs/Gowan\\_EUUN\\_ISA%5B1%5D.doc](http://www.cic.nyu.edu/internationalsecurity/docs/Gowan_EUUN_ISA%5B1%5D.doc).

<sup>10</sup> UN General Assembly, *Report of the Secretary-General on the work of the Organization*, A/62/1, 31 August 2007, [http://mdgs.un.org/unsd/mdg/Resources/Static/Products/SGReports/62\\_1/a-62-1\\_e.pdf](http://mdgs.un.org/unsd/mdg/Resources/Static/Products/SGReports/62_1/a-62-1_e.pdf).

2007.<sup>11</sup> Nonetheless, it should also be recognized that a greater number of participating EU countries and especially a larger number of land troops are involved in operations in Afghanistan and Iraq.<sup>12</sup>

In any case, apart from their number, the troops dispatched by the EU countries have an advantage in quality, given the high level of their interoperability, training and equipment, acquired in the EU and NATO frameworks.

According to several observers, the EU has become the largest, if not the only possible reserve for backing the credibility of UN operations in areas such as the Democratic Republic of Congo, Lebanon or (in the future?) Sudan, as the US is fully committed in Iraq and NATO in Afghanistan.<sup>13</sup>

Nonetheless, troops cannot be made available in a vacuum. A political strategy for the region should be considered a condition and a duty for undertaking the risk and responsibility of such deployments. Instead, the EU ministers seemed to have too ambiguous and bureaucratic an approach in their statements.<sup>14</sup>

Another feature of the EU countries' contribution concerns the command of the UNIFIL II mission.

France had the operational command of UNIFIL II until 2 February 2007, when the Italian Major-General Claudio Graziano took over.

Moreover, Italian General Giovanni Ridinò was head of the *ad hoc* Strategic Military Cell (SMC) established within the UN Department of Peacekeeping Operations (DPKO) until 2 March 2007, when France took over.

Concerning EU mobilisation, we must mention the activation of the Monitoring and Information Centre (MIC) of the EU Civil Protection Mechanism, which gathers the requests of the affected countries - inside and outside the European Union - round the clock and coordinates the voluntary-based intervention of the participating countries.

<sup>11</sup> Eufor Troop Strength, 30 August 2007 (Numbers vary over time and are only to be taken as a general guideline), [http://www.euforbih.org/eufor/index.php?option=com\\_content&task=view&id=145&Itemid=62](http://www.euforbih.org/eufor/index.php?option=com_content&task=view&id=145&Itemid=62).

<sup>12</sup> See Carlo Jean, "L'intervento nel Libano e gli interessi italiani", in *Affari esteri*, Vol. 39, No. 153, January 2007, pp. 148-162.

<sup>13</sup> See Nicole Gnesotto, "Leçons du Liban", in *EU ISS Bulletin*, No. 20, October 2006, p. 1, <http://iss.europa.eu/uploads/media/n20.pdf>.

<sup>14</sup> See Roberto Aliboni, "Dopo Unifil 2, che fare?", in *Affarinternazionali*, 28 August 2006, <http://www.affarinternazionali.it/articolo.asp?ID=177>.

In the case of Lebanon, the mechanism was activated under three main urgent requests for assistance received from: Cyprus (21 July 2006) to manage the thousands of evacuees from Lebanon which needed to return safely to their home countries; Lebanon (21 July 2006) to receive medicine, supplies, materials for shelter and construction and fire-fighting equipment; Lebanon (27 July 2006) to obtain experts and specialised vessels and equipment in order to perform clean-up operations after a major oil spill off its coast North of Beirut caused by the destruction of a storage tank at a power plant at Jieh, hit by Israeli bombs.

The humanitarian dimension was carried out early with the active participation of some EU countries (including Italy). Humanitarian supplies were delivered and Cyprus was provided with assistance teams to deal with evacuees. This phase was considered closed on 23 August 2006.

As far as oil pollution is concerned, Lebanon received assistance from several EU countries (including Italy) mainly in terms of naval assets, equipment and experts. The clean-up operation was considered accomplished at the end of September 2006.<sup>15</sup> These interventions were nonetheless partially hampered by the security conditions in the region. Yet, one could point out that the MIC is an EU tool primarily for non political crises, and therefore something that does not imply a political stance.

Last but not least, to conclude with the European role, we should mention the economic and financial support devoted to the crisis: for instance at the Paris conference of 25 January 2007, the EU and its Member States provided more than 40% of total long-term aid pledged.

### *Sec. III – The Italian Operation Mimosa*

This last section briefly describes Operation Mimosa, carried out by the Italian Navy to support the evacuation and the humanitarian activities in Lebanon in default of a dedicated EU framework.

Indeed, on 26 July 2006, the European Commission announced the allocation of 11 million euro through the EU's Rapid Reaction Mechanism to help about 10,000 citizens from developing countries to leave Lebanon and return home<sup>16</sup>. Moreover, the European civil protec-

<sup>15</sup> European Commission, *European Civil Protection - Lebanon and Cyprus emergencies 2006*, [http://ec.europa.eu/environment/civil/leb\\_cy\\_2006.htm](http://ec.europa.eu/environment/civil/leb_cy_2006.htm).

<sup>16</sup> European Union, *11 million to evacuate citizens of developing countries from Lebanon*, Press Release IP/06/1063, 26 July 2006, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/06/1063>.

tion efforts provided assistance to Cypriot authorities in managing and repatriating both EU and third-country evacuees.

Nonetheless an EU framework for the evacuation of EU citizens failed<sup>17</sup>: in July 2006 Australia, Canada, France, Italy, United Kingdom and United States performed the evacuation of 1,600 people from Lebanon with naval and air forces. The evacuation was executed notwithstanding the Israeli naval and air blockade, which was temporary lifted for humanitarian reasons.

As far as Italy is concerned, the Navy, the Air Force and the joint helicopter component, the latter employed in UNIFIL since 1979, were engaged in Operation Mimosa for evacuation and humanitarian actions. The deployment in the area of the Italian Navy Destroyer, Durand de la Penne, and two C-130Js of the Italian Air Force was accorded by Italian Defence Minister Parisi on 15 July 2006.

The evacuation of Italian citizens was considered concluded on 21 July.<sup>18</sup> The operation also served non-Italian citizens, as some data demonstrate.<sup>19</sup> The Durand de la Penne was joined by the San Giorgio amphibious transport ship escorted by the frigate Aliseo. The latter was finally substituted by the frigate Artigliere (6 August), the last Italian Navy unit to leave Lebanon on 1 September 2006. They provided support for evacuation.

The humanitarian component - organised by the Directorate General for Development Cooperation of the Italian Ministry of Foreign Affairs, the Italian Department of Civil Protection, the Italian Red Cross and the UN World Food Programme - was mainly provided by the San Giorgio (23 July) and San Marco (19 August) amphibious transport ships.

The San Giorgio embarked Navy units and medical teams, three SH-3D helicopters as well as men and assets of the Italian Civil Protection and Red Cross. The approximately 80 tons of cargo that

<sup>17</sup> Although "[...] The EU Joint Situation Centre in the Council Secretariat has updated Member States regularly on developments, in particular on the evacuation situation, including recourse being made to military assets on a national basis.[...]", European Union, *EU action in response to the crisis in Lebanon*, Joint press release, Brussels 25 July 2006, [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/er/90662.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/90662.pdf).

<sup>18</sup> Special flights were organised by the Italian Ministry of Foreign Affairs; see Italian Presidency of the Council of Ministers, *Libano: conclusa evacuazione di massa italiani*, 21 July 2006, [http://www.governo.it/notizie/not\\_notizia.asp?idno=1773](http://www.governo.it/notizie/not_notizia.asp?idno=1773).

<sup>19</sup> 15 and 16 July (eight C-130J airlifts): 270 Italian citizens out of about 460 evacuees from Latakia (Syria) to Larnaka (Cyprus); 17 July (Durand de la Penne); 184 Italian citizens out of 345 evacuees from Beirut to Larnaka (Cyprus); 20 July 2006 (Durand de la Penne); 235 Italian citizens out of the 360 evacuees from Beirut to Cyprus.

reached Beirut harbour on the morning of 23 July, constituted the first humanitarian aid since the outbreak of the crisis. The San Giorgio continued to patrol the sea South of Cyprus until 3 August when the Italian authorities commanded its return together with the frigate Aliseo. The San Marco, which also embarked Italian Civil Protection personnel, carried over 500 tons of aid, mainly for medical purposes.

Operation Mimosa once again demonstrated that the Italian Navy, thanks to its flexibility and high level of readiness, is able to operate in faraway crisis areas, also assisting civilian population.<sup>20</sup>

## **6. The Deployment of the UNIFIL II: The Interim Maritime Task Force**

The active cessation of hostilities took place on 14 August 2006 after a cease-fire was agreed between Israeli Prime Minister Olmert and his Lebanese counterpart Siniora. The cessation of hostilities came after the adoption of SC Resolution 1701 on 11 August 2006. Despite the adoption of Resolution 1701, Israel maintained both its air and its naval blockade. The former was lifted on 5 September, the latter the day after. This situation left a number of countries upset. Egypt threatened to force the naval blockade; France and the UN Secretary General protested. Israel also maintained its forces in Southern Lebanon until the deployment of the regular Lebanese army in the area. All these measures were justified, according to Israel, to prevent Hezbollah from being supplied with weapons that might again endanger Israeli territory.

The naval blockade was lifted as soon as Italy negotiated an agreement with Lebanon to deploy along with other willing countries - France, Greece and UK - an Interim Maritime Task Force (IMTF) to be taken over by the UNIFIL II Maritime Task Force (MTF) under Germany's lead. The IMTF was not a blockading force and any suspect vessels heading for Lebanese ports were reported to the Lebanese Navy and stopped and searched in Lebanon territorial waters. In international waters, the IMTF monitored incoming vessels and was allowed to stop

<sup>20</sup> Italian Ministry of Defence, *Missioni/Attività internazionali*, 13 September 2007, [http://www.difesa.it/Operazioni+Militari/missioni\\_attività\\_internazionali/](http://www.difesa.it/Operazioni+Militari/missioni_attività_internazionali/).

and visit them only with the consent of the flag State<sup>21</sup> - a procedure in conformity with international law.

## 7. UNIFIL II in Operation

### *Sec. I - Command and control: the main features*

UNIFIL II is a UN operation: it has a SC mandate, is under UN command and is equipped with control structures that refer to the UN Secretary General. This is the same framework used for the former UNIFIL. The SC has the political control and the strategic direction of the UN peacekeeping operations, exercising them through the UN Secretary General. The latter is also responsible for the implementation of the mission (the SC deciding only on extraordinary issues such as the extension or ending of the mission). A Special Representative of the Secretary General and the Force Commander are appointed with SC approval. The SC monitors the execution of the mandate, receiving reports submitted by the UN Secretary General.

The responsibility of the command of the UN peacekeeping operation so defined is therefore entrusted to the UN Secretary General. For this purpose, he emanates the Rules of Engagement (ROEs) and defines the mission for the contingents together with the Force Commander. He is responsible for the daily monitoring of the operation. In order to carry out his duties, the UN Secretary General has at his disposal the Department of Peacekeeping Operations (DPKO) - within the UN Secretariat General - headed by an Under Secretary General (USG) delegated for operation management.

In the field, the SG is supported by the Special Representative and the Force Commander:<sup>22</sup> as a matter of fact, the UN usually delegates the

<sup>21</sup> Fabio Caffio, "Il ruolo della Marina Militare nella crisi libanese", in *Rivista italiana difesa*, No. 2, February 2007, pp. 53-57 (see also by the same author "Il blocco navale israeliano nel Libano", in *Rivista marittima*, Vol. 189, No. 11, November 2006, pp. 13-18. SC Resolution 1701 does not authorize stop and searching of foreign vessel on the high seas. Maritime peacekeeping even though not frequent, is not a novelty since it goes back to the end of forty and beginning of fifty. The difficulties are often connected with the interoperability of a maritime force, a feature which rests with the more developed navies: see Natalino Ronzitti, "Le droit humanitaire applicable aux conflits armés en mer", in *Recueil des Cours, Collected Courses RCADI*, Vol. 242-1993, V, pp. 164-165.

<sup>22</sup> French Major-General Alain Pellegrini declared in August 2006: "une chaîne de commandement qui est très claire: pour moi, mon chef est le secrétaire général de l'Onu", Franco Apicella, "Libano, operazione Leonte, regole d'ingaggio e catena di comando", in *Pagine di difesa*, 1 September 2006, [http://www.paginedidifesa.it/2006/apicella\\_060901.html](http://www.paginedidifesa.it/2006/apicella_060901.html).

command of the UN peacekeeping operations at the mission level. For this reason, the quality of the SG role can vary depending on the level of autonomy allowed the Special Representative and the Force Commander. The DPKO mission is [italics added]: “[...] *to plan, prepare, manage and direct UN peacekeeping operations*, so that they can effectively fulfil their mandates under the overall authority of the Security Council and General Assembly, and under the command vested in the Secretary General. *DPKO provides political and executive direction to UN peacekeeping operations*, and maintains contact with the Security Council, troop and financial contributors, and parties to the conflict in the implementation of Security Council mandates. [...]”.<sup>23</sup>

In theory, the DPKO has the political and military capabilities to manage and control the strategic, operational and tactical implementation of the mission. The problem is that the DPKO seems to have neither the promptness and flexibility nor the bases required for a real and complete command, namely a strategic reserve force and a preventive authorization to redeploy the contingents in theatre. Therefore we can say that DPKO has neither a strategic command and control structure, nor the intelligence capabilities to prevent situations and to support the decision-making process.<sup>24</sup>

If a reinforcement or a modification of the troops is demanded and if immediate support for the Force Commander is needed, a dedicated request must be submitted to the DPKO Head Office - the USG/DPKO - and it can take a considerable amount of time before the request is answered. Indeed the military chain of command is separate from the political direction, as the DPKO is composed of different divisions and the decision-making synthesis is normally provided at the Senior Management Team (SMT) meetings level with the contribution of the communications coming from the SG Special Representative.

Last but not least, the power of the DPKO Head Office remains limited not only to those set down in the mandate of the mission but also, of course, to the decisions and will of the contributing nations.

The problem of the constraints on the UN chain of command is well

<sup>23</sup> United Nations Department of Peacekeeping Operations, *Mission Statement*, <http://www.un.org/Depts/dpko/dpko/info/page3.htm>.

<sup>24</sup> See Giovanni Ridinò, “UNIFIL – DPKO Strategic Military Cell”, in *Osservatorio Strategico*, Vol. 9, No. 3, March 2007, pp. 61-65, <http://www.difesa.it/SMD/CASD/Istituti+militari/CeMISS/Pubblicazioni/OsservatorioStrategico/>.

known<sup>25</sup>. This explains why the establishment of an *ad hoc* Strategic Military Cell within the DPKO was specifically required for the UNIFIL II mission.

### *Sec. II - Command in the field*

As said, the UN Secretary General is represented in the field by a Special Representative who is in charge of the different areas included in the operation. It should be underlined that UN peacekeeping can be carried out at many levels: for instance, the political (e.g. elections), the civil (e.g. human rights), the military (e.g. interposition tasks), the administrative (e.g. security sector reforms), and the financial and economic (e.g., development).

UNIFIL II, unlike other UN missions, was not provided with a Special Representative dealing with all UN activities (military and civilian). On the contrary, there are several organs, all with a UN affiliation, but with different tasks and different responsibilities. Each of the officials involved reports to his/her home office at UN headquarters.<sup>26</sup> This arrangement is undermining the UN capabilities and is wasting resources that could be employed more profitably for Lebanon's reconstruction.<sup>27</sup>

As far as the military command in the field is concerned, the UN Force

<sup>25</sup> See for instance the interview with the General Castagnetti that underlines the need for a UN Force Commander for receiving clear and prompt directives from the relevant UN Department in NY, as he cannot act without its approval; Marco Nese, "Missioni a guida Onu? Sono state un disastro", *Corriere della Sera*, 15 August 2006, [http://www.corriere.it/Primo\\_Piano/Esteri/2006/08\\_Agosto/15/nese.shtml](http://www.corriere.it/Primo_Piano/Esteri/2006/08_Agosto/15/nese.shtml).

<sup>26</sup> One can count at least four UN officials dealing with the Lebanese crisis: (a) the Secretary General's Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary General to the Palestine Liberation Organization and Palestinian Authority (Alvaro de Soto); (b) the Secretary General's Personal Representative for Lebanon (Geir Pedersen); (c) Terje Roed-Larsen, the Secretary General's Envoy for Security Council Resolution 1559 (2004). Moreover (d) Serge Brammetzer is Commissioner of the UN International Independent Investigation Commission into the assassination of former Lebanese Prime Minister Rafik Hariri, since January 2006.

<sup>27</sup> "[...] In other post-conflict interventions, the United Nations has named a Special Representative to the Secretary General with the mandate to coordinate all UN activities (including military operations) in an integrated mission. Unfortunately, the UN has not provided this type of leadership or a headquarters structure for the Lebanon effort. The compartmentalized nature of the UN structure reflects a view that the UNIFIL mission is separate from and unrelated to the missions of providing humanitarian aid or investigating the Hariri murder. In fact, these missions are all facets of a single nation-building mission in the midst of an insurgency.[...]": William K. Mooney Jr., "Stabilizing Lebanon: Peacekeeping or Nation-Building", in *Parameters*, Vol. 37, No. 3, Autumn 2007, pp. 26-41, <http://www.carlisle.army.mil/usawc/Parameters/07autumn/mooney.htm>.

Commander assures the operational command of the national contingents in order to fulfil the mission mandate. In January 2007, United Nations Secretary General Ban Ki-moon designated Italian Major-General Claudio Graziano as UNIFIL II Force Commander. On 2 February 2007, he succeeded French Major-General Alain Pellegrini, whose three-year term had expired.

The Force Commander defines the ROEs and the mission for the national contingents together with the UN Secretary General. Nonetheless, the Force Commander's role varies depending on the mission's mandate and size, and in general on the authority delegated by the UN Secretary General to whom he responds through the USG/DPKO.<sup>28</sup>

As General Graziano has explained, his role in UNIFIL II as a UN officer (assistant to the UN Secretary General) at the same time encompasses three different responsibilities: operational Force Commander, Head of Mission on behalf of the UN, therefore political-diplomatic head, responsible for the application of SC Resolution 1701 in southern Lebanon and, finally, Delegated Officer for the security of UNIFIL II personnel in southern Lebanon.<sup>29</sup>

It should be underlined that UNIFIL II is an integrated mission: there is an important civil component alongside the military element. The Force Commander is therefore responsible for the coordination of the 13,264 troops coming from 27 contributing nations (September 2007), including the Maritime Task Force (MTF), and the civil personnel, including the UN Mine Action Coordination Centre (UNMACC).

Part of the Head of Mission's tasks, together with making the mission credible in the eyes of the Lebanese population and authorities, is the "Tripartite Meetings". These meetings chaired by UNIFIL II, with the participation of the Israel Defense Forces (IDFs) and the Lebanese Armed Forces (LAFs) officers, represent an historic achievement as Israel and Lebanon do not have any diplomatic relations. The meetings mainly address issues related to respect of the Blue Line. The negotia-

<sup>28</sup> In general the Force Commander is provided with a large delegation to direct the operations in compliance with the SC resolutions. He receives the Concept of Operations, the tasks, the initial directives, and he is supported in his needs in the limit of the available resources, especially in terms of funds; Giovanni Ridinò, "UNIFIL – DPKO Strategic Military Cell", quot. in fn. 24.

<sup>29</sup> See Clara Salpietro, "Intervista al comandante di Unifil, generale Claudio Graziano", in *Pagine di difesa*, 5 April 2007, [http://www.paginedidifesa.it/2007/salpietro\\_070405.html](http://www.paginedidifesa.it/2007/salpietro_070405.html).

tions allow for effective confidence-building relating to the management agreements in the area of operations resulting in enhanced security. Liaison arrangements with the parties have been set up especially to contain the effects of potential incidents and prevent escalation. To this end also a hot line has been activated. These meetings are in general aimed at finding peaceful and positive solutions to problems that can arise between the parties. The activities dealt with are limited to technical issues, nonetheless in this case and in the Middle East in general, technical matters can take on political importance.<sup>30</sup>

Finally, each national contingent has its own national Commander who is the point of contact between the UNIFIL II Force Commander and the national chain of command.<sup>31</sup>

### *Sec. III - The Military Strategic Cell*

An *ad hoc* Strategy Military Cell for the UNIFIL II mission was established within the DPKO on Italy's initiative and in general with the support of the EU contributing countries. Nonetheless neither UNIFIL II nor the SMC has any formal affiliation to the European Union.

According to the Italian Foreign Affairs Ministry, the creation of the SMC was intended "[...] to respond to three requirements that have been strongly felt in the past (and whose failed satisfaction have resulted in a less effective UN peacekeeping): involvement of the various contributing countries in the adoption of strategic decisions; assurance of a real connection between the forces on the ground and the UN's upper political echelons; supplementing of the DPKO with the contribution of experts in the military sector.[...]"<sup>32</sup>

We will consider the creation of the SMC with its formal assigned competencies first.

<sup>30</sup> See Claudio Graziano, speech on *L'Onu e l'Italia: impegni e prospettive per la sicurezza*, Conference organized by Centro Studi Difesa e Sicurezza, Rome, 29 May 2007, <http://www.radioradicale.it/scheda/226893>.

<sup>31</sup> In an interview with the UNIFIL II Force Commander General Graziano, he acknowledged the difficulties of dealing with a force composed by almost 30 countries. As said, the EU contingents present an advantage in quality, provided by their major level of interoperability, training and equipment, acquired in the EU and NATO frameworks. Nonetheless the contribution of contingents provided by Muslim countries and China makes UNIFIL II more authoritative; Ugo Tramballi, "Inizio positivo, dateci tempo", in *Il Sole 24 Ore*, 2 September 2007, <http://www.difesa.it/Sala+Stampa/Rassegna+stampa+On-Line/PdfNavigator.htm?DateFrom=02-09-2007&pdfIndex=26>.

<sup>32</sup> Italian Ministry of Foreign Affairs, *L'Italia nel Consiglio di Sicurezza (2007-2008) - Italy in the Security Council (2007-2008)*, Dossier Farnesina, <http://www.esteri.it/mae/doc/CDS.pdf>.

Secondly, we will make some considerations on the real functioning of the Cell.

The report of the Secretary General of 18 August 2006 on the implementation of Resolution 1701 (2006) stated the following about the UNIFIL II headquarters support structures: “[...] The scope and complexity of military tasks to be performed by UNIFIL may require further strengthening of the Military Division of the Department of Peacekeeping Operations. A military cell, dedicated to UNIFIL, drawing on the existing resources of the Military Division and augmented by officers from key troop-contributing countries, will be needed to provide military guidance at the strategic level [...].”<sup>33</sup> The Cell, located at the United Nations Headquarters in New York, is intended to report to the USG for Peacekeeping Operations.

On 21 September 2006, former UN Secretary General Kofi Annan appointed Italian General Giovanni Ridinò as Director of the newly established Strategic Military Cell (SMC) for UNIFIL II. General Ridinò was in charge until 2 March 2007, when French General Bruno Neveux took over.

The SMC was set up with the existing resources of the DPKO Military Division and with new officers seconded by the key troop-contributing countries (TCCs). The initial operational capability was reached on 10 October 2006 (indeed with less than 50% of the officers foreseen) when the Cell assumed the responsibility for the UNIFIL II management within the DPKO, especially for sectors impacting on coordination and control. The Cell is intended to support the DPKO capabilities in control and planning of military operations and to provide technical advice for the political/military strategic direction of UNIFIL II operations.<sup>34</sup>

The SMC has been entrusted with three main tasks:

- monitoring, evaluating and reporting on UNIFIL II military operations and ensuring that the Forces are used in accordance with the Concept of Operations;
- conducting routine and non routine planning in accordance with USG/DPKO directives;

<sup>33</sup> UN Security Council, *Report of the Secretary-General on the implementation of Resolution 1701 (2006)*, 18 August 2006, S/2006/670, para. 39, <http://daccess-ods.un.org/TMP/8330244.html>.

<sup>34</sup> These and the following considerations are largely based on a lecture on *UNIFIL – Strategic Military Cell (SMC)* held in 2007 by General Ridinò for the Istituto Superiore di Stato Maggiore Interforze (ISSMI), Ministry of Defence.

- bringing its military expertise to the whole work process of DPKO related to UNIFIL II.

The SMC Director is the DPKO focal point for UNIFIL II military advice, he provides strategic military guidance and direction in order to implement mandated tasks effectively. He has to:

- contribute to strategic level integrated mission planning within UN Headquarters for all military matters affecting UNIFIL II, including mandate reviews;
- in accordance with USG for Peacekeeping Operations policies and in close coordination with DPKO senior management, keep UNIFIL II TCCs informed through regular briefings on UNIFIL II military component development, activities and related issues;
- monitor and assess UNIFIL II military component operations and inform the USG for Peacekeeping Operations and DPKO senior management of incidents and developments, particularly potential and imminent threats to mission personnel and property and risks to successful mandate implementation;
- contribute to DPKO crisis response capacity by conducting crisis action planning in accordance with DPKO policy; and
- periodically, or as required, review the effectiveness of the military component and, in consultation with DPKO senior management, recommend adjustments to the USG for Peacekeeping Operations, particularly in regard to the Concept of Operations and ROEs.

These were in theory the SMC's functions, but the USG/DPKO has repeatedly said that the Cell is still an "experimental" tool. It is therefore too early to assess its real running.

The setting up of the SMC was not smoothly accepted within the DPKO. In particular, the Military Division staff did not fully understand why an *ad hoc* Cell had to be created for only one mission, given that the DPKO and especially the Military Division were able to draft the ROEs and the Concept of Operations in a short period of time in the launching phase of the reinforced UNIFIL. Nonetheless, when the SMC started to carry out its tasks - studying operational problems in order to submit to the UNIFIL II Force Commander strategic directives to be used in drawing up contingency operational plans - the DPKO/Military Division was not quick in its decision-making process.

Further delays came from the fact that the Office of Operations, the Military Division and the Office of Mission Support, all had an interest in the SMC's functioning and managed to obtain that the Cell could not initiate any studies unless the Senior Management Team - the only

authority that prioritises the activities to be undertaken within DPKO - gave its approval.

Moreover, while the Cell had to adopt the work method already in use in the DPKO, it also tried to make relevant DPKO structures take its medium-term vision into account. This often undermined the rapidity of the decision-making process.

Realistically, the current conditions do not allow the SMC to operate effectively; in particular, the SMC does not act like a real strategic command and is lacking in strategic reserve Forces (like the DPKO).

In practice, the SMC resulted in an addition to the decision-making process given that the Military Division continues to be fully involved in a kind of supervision of all activities related to UNIFIL II, instead of limiting its intervention to taking decisions only on issues concerning Force Generation Services. Nonetheless, as soon as the SMC reaches higher operational levels, a more reliable assessment will be possible.

In any case, the experience gained from the SMC can improve the approach to operational solutions and may be fruitfully considered in the foreseen process of DPKO reform, which cannot be examined here.<sup>35</sup> Instead, some lessons learned about the importance of the chain of command will be emphasized in the final recommendations for the operational aspects of UN peacekeeping.

<sup>35</sup> See for instance UN official stances [*italics added*]: “[...] A new innovation to support immediate planning needs for the expansion of the United Nations operation in Lebanon (United Nations Interim Force in Lebanon) was introduced in 2006. The establishment of a Strategic Military Cell is an experimental mechanism to provide additional military strategic guidance capacity to the Secretariat for a specific operation, not least in supporting risk assessment and scenario development. At this early juncture only some preliminary observations might be made about the initiative. *One consideration is the importance of having a Strategic Military Cell closely aligned to and coordinated with the Military Division which should retain overall responsibility for military planning. Ideally, a Strategic Military Cell would operate from within it. A second consideration is the need to ensure that such deployment can contribute fully to the mission planning process. While the Secretariat stands to gain substantially from dedicated military experts with experience of national and other multilateral contexts, it is important to ensure that strategic and contingency planning assistance mechanisms are fully versed in United Nations practices and procedures, particularly the integrated mission planning process. It will be important to undertake a comprehensive review of the Strategic Military Cell in order to ascertain its comparative advantage and feasibility for the future.* [...]”, UN General Assembly, *Implementation of the recommendations of the Special Committee on Peacekeeping Operations*, Report of the Secretary-General, 13 February 2007, A/61/668, <http://daccess-ods.un.org/TMP/7504144.html>.; [*italics added*]: “[...] Experimental initiatives such as the current strategic military cell may be a valuable additional complement to the military component at headquarters in specific contexts or operations. But they are not an alternative to a properly resourced Department and they should function within the structures and processes established to support integrated planning and management of UN peace

## 8. The Italian contribution: Operation Leone

This paragraph summarizes some elements of Operation Leone,<sup>36</sup> which represents the current Italian contribution to UNIFIL II. Nonetheless, the two important contributions carried out by the Italian Navy and concluded in the early phase of the conflict and the UNIFIL II deployment should not be forgotten: the lead of the IMTF and Operation Mimosa which, beyond its evacuation and humanitarian aid task, had a patrolling component. The lead of the IMTF was of great significance in terms of the quality of the commitment and preparedness. Concerning possible future Italian commitments in the UNIFIL II naval component, the Minister of Defence Arturo Parisi declared that from February/March 2008 EUROMARFOR could be employed in the UNIFIL II framework under Italy's lead. He affirmed that this option, at the moment, receives a favourable technical/operational response from other EUROMARFOR Member States (France, Spain and Portugal).<sup>37</sup> In highlighting the operation, some data are worth reporting.<sup>38</sup> Italy pledged the largest number of troops for the redeployment of UNIFIL II: at the end of 2006, the Italian contingent amounted to 2,415 men out of 11,536 coming from 26 contributing countries (France was the second contributing country with 1,617, and Spain was the third with 1,277). In October 2007, Italy had 2,379 troops out of 13,264 coming from 27 contributing countries (France was still in second place with 1,587 men and Spain in third with 1,121). Concerning the financing of Operation Leone, the first decree for 2006

*operations. The effective direction of all military aspects of UN peace operations at Headquarters is a huge and substantial task and one that merits, I believe, the designation of the Military Adviser as Assistant Secretary-General. [...]*, *Remarks of Mr. Jean-Marie Guéhenno Under Secretary-General for peacekeeping operations to the Special Committee on peacekeeping operations*, 26 February 2007, <http://www.un.org/Depts/dpko/dpko/articles/260207.pdf>.

<sup>36</sup> From the Latin name of the Litani River.

<sup>37</sup> The Italian Minister of Defence Parisi declared that Italy may receive a UN request to deploy naval forces in order to integrate the likely contraction of the current UNIFIL II naval component. Nonetheless the DPKO has formally requested to Germany – that accepted – to extend its lead of the MTF until 29 February 2008; *Audizione in Parlamento del 26 luglio 2007, Comunicazioni del Ministro della Difesa relativamente alla partecipazione italiana alle missioni militari all'estero Commissione Difesa – Senato*, <http://www.difesa.it/Ministro/Compiti+e+Attivita/Dettaglio+audizione.htm?DetailID=91>.

<sup>38</sup> United Nations Department of Peacekeeping Operations, *Monthly Summary of Contributors of Military and Civilian Police Personnel*, <http://www.un.org/Depts/dpko/dpko/contributors/>.

allocated about 187 million euro and the second decree for 2007 about 388 million euro.<sup>39</sup>

Thanks to its participation in UNIFIL II, in September 2007 Italy occupied the 9<sup>th</sup> place out of 119 countries contributing to UN peacekeeping missions and the 1<sup>st</sup> place among EU countries. Italy is also the 6<sup>th</sup> largest contributor to the UN's peacekeeping budget, among the top 10 providers: United States, Japan, Germany, the United Kingdom, France, Italy, China, Canada, Spain and the Republic of Korea.<sup>40</sup>

Moreover Italy's active involvement had a catalysing effect at the beginning of UNIFIL reinforcement. Italy's firmness in promoting the UN mission, first in line in committing a large contingent (up to 3,000 troops) and assuring its willingness to assume command responsibility, managed to convince France and other EU countries.<sup>41</sup>

Italy's contribution also provided a qualitatively important component for command and control. Reference is to the director and deputy director of the Strategic Military Cell, and the 7 detached Italian officers out of 33 staffing the Cell. Reference is also to the role held since February 2007 by Italian Major-General Claudio Graziano, who is at the same time UNIFIL II Operational Force Commander, Head of Mission on behalf of the UN, and delegated officer for the security of UNIFIL II personnel in southern Lebanon. The UNIFIL II headquarters in Naqoura, includes 56 Italian officers (of whom 18 belong to the Force Commander's special staff).

Finally, Italy is responsible for one of the two sectors of UNIFIL II's area of operations (West), managing the contingent provided by France, Ghana, Republic of Korea, Slovenia and Qatar (the latter under French directives). The Sector West has been commanded by Italy since 1 November 2006, and by Brigadier General Paolo Ruggiero, who is also the Commander of the Italian contingent, since October 2007. Like the other national commanders, he is the point of contact between the UNIFIL II Force Commander and the national chain of command.

<sup>39</sup> Italian Ministry of Defence, Missioni/Attività internazionali, quot. in fn. 20.

<sup>40</sup> United Nations Department of Peacekeeping Operations, *Financing of United Nations Peacekeeping Operations*, <http://www.un.org/Depts/dpko/dpko/contributors/financing.html>.

<sup>41</sup> In particular France, offered initially only 200 men in addition to national forces already committed in Lebanon. Then Paris decided to provide about 2,000 troops and declared its availability to assume the command. This shift in the French stance was likely caused by the invitation to lead the mission made by the Israeli premier Olmert who previously had proposed the same to Italy; Ettore Greco, "La politica estera del governo Prodi", in *L'Italia e la politica internazionale. Edizione 2007*, Bologna, Il Mulino, 2007, pp 41-56.

## 9. National Caveats on UN ROEs

The United Nations have standing ROEs and at the same time dictate specific rules for any single operation. ROEs are a task for the UN and not for the countries taking part in the operation. However, the latter may insert national caveats in order to take their domestic political situation and army tradition into account.

ROEs are classified and thus are not made public. In Italy, the preoccupation was to keep the peacekeeping character of the operation intact. The main concern was the use of force to meet threats against peacekeepers. The Italian Minister of Defence made clear the principles on which the ROEs for Italian troops taking part in the UNFIL should be based. In a speech before Parliament (Defence and Foreign Committees), he said that Italian soldiers should abide by the following rules:

- Italian soldiers are entitled to exercise self-defence in case of armed attack or imminent attack. The principle of proportionality should be observed. The Commander on the ground decides if and when to employ force;
- the use of force is allowed against anyone attempting to prevent UNIFIL from discharging its duties and impeding its movement;
- UNIFIL should prevent any hostile activity in its area of competence; intervention is allowed whenever the security of the civilian population is endangered;
- in its area of competence, UNFIL is permitted to identify members of armed militias, seize their weapons and possibly detain them.

This last activity should be carried out together with the LAF.<sup>42</sup> However, this task has been interpreted in a very restrictive manner. According to UNIFIL Force Commander General Graziano, the UN contingent is not provided with the mandate to disarm militias in the area of operation.<sup>43</sup>

This does not mean that force cannot be used. In the words of General Graziano, "[...] UNIFIL Commanders, at all levels, have the authority to deploy an adequate use of force when needed, starting with exercise of the right to extended self-defence. In particular, the use of force can be

<sup>42</sup> Declared by Parisi, Italian Minister of Defence, see Senato, Commissioni 3<sup>a</sup> e 4<sup>a</sup> riunite - 3<sup>a</sup> (Affari esteri, emigrazione) 4<sup>a</sup> (Difesa), *Resoconti sommari*, 8<sup>a</sup> Seduta, 4 October 2006, <http://www.senato.it/static/bgt/listasommcomm/0/3/r/15/2006/index.html>.

<sup>43</sup> Interview with the UNIFIL II Force Commander General Graziano: Ugo Tramballi, "Inizio positivo, dateci tempo", quot. in fn. 31.

resorted to not only in case of self-defence, but also to prevent hostile acts from being carried out in the area of operations. Or, similarly, if UNIFIL is hindered through hostile acts in the exercise of the powers granted it by the UN mandate or in protecting UN personnel, installations or equipment. Force can also be used to ensure freedom of movement for all UN personnel and humanitarian operators and, finally, something that is specific to this mission, to protect the civilian population from the physical threat of hostile actions.[...]”.<sup>44</sup>

## 10. Approval by the Italian Parliament

The Italian Constitution does not set down a particular procedure for dispatching troops abroad for peacekeeping and peace-enforcement operations. It only contains provisions relating to “war”, which are not applicable to cases in which troops are dispatched abroad for other purposes<sup>45</sup>. War is deliberated by the Italian Parliament which gives the Government the appropriate powers. A declaration of war is then issued by the President of Republic (Arts. 78 and 87 of the Constitution). Another constitutional stumbling block is represented by Article 11 of the Italian Constitution which forbids Italy to participate in wars of aggression.

In principle, dispatching troops abroad is a Government’s responsibility. However, the consolidated practice is to have the decision approved by the Parliament in the form of a resolution, issued after the ministers concerned (Foreign Affairs and Defence) have informed the Parliament. This procedure was followed for Italy’s participation in the UNIFIL II mission. The Committees on Foreign Affairs and Defence of both the Senate and the Chamber of Deputies were informed on 18 August 2006 by Foreign Minister D’Alema and Defence Minister Parisi of the tasks of the Italian mission. The two committees passed a resolution allowing the Government to give appropriate humanitarian aid to the civilian population and to implement SC Resolution 1701, including the dispatch of troops for the UNIFIL II mission.

<sup>44</sup> General Graziano, speech on *L’Onu e l’Italia: impegni e prospettive per la sicurezza*, quot. in fn. 31.

<sup>45</sup> See Natalino Ronzitti, *Diritto internazionale dei conflitti armati*, 3rd ed. Torino, Giappichelli, 2006, pp. 102-108.

## 11. The Decree on the Mission's Budget and the Provisions for Application of the Peacetime Military Code

The Italian Government also issued a Decree having legislative effect (Decree 28 August 2006, No. 253, Law 270/2006) that regulates Italy's participation in UNIFIL II. The Decree does not have an authorizing effect. Its main task is to cover the financial aspects of the Italian mission. Therefore, it is of a budgetary nature rather than representing an authorization allowing the Government to dispatch troops abroad.

The statutory provisions regulating Italian troops vary depending on whether the peacetime military code or the wartime military code applies. In principle, the wartime military code applies not only when Italy is at war with other States, but also when Italian troops are dispatched abroad in peacetime, as dictated by its Article 9. Therefore Italian troops dispatched for a peacekeeping or peace-enforcement mission should be subject to the wartime military code. To avoid this effect and to be able to apply the peacetime military code, a law derogating from Article 9 is needed. Usually this is done by means of a legislative decree, since the Government has to move quickly. This practice was followed until Italy participated in the Enduring Freedom Mission. With the dispatch of troops to Afghanistan, Article 9 of the Italian wartime code was amended and the wartime code applied. The same was done with the Antica Babilonia mission in Iraq. With the change of the Government, this policy changed. Law no. 247 of 4 August 2006 states that the Italian mission underway should be subject to the peacetime military code. The same was done for UNIFIL II with Decree No. 253 of 28 August 2006.

## Conclusion

From a rather technical/operational point of view, one main observation can be made: simple, coherent and reactive chains of command, together with clear ROEs are important for the UNIFIL II mission and for the effectiveness of UN peacekeeping and the safety of UN contingents in general. While caveats are a national problem, ROEs should be uniform since it would not be appropriate for the various contingents to behave in different ways.

This was one of the reasons for establishing the SMC, and even though the Cell has produced uncertain results so far and has encountered diffi-

culties with the DPKO, the reasons for setting it up remain valid. The Cell allows for greater involvement of the contributing countries in strategic decisions and for a real and immediate connection between the forces on the ground and the UN's upper political echelons. It also supplements the DPKO with contributions from experts in the military sector.

Even if these aims are unlikely to be taken into account by the DPKO reform, it is recommended that the Force Commander be given the autonomy needed to be able to decide in real time on what to do in case of sudden crisis.

In the case of Lebanon, this autonomy is essential in that the risks for the troops on the ground are real: since 1978, more than 250 members of UNIFIL have died, including during the period after UNSC Resolution 1701. UN forces are constantly exposed to strikes by armed groups, especially those related to Syria and Iran.

According to some observers, the perception of this insecurity has been increased by the fact that the peacekeeping operation has delegated the task of disarming all militias on the territory to the Lebanese Armed Forces. That is why the UN forces committed under UNIFIL II should provide a strong component for training Lebanese security forces.

This is also why some DPKO and SMC high level officers<sup>46</sup> believe that the strict division between peacekeeping operations, under Chapter VI, and peace enforcement operations, under Chapter VII, is inappropriate. It fails to take into account the complexity of the current peacekeeping theatres, where instability can at any time flare into intense and sudden crisis, especially when the parties do not feel equally involved in the peace process. Pragmatically, the forces committed to UN peacekeeping operations should be conceived and equipped in the same way regardless of whether they are deployed under Chapter VI or VII.

Politically, it is clear that many factors are at stake in Lebanon: for example, the current impasse over appointment of the new President is also related to the role played by Syria and Iran in the country. In other words, peacekeeping operations can support but cannot replace the political process. That is why responsibility in terms of troop deployment should be considered a condition for backing a political strategy in the region.

The choice of an integrated (military and civilian) mission like UNIFIL II was appropriate. Indeed, mention must be made of the successful

<sup>46</sup> See also UN General Assembly, *Implementation of the recommendations of the Special Committee on Peacekeeping Operations*, quot. in fn. 36.

achievement within its framework of the Tripartite Meetings (chaired by UNIFIL II, with the participation of IDF and LAF officers) which, although technical, have political relevance, since Israel has often looked with suspicion upon the involvement of the Security Council and its peace-keeping operations.

For the EU, Lebanon has been a missed opportunity. It is true that the European partners form the bulk of UNIFIL. However they are not present with a mission under the aegis of the ESDP and with a European Headquarters. In other terms, the EU as institution is absent, even though single European countries contribute the troops in the field.

A final comment on multilateralism. Italy's military interventions – and humanitarian aid — are clearly set in the framework of its regional responsibilities and multilateralism. A precedent may be found in Italy's intervention in Albania and the successful Alba Mission (1997). It should be remembered that this choice does not imply doing away with national responsibilities.<sup>47</sup> That is also why reliable long-term investments in defence and security are required at the national level and why national caveats can coexist with a multinational commitment. UNIFIL II should not be seen as an exception.

UN mandates for peacekeeping operations are often vague and difficult to interpret. This can cause confusion among Commanders and personnel in the field. This time, the UNIFIL II mandate has not been a source of contention. But this conclusion can only be considered valid for the time being and will have to be tested in the event of a possible resurgence of violence in the area. As a matter of fact, UNIFIL does not have a clear political mandate. The situation in Lebanon is deteriorating with the eruption of violence and a political stalemate that has impeded the election of a new President of the Republic, as already noted. In this connection, UNIFIL II is a classical and, in some respects, old fashioned peace-keeping mission without any institution-building mandate.

<sup>47</sup> Italian Ministry of Foreign Affairs, *L'Italia nel Consiglio di Sicurezza (2007-2008) - Italy in the Security Council (2007-2008)*, quot. in fn. 32.



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# FINAL REPORT OF THE WORKSHOP

*Nicoletta Pirozzi and Simona Benedetti*

This report highlights some of the issues and observations put forward during the workshop “The contribution of Italy and the European Union to the collective security system of the United Nations”, held in Rome on 30 November 2007. It is not an official record and does not reflect the official views of any of the participants.

In the opening remarks, it was emphasized that during its first eleven months as non-permanent member of the UN Security Council (UNSC), while reiterating the efforts for the stabilization of Lebanon with the largest contingent in UNIFIL II, Italy has engaged proactively in all the main issues in the Security Council’s agenda and has contributed to the adoption of important resolutions, such as the resolution providing political and military assistance to Afghanistan, the resolution for the establishment of a special tribunal for Lebanon and the resolution authorising the deployment of a United Nations-African Union force in Sudan/Darfur. Italy’s strong concern for the appalling humanitarian situation in Somalia was underlined, together with its effort to bring back the attention of the Security Council to this crisis. Due to its enduring involvement in the Horn of Africa, Italy urged centering the diplomatic engagement in the region in general, and in Sudan/Darfur in particular, in the coming months, both at the level of the Security Council’s deliberations and of the European Union’s action. In order to fully support the crisis-management and post-conflict capacity of the African Union, Italy’s recent allocation of a significant financial contribution to the African Peace

Facility was also recalled. Speakers also touched on other sensitive issues dealing with Italy's effort to promote a wider role of the Security Council in the definition of collective security. As far as the human rights agenda is concerned, Italy strongly supported a decision on Myanmar after the recent crackdown by the regime. Firm support was also given to the issue of nuclear non-proliferation and notably to UNSC Resolutions 737 and 747 on Iran, in the firm belief that the dual-track approach, negotiation coupled with action, is the most appropriate strategy.

Italy's commitment to the enhancement of the EU's actorness in the UNSC was another issue raised by the speakers, which also underlined strengths and weaknesses of the EU's contribution to the UN system. It was acknowledged the existence of succeeding coordination methods at the EU level, which frequently ensure that decisions taken in Brussels are reflected in the UNSC deliberations. Relevant elements in order to assess the EU's role in the UN system are the outstanding figures concerning the EU's contribution to the UN budget, the number of EU Member States currently sitting in the Security Council and the role of the European Commission as the largest donor in development cooperation. Nonetheless, EU Member States are still in the process of developing their role as troop contributors, providing together only about 4% of the personnel currently employed in UN peacekeeping activities worldwide, 14% if we include Lebanon. Against this background, Italy's 26% share of EU peacekeepers is a particularly significant figure when considering Italy's responsibility as a global contributor to peace and security and its role at the United Nations. In order to capitalise on the fruitful inputs that the EU can provide to the Security Council's decision-making and to reinforce the international collective security system, speakers urged the creation of a stronger link between Brussels and New York and a greater effort in making EU military resources available for UN and ESDP operations. While acknowledging the existence of sensitive differences among the European partners on some relevant issues, especially concerning the African dossiers, it was acknowledged that Italy regards as a common priority the commitment both to the enhancement of the European vocation in the Security Council and to the adoption of a reform, which would potentially lead to a better continental balance in the body.

## Session I: Italy's contribution to UNIFIL II

The first panel focused on Italy's contribution to UNIFIL II and aimed at assessing the significance and the achievements of Italy's participation in the mission, as well as at drawing some lessons with regard to the European Union's capability to perform as a peacekeeping provider.

After explaining the historical background of the Lebanese theatre and recalling the establishment of UNIFIL I within the framework of Security Council Resolution 425, the speakers addressed the 2006 Summer war between the Hezbollah militias and the Israeli forces and Italy's diplomatic role in the Rome Conference, which paved the way for UNSC Resolution 1701 and the deployment of UNIFIL II. The so-called constructive ambiguity of this resolution raised problems of interpretation of the mandate, which legally appears to rely on both Chapter VI and Chapter VII of the UN Charter. The procedure for dispatching Italian troops for UNIFIL II followed the constitutional practice according to which the Parliament authorises the deployment of troops abroad by a resolution. The government also enacted a decree dictating the application of the peacetime military code on the troops abroad for UNIFIL II.

It was underlined that, due to the ambiguity of the resolutions' mandates, the military frequently experiences significant difficulties in the implementation of its tasks. The mandate should itself provide the basis for a political solution of the crisis, in order to ensure the military intervention's effectiveness and productivity in terms of enduring results. National distinctions in rules of engagement and caveats also represent a technical problem for the military, notably for the commander in the field, who has to face the emergence of a so called 'good guy/bad guy' syndrome within the local public opinion and sensitive differences in the allocation of tasks to the national contingents. It was also stressed that the performance of civilian-aiding tasks should not be entirely left to the military, since the involvement of different actors providing for civilians' needs is considered more affective.

Despite the lack of the EU's participation as a whole, European Union countries are the main contributors to the 15,000-troop operation, especially Italy and France. Relevant Italian contributions include an Italian navy operation - intended at guaranteeing the evacuation of civilians - as well as the deployment of the Interim Maritime Task Force - dispatched to substitute the Israeli forces controlling the Lebanese coasts in order to impede the channelling of weapons to Lebanon. The speakers pointed out the peculiarity of UNIFIL II as far as the chain of

command is concerned. Usually, the responsibility of the command of a UN-led peacekeeping operation is entrusted to the UN Secretary General, who has at his disposal the Department of Peacekeeping Operations (DPKO). In the field, the SG is also supported by a Special Representative. In the Lebanese case no Special Representative was appointed, but there were at least four officials in the field who responded to the home-office in the UN headquarters in New York. The military command of the mission was taken over by Italian Major-General Graziano in February 2007. UNIFIL II provided another relevant novelty: the *ad hoc* establishment of a Strategic Military Cell (SMC), located at the UN headquarters in New York and charged with the management of UNIFIL II within the DPKO. Notwithstanding a not extremely positive evaluation of the SMC performance, a series of fruitful lessons can be derived from this experience with regards to the foreseen reform of the DPKO.

Turning to the European Union's role in UNIFIL II, it was argued that the EU's lack of participation as a whole in the mission was indeed a missed opportunity with significant practical consequences, such as the impossibility to charge the EU's headquarters with the running and the control of the operations on the ground. Despite the reiterated emphasis put on the EU's contribution to UNIFIL II, the mission still relies on national contingents and it is not particularly revealing of the EU's capability as a peacekeeping provider. On the contrary, the decision of EU countries to participate in a UN-led operation may imply a perceived weakness of the EU, downsizing the outreach of the political discourse about the EU's commitment to UNIFIL II and to peace in Lebanon. Another main concern relates to the crucial opportunity provided by UNIFIL II, which is not to miss: the failure of the mission would alienate the trust of the Israeli public opinion, which was unexpectedly willing to accept the intervention of a foreign military on the territory in this occasion. The UN still displays significant comparative advantages in the performance of peacekeeping tasks, such as impartiality and inclusiveness of members, which regional institutions do not seem to possess. On the other hand, the opportunity to employ EU military contingents in UN-led operations is a matter which ought to be taken into account, considering that the EU countries' major participation in UNIFIL II is revealing of their efforts to explore new strategies of dialogue with the UN after a long period of mistrust *vis à vis* the world organization. The evaluation of Italy's participation in the mission centered upon the particular significance of UNIFIL II for the country. The political will to

play a significant role in the Lebanese theatre does not necessarily mark the beginning of a new era of Italy's consistent contribution to UN-led operations. Taking into account the significance of the Lebanese case for the Middle East stabilization process and the Italian current efforts to gain a stronger visibility in the UN/Security Council, Italy's involvement in the mission could be assessed as an exception and not as a precedent for future engagement in UN peacekeeping.

## **Session II: Italy at the UN Security Council**

In Session II, speakers underlined that the multilateral approach to international security is within the DNA of Italian democracy: it represents the reference dimension of Italian foreign policy and dates back to the adoption of the Italian Constitution in 1947, and in particular of its article 11. The multilateral dimension is also the main feature of the current Italian presence at the UN and, in particular, at the UN Security Council. In the collective security system of the United Nations, the Security Council has always played a pivotal role. However, it can be argued that the Security Council's statutory structure is the main cause of the current paralysis of the UN. The second cause lies in the low level of prestige of the collegial bodies and the third has to do with the inadequacy of the structures meant to deal with crises. If the issue of the reform of the UN Security Council does not seem to have a solution in the medium term and the possibility of the enlargement of this body has been overestimated, a credible alternative/complementary strategy should be conceived to be ready to face unexpected and serious threats to international peace and security, which might result in an about-face by the five permanent members (P5) on the enlargement issue. In this perspective, the reinforcement of the role and prerogatives of the G-8, coupled with an enlargement of its membership, can be considered as an alternative option that would deserve credit. It could avoid the present distortions and inadequacies caused by the exclusion of the new and emerging powers from the global governance. A G-8 membership more adequate and attuned to present realities and to the current balance of power would involve the major world players in a coordinated and common action at the international level. This would lead to joint orientations and decisions to be transferred to and implemented by the UN, by the Bretton Woods institutions and by other international fora, where the "Eight plus" would actually detain a majority of world stock.

For the time being, some key elements of the Italian action within the UN Security Council during the first phase of its mandate can be identified: first of all, on the UN Security Council reform, Italy confirmed the main lines of the United for Consensus proposal, firmly opposing an increase in the number of the permanent seats, while pursuing a broader participation in the Security Council through the admission of new non-permanent members, in particular developing countries and countries from regions that are under-represented. Italy also advocates for a flexible approach to regional representation, which combines recognition of the importance of regional groupings with an assessment of the candidate country's actual contribution to the UN system. The long term goal for Italy remains to be a permanent seat for the EU or, in any case, a genuinely European approach on the part of the EU members to matters dealt with in the Security Council. For this reason, Italy has promoted a European use of its seat in the UN Security Council since the beginning of its mandate and has implemented a series of coordination mechanisms among the EU members and with EU institutions. Other relevant actions taken by Italy include the campaign for a moratorium on the death penalty, together with its convinced reassertion of the necessity of a multilateral approach to international security.

Italy's credential within the UN framework already includes a significant commitment in terms of men and financial resources in numerous peacekeeping operations. Time has come now to translate this important contribution of Italy to the UN into a more effective impact on discussions and decisions at the Security Council. This entails the need to undertake a series of adequate workable initiatives and to contribute to their implementation and sustainability. These initiatives could be promoted on issues ranging from the consolidation of the informal coordination mechanisms between EU members at the UN Security Council to the extension and reinforcement of the multilateral approach by the international community to the main crisis and conflict scenarios: Kosovo, Sudan/Darfur, Afghanistan, Somalia. One important aspect in order to state EU ability to orient the decisions of the Security Council with respect to developing countries is to improve its actual financial commitment to development. Finally, special attention should be devoted to the fight against international terrorism – and here Italy has a part to play in the framework of the Counter-Terrorism Implementation Task Force set up by the Secretary General in September 2005 and the implementation of the Global Counter-Terrorism Strategy adopted by the General Assembly a year

later – and the fight against nuclear proliferation by renewing Italy's commitment to a stronger role for the UN and the International Atomic Energy Agency (IAEA).

Some participants highlighted reservations on the possibility of guaranteeing more effectiveness in the functioning of the UN Security Council by enlarging it to include the participation of more developing countries. It was also warned that institutional procrastination can have dangerous effects on the effectiveness of international governance and claims for a greater flexibility at the international level were advanced. In this perspective, both Italy and Germany should be modest in their expectations on UNSC enlargement and work together to tackle the real core issue: how to reconcile the legitimacy and the efficiency problems of the UN Security Council. In the discussion, many participants highlighted the co-existence of two trends, a weakened multilateralism and an increased perception of global interdependence. Therefore, there was a consensus that the debate over the opportunity to engage in forms of supplementarism to rise above the stalemate in the reforming process of the UN system, and especially of the UNSC, should pay careful consideration to how this functional multilateralism should be shaped and tailored. On one hand, there were concerns about the adoption of strategies of functional multilateralism, which could engender the creation of selective approaches to international relations. On the other, doubts were raised about the effectiveness of an eventually-enlarged G-8 framework, since the attachment of hardcore political issues to it could re-create the same difficulties experienced within the Security Council. The issues of possible re-election and adoption of a merit-based approach for election to non-permanent seats in the Security Council were also widely discussed. In particular, some participants raised concerns over the risk of creating a new category of quasi-permanent members, thus preventing the election of other countries entitled to have a say in the Security Council and undermining the important criterion of geographical representation. On the issue, the proposition to create three categories of Security Council members was raised: permanent members, members elected according to geographical distribution and members elected according to merit and contribution records. The EU dimension was also identified as the appropriate framework to experiment internal procedures for a performance-based UNSC membership among the EU Member States.

### **Session III: Proposals for a greater coordination of EU Member States at the UN Security Council**

The third session was aimed at evaluating proposals for a greater coordination of EU Member States at the UN Security Council. The main challenge was identified in finding a balance between the EU's ambitions as contributor to the UN collective security system and actor in a context of effective multilateralism on one side, and the relevant constraints imposed by provisions of the EU Treaties and national caveats on the other. The need for a greater role of the EU as a peacekeeping provider was addressed.

The EU does not have legal personality and cannot act on behalf of the EU Member States in the UNSC, nor does it have a formal status as member or observer. A number of provisions guarantee a degree of coordination among EU Member States, especially as far as agreement on common positions is concerned. In spite of the role of the Presidency in illustrating common positions and its increasing visibility in UNSC proceedings, difficulties to associate the Presidency/High Representative to any national delegation still remain. However, since January 2001, the practice of Art. 19 TEU weekly briefings, where one of the European UNSC members informs the permanent missions of the EU Member States at the UN about the upcoming agenda of the Security Council, has provided a higher degree of information-sharing. The appointment of the EU/UNSC Coordinator by the 27 EU Member States and the establishment by Italy of a focal point in its delegation in New York, both aimed at liaising with the EU Presidency with regards to security-related issues debated in the UNSC, appear to be fruitful coordinating methods.

Speakers suggested the need for wider discussion on UNSC matters in the Political and Security Committee (PSC) of the EU Council in order to ensure a broader common framework for representing the view of the EU in the UNSC, though a too binding one would limit the scope of negotiations with other partners. Two relevant examples were presented. When it came to discuss the ESDP operation in Chad, the PSC focused on the operational dimension, leaving the political one to the UNSC. On the other hand, the discussion over the Burma case in the PSC became immediately very political and overlapped with the predominant role of the Security Council.

Some realistic considerations about the domain of bureaucratic politics were also made. EU heads of missions in New York are mostly senior

diplomats at the top of their career, often uncomfortable with receiving instructions from their younger colleagues in the PSC. Limits also exist in terms of financial and human resources, together with consistent differences in the equipment of missions among the 27 EU Member States. As concerns forthcoming perspectives on the issue, on one hand, the ratification of the Lisbon Treaty will provide the EU with a legal personality and establish the role of the High Representative for Foreign Affairs and Security Policy, supported by a European External Action Service. Although it is too early to predict how this architecture will come into place, it may have a significant impact on the EU's political credibility on the international stage. Secondly, we should take into account that the second half of the 2008 conjuncture, with France holding the EU Presidency while being one of the P5, will pose once again the dilemma between its EU and UNSC roles, right before the Lisbon Treaty comes into force. It is also not to be forgotten that in late 2008 the two "Western Europe and Others Group" non-permanent seats at the UNSC will be up for a vote. Since Croatia, Turkey and Iceland are the countries which have advanced their candidature, the EU's voice within the UNSC will be assured only by the two European permanent members, France and United Kingdom.

Discussion focused on the interaction between EU internal dynamics and the EU's ability to contribute to the UN's dynamics. The challenge of reinforcing the EU's coordination, negotiation and representation functions *vis à vis* the UN Security Council comes up against vague treaty provisions and the absence of a political will to enhance the role of the EU in this framework. The implication of the two declarations attached to the Lisbon Treaty on account of the UK's will is not to be neglected indeed, as particularly revealing of the political trend intended to put limits on the role of the EU within the UN, and their implications should be carefully considered. The EU's poor contribution to the debate on the reform of the Security Council was felt to be the basis of a relentless perception of non-credibility *vis à vis* the organization. There is also a tendency at the EU level to frequently confuse the ability to present a common position with the capability to translate it into substantial action, as well as the propensity to mistake the mere establishment of a procedure for a tangible progress. Nonetheless, structural opportunities exist to improve the EU's dynamics *vis à vis* the UN. The need to provide vital information-sharing on the UNSC agenda in the enlarged European Union calls for an increased role of the Council office and the Commission office in New York in supporting the EU

Member States that are not powerful actors in the Security Council. Moreover, the development of Points of Contact within the EU structures in New York and Geneva was highly recommended. Touching on the issue of “Europeanisation” of the roles of the European permanent members of the Security Council, the practice does not provide much evidence of a gradual convergence of positions. In light of the peculiarity of the intergovernmental process and the Maastricht Treaty’s provision calling for the defence of the European Union’s vision in the Security Council by the European permanent members, there is no formal obligation which goes beyond merely reporting and consulting. Moreover, the dynamics of the Security Council represent a critical issue when it comes to engage in broader European coordination. The necessity to respond timely and effectively to a crisis brought to the attention of the Security Council usually has the effect of abandoning other paths of discussion. Moreover, bitter divisions over high-stake issues have so far demonstrated the EU Member States’ incapability to reach compromises on sensitive matters, while being successful on more shared interests, like the diametrically opposite examples of Iraq and Myanmar demonstrate. Nevertheless, the ensuing discussion showed consensus on the existence of an incrementally growing dynamic aimed at ensuring better coordination at the EU level *vis à vis* UN-related issues: not a revolutionary change, but a process endowed with much potential. In particular, the importance of efforts made not only in Brussels and New York, but also in the European capitals, to achieve common assessment of crisis situations and push for the emergence of a more cohesive approach was stressed. Bottom-up approaches of coordination and information-sharing at the EU level are effective tools that can only complement a broader EU institutional responsibility supported by a shared political vision on UN issues. Notably, the necessity to adopt such *grand designs* calls for the new High Representative to play a significantly stronger role and the Council of Foreign Ministers to shape an agenda focused on UN issues to be coordinated at the EU level. In this perspective, the obligation set by the Lisbon Treaty upon the European members of the Security Council to entrust the High Representative to present the Union’s position at the UNSC was recalled as a relevant development towards a growing daily interaction in the decision-making process. Many participants also urged for the clarification of the strategic priorities of the EU’s agenda. The foresight of a unilateral declaration of independence by Kosovo and the reiterated proposals for the adoption of tougher sanctions against Iran gave consistency to imminent scenarios calling the EU to adopt a clear stance on these sensitive issues.

Finally, concerning the EU's role as a peacekeeping contributor in the field, three main points were addressed.

- First of all, the EU lacks geographical and functional consistency as peacekeeping provider in the field in spite of its unparalleled diplomatic efforts in peacekeeping, crisis management and preventive diplomacy, as shown by the goals identified by the European Security Strategy and the strong support for the principle of the Responsibility to Protect. On the one hand, while significantly committed to the stabilization of the Balkans, Iraq and Afghanistan, the EU is almost absent or poorly engaged in sub-Saharan Africa, as the deployment of a limited 100-troop contingent for EUFOR RDC confirms. On the other hand, EU Member States appear to hardly intervene in operations under UN umbrella, especially in operations calling for actual combat.

- Moreover, constraints such as a limited deployable capability and an evident will of EU Member States not to intervene outside their area of interest, have a noteworthy impact on the EU's tendency to opt for short and relatively light-in-scope operations. The EU's need for prioritisation in the selection of fields of intervention was acknowledged, thus calling for the adoption of guidelines and frameworks of reference. The necessity for the EU to engage in operations involving its own strategic interests was much emphasized, as well as the subsequent need for urgent clarification of the EU's strategic security ambitions, with particular regards to the European Neighbourhood Policy. The importance of not adopting a too-selective approach was also stressed in order to provide a significant contribution to the collective security system, which is by definition expected to address threats to everyone's security.

- Thirdly, the necessity for the EU to translate its political ambitions into an effective military strategy in order to play a major role in international security was one of the main conclusions of this part of the discussion. In this regard, the Lebanon crisis was evidence of the political will to discuss the issue at the EU level, moving away from the usual NATO or national framework of debate. The importance of presenting the EU Member States' participation in peacekeeping operations as an EU contribution, regardless of the operational framework - NATO, ESDP, Blue Helmets' mission - was much emphasized, as well as the necessity to better exploit EU countries' contribution to UNIFIL II at the political level.





*Istituto Affari Internazionali*



Centro studi sul Federalismo



*In cooperation with the Italian Ministry of Foreign Affairs  
With the support of the Compagnia di San Paolo*

**Workshop on:**

***‘The contribution of Italy and the  
European Union  
to the collective security system  
of the United Nations’***

*Working language: English*

**Friday, 30 November, 2007**

***Rome***

***Palazzo Rondinini***

***Via del Corso, 518***

*A Special Thanks to the Antonveneta Abn Amro Bank  
for kindly providing the conference room*

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## Programme

09.15	<b>OPENING REMARKS.:</b> <b>Giulio Terzi di Sant'Agata</b> – Director General for Multilateral Political Affairs and Human Rights, Ministry of Foreign Affairs, Rome <b>Gianni Bonvicini</b> – Director, Istituto Affari Internazionali (IAI), Rome
09.30 – 9.45	<b>INTRODUCTION:</b> <b>Vittorio Craxi</b> – Undersecretary of State for Relations with the United Nations, Ministry of Foreign Affairs, Rome
09.45 – 11.15	First Round Table – <b>ITALY'S CONTRIBUTION TO UNIFIL II</b>
Chair	<b>Umberto Morelli</b> – Director, Centro Studi sul Federalismo (CSF), Turin
Rapporteurs	<b>Natalino Ronzitti</b> – Professor of International Law, LUISS University; Scientific Advisor, Istituto Affari Internazionali (IAI), Rome <b>Federica Di Camillo</b> – Researcher, Istituto Affari Internazionali (IAI), Rome
Respondents	<b>Vincenzo Camporini</b> – Chief of Staff of the Italian Air Force <b>Thierry Tardy</b> – Course Director, European Training Course in Security Policy, Geneva Center for Security Policy
11.15 – 11.30	<b>COFFEE BREAK</b>
11.30 – 13.00	Second Round Table – <b>ITALY AT THE UN SECURITY COUNCIL</b>
Chair	<b>Antonio Missiroli</b> – Director of Studies, European Policy Centre (EPC), Brussels

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Rapporteurs	<b>Ferdinando Salleo</b> – Ambassador <b>Nicoletta Pirozzi</b> – Researcher, Istituto Affari Internazionali (IAI), Rome
Respondents	<b>Joachim Krause</b> – Professor of International Relations, University of Kiel <b>Antonio Padoa-Schioppa</b> – President, Centro Studi sul Federalismo (CSF), Turin
13.00 – 14.00	<b><i>Lunch</i></b>
14.00 – 15.30	Third Round Table – <b>PROPOSALS FOR A GREATER COORDINATION OF EU MEMBER STATES AT THE UN SECURITY COUNCIL</b>
Chair	<b>Stefano Silvestri</b> – President, Istituto Affari Internazionali (IAI), Rome
Rapporteurs	<b>Sven Biscop</b> – Senior Researcher, Egmont - The Royal Institute of International Relations, Brussels <b>Antonio Missiroli</b> – Director of Studies, European Policy Centre (EPC), Brussels
Respondents	<b>Cesira D’Aniello</b> – Head of Unit, DGE External Economic Relations, Politico-Military Affairs, EU Council Secretariat <b>Christopher Hill</b> – Centre of International Studies, University of Cambridge
15.30 – 15.40	<b><i>Concluding remarks</i></b> <b>Gianni Bonvicini</b> – Director, Istituto Affari Internazionali (IAI), Rome

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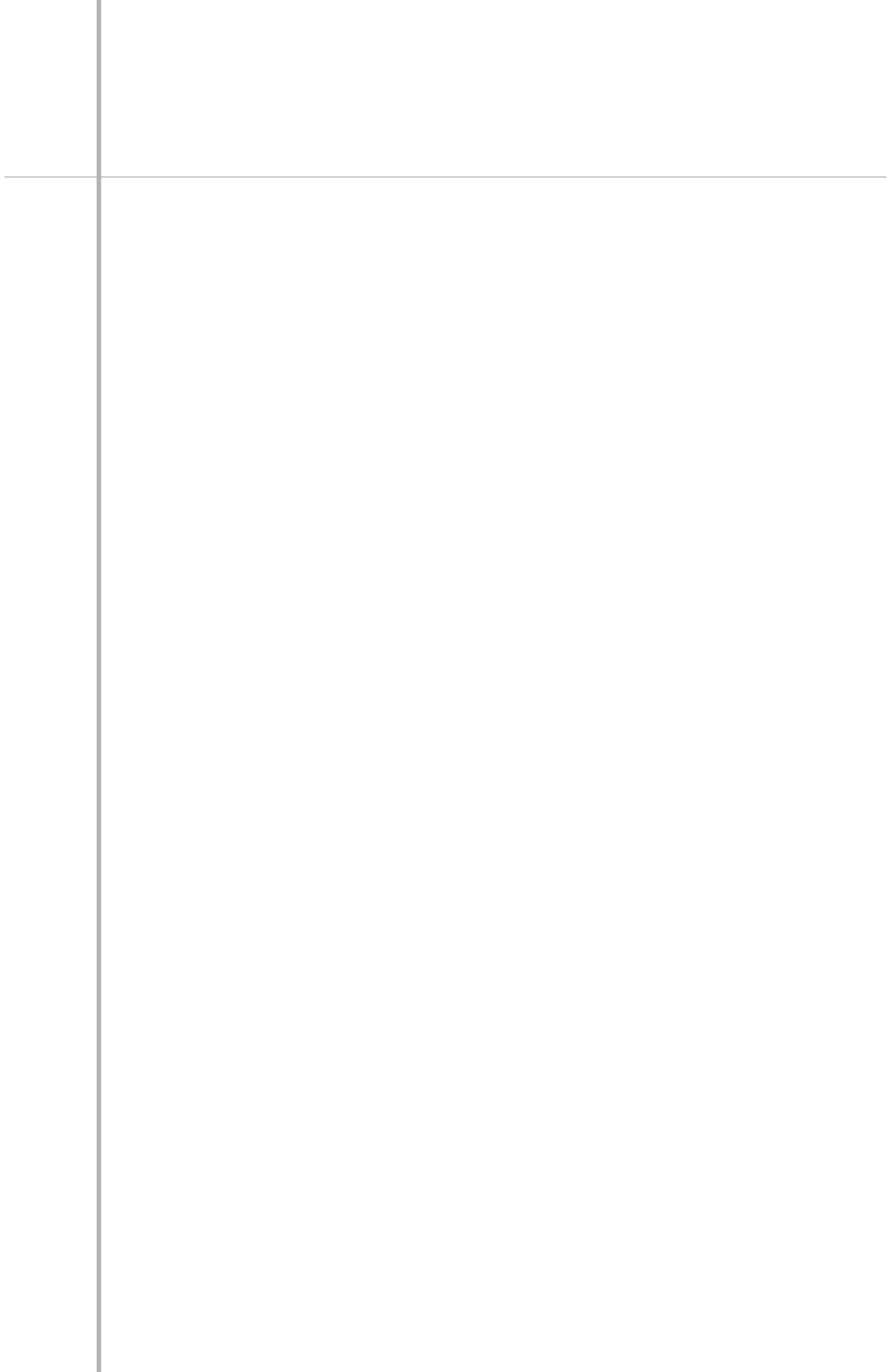
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## LIST OF ACRONYMS

AU	African Union
CFSP	Common Foreign and Security Policy
CTITF	Counter-Terrorism Implementation Task Force
DPKO	Department of Peacekeeping Operations
EC	European Community
EEAS	European External Action Service
EFTA	European Free Trade Association
ESDP	European Security and Defence Policy
ESS	European Security Strategy
EU	European Union
EUFOR-Althea	European Union Force in Bosnia and Herzegovina
EUFOR RDC	European Union Force in the Democratic Republic of the Congo
EUROMARFOR	European Maritime Force
G-4	Group of Four
G-8	Group of Eight
GA	General Assembly
GAERC	General Affairs and External Relations Council
GNI	Gross National Income
HR	High Representative
IAEA	International Atomic Energy Agency
IDFs	Israel Defense Forces
IMTF	Interim Maritime Task Force
ISAF	International Security Assistance Force
ISSMI	Istituto Superiore di Stato Maggiore Interforze
LAFs	Lebanese Armed Forces
MIC	Monitoring and Information Centre
MTF	Maritime Task Force
NACs	Non-Aligned Countries
NATO	North Atlantic Treaty Organization
OECD	Organisation for Economic Co-operation and Development
OEWG	Open-Ended Working Group
ONU	Organizzazione delle Nazioni Unite
P5	Five Permanent Members
PLO	Palestinian Liberation Organization
PSC	Political and Security Committee

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ROEs	Rules of Engagement
SC	Security Council
SG	Secretary General
SMC	Strategic Military Cell
SMT	Senior Management Team
TCCs	Troop-Contributing Countries
TEU	Treaty on European Union
UfC	United for Consensus
UN	United Nations
UNIFIL	United Nations Interim Force in Lebanon
UNIFIL II	United Nations Interim Force in Lebanon II
UNIKOM	United Nations Iraq-Kuwait Observation Mission
UNMACC	United Nations Mine Action Coordination Centre
UNMIK	United Nations Interim Administration Mission in Kosovo
UNMOGIP	United National Military Observer Group in India and Pakistan
UNSC	United Nations Security Council
USD	United States Dollar
USG	Under Secretary General
VP	Vice President
WEOG	Western Europe and Others Group



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