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NATO and the UN: Partnership with Potential?

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**NATO and the UN:
Partnership with Potential?**

Over the past two decades, NATO and the UN have become frequent yet uneasy partners in crisis management. They have cooperated in troubled regions like the Balkans, Darfur and off the coast of Somalia. Since 2003, they have jointly been struggling to stabilize Afghanistan. Most recently, in March through October 2011, NATO and the UN added another chapter to their stormy history when the Security Council authorized an allied air operation to protect civilians under threat of attack in Libya's civil war. However, NATO's pivotal role in ending Colonel Gaddafi's rule also caused Russia and other influential UN members to accuse the alliance of "hijacking" the Security Council mandate to promote regime change in Tripoli.

NATO-UN relations have remained a delicate issue because the organizations have overlapping yet distinctly different histories, tasks and memberships. Despite pledges to increase unity of effort in joint missions, both sides have been keen to guard their decision-making and operational independence. As a result, NATO and the UN have often worked at cross-purposes in crisis management, acting as interlocking rather than interlocking institutions.

Given NATO and the UN's complementary resources, closer cooperation seems an obvious means to increase the two organizations' effectiveness in peace enforcement and stability operations. The UN can grant legitimacy and civilian expertise to these endeavors. NATO's unrivaled military capabilities provide operations with "muscle and teeth." Better coordination and combination of NATO and UN resources allows for new synergies and is particularly crucial now, at a time when many countries face severe budgetary crises.

This analysis of NATO-UN cooperation in Libya and in Afghanistan suggests that NATO and the UN are likely to make meaningful efforts at cooperation when both sides require the partner organization's resources to attain their goals. However, if either feasible alternatives to cooperation exist or resource dependence is one-sided, cooperative structures rarely work effectively and the organizations remain reluctant to bring their actions into alignment. In the Libya and the Afghanistan operations, the extent and balance of NATO-UN resource dependence promoted

different cooperation patterns: in the case of Libya, NATO members initially had a strong interest in cooperating with the UN to receive a Security Council mandate for the use of force. Yet once the allied “stand alone” intervention had begun, the UN became dependent on NATO to influence the conduct of military operations. In Afghanistan, where NATO and UN missions operate “side by side,” a military-focused approach to conflict management has put NATO in a dominant position. The imbalance in organizational resources makes both sides reluctant to seriously engage with each other on vital issues beyond the support of elections.

Member states can promote more effective NATO-UN cooperation by stipulating mutually acceptable terms of interaction, defining joint tasks in operations and providing both organizations with sufficient resources to fulfill their mandates.

To facilitate strategic cooperation in military interventions such as Libya, NATO should continue its practice of the past decade and use force only under a Security Council mandate. It will be difficult for many NATO members to formally accept the status of a regional organization. However, voluntary compliance with the UN Charter’s strict rules for regional organizations would strengthen the UN system of collective security, which is of fundamental long-term interest to NATO members. The alliance should also become more transparent and responsive when conducting “stand alone” interventions. In turn, influential UN members – including Russia, China, and rising powers such as India, Brazil and South Africa – should commit greater levels of political support to UN-mandated NATO interventions to increase the incentives for the alliance to engage in cooperation.

To improve operational cooperation in joint stabilization operations, NATO and the UN should balance tasks and resources between their missions according to organizational expertise. In Afghanistan, ISAF’s vast personnel, financial and logistic resources have marginalized the UN mission and largely prevented meaningful cooperation between the organizations. The transition phase towards complete Afghan authority offers a new opportunity to create a more effective division of labor between NATO and the UN. After the withdrawal of ISAF forces in 2014, the UN should become the focal point for international efforts at promoting national reconciliation, civilian capacity building, and human rights. A special focus must be put on building Afghan capacities in the justice sector. NATO should restrict its activities to training and

capacity building in the security sector. It should also continue to offer protection to the UN in a discreet yet more responsive fashion. In sum, NATO and the UN should, as Ban Ki Moon put it at the 2008 NATO summit in Bucharest, “focus on those areas where each of us has specific expertise and capabilities, adding value to the work of others rather than duplicating it.”

The search for new terms of engagement in crisis management must be supported by constant and substantive dialogue between institutional Headquarters and a more structured transfer of knowledge. Specifically, both sides should create full-fledged permanent representations in New York and Brussels and further institutionalize high-level dialogue of senior representatives through a fixed calendar. In addition, NATO and the UN must prioritize signing agreements which enable the exchange of confidential information at all relevant levels. While NATO will not be ready to exchange its most secret documents, arrangements should be identified for files with a low level of security classification.

More effective NATO-UN cooperation does not provide a panacea for solving the problems that plague Afghanistan and other countries in crisis. However, closer NATO-UN relations and a complementary division of labor can increase synergy and prevent parties from working at cross-purposes. As Afghanistan faces the possibility of a civil war following allied retreat in 2014, NATO and the UN must become serious about adhering to a more unified approach.

Introduction

NATO's member states have struggled from the very beginning with the question of how the alliance can be made compatible with the United Nations. During the Cold War, NATO and the UN resembled oil and water: they did not mix.¹ Since the early 1990s, NATO-UN relations have changed dramatically and both sides have jointly engaged in multiple international crises from the Balkans to Afghanistan and Libya. The underlying reason for this development has been NATO and the UN's growing interdependency in crisis management. As one of the architects of NATO's 2010 Strategic Concept, former Director of Policy Planning Jamie Shea explains: "On all previous occasions when [NATO] drafted a Strategic Concept, its objectives could essentially be reached solely through the work of its own members. Partners were a useful but non-essential adjunct in these endeavours. Today, in contrast, virtually everything NATO does requires the ability to leverage the involvement and contribution of others."²

Thus, cooperation has become increasingly essential for NATO and the UN to cope with the complex demands of modern crisis management. The organizations' collaboration has remained restricted to a limited number of operations of mutual interest. However, these operations are usually critical for international security. It is therefore important to understand under which conditions NATO and the UN tend to cooperate effectively.

The paper argues that NATO and the UN cooperate closely when both sides perceive the need to access external resources to fulfill organizational goals. As organizations tend to have strong aversions towards infringements on their freedom of action, they must also lack politically and financially feasible alternatives to cooperation. Potential alternatives are the procurement of sufficient capacity and expertise to act independently, or justifying to "go it alone" based on claimed operational necessity or moral impera-

tives. Finally, it takes two to tango: cooperation can only be effective if both sides commit to it.³

NATO members are usually interested in UN Security Council mandates for the use of force, which tend to increase domestic and international support for operations. The alliance also lacks the UN's expertise in organizing elections and building political institutions in post-conflict societies. The UN, in turn, has an interest in accessing NATO members' advanced military and logistical capabilities to address crisis where there is "no peace to keep." While all NATO countries are also members of the UN, the allies have been reluctant to put substantial national troop contingents under UN command since the failure of the UN peacekeeping mission in Bosnia (UNPROFOR). Both organizations also possess complementary knowledge and capabilities in the different aspects of Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR). However, as these reform processes are inherently political, the usefulness of the organization's capacities primarily depends on whether their involvement is supported by the host country's elites and broader public.

Incentives for combining NATO-UN resources exist particularly in "stand alone" interventions and joint stabilization operations. In the "stand alone" scenario, NATO independently conducts a military intervention, mainly through the use of air power. These operations are usually justified on humanitarian grounds. In such cases the UN and NATO remain at odds on important questions: first, when does the alliance require a Security Council mandate to intervene militarily? Second, to what extent must NATO consult the UN in the course of a campaign? In Kosovo, NATO intervened without UN authorization. In contrast, the alliance obtained Security Council approval for its operation in Libya but subsequently faced allegations of overstepping its mandate.

The second common form of cooperation has been parallel missions such as in post-war Kosovo and in

¹ Derek G. Boothby, "Background Paper," in *Cooperation between the UN and NATO: Quo Vadis?*, ed. David M. Malone (New York: International Peace Academy, 1999).

² Jamie Shea, "NATO at Sixty – and Beyond," in *NATO in Search of a Vision*, ed. Gülnur Aybet and Rebecca R. Moore (Washington, DC: Georgetown University Press, 2010), 28–29.

³ Jeffrey Pfeffer and Gerald R. Salancik, *The External Control of Organizations. A Resource Dependence Perspective* (New York: Harper and Row, 1978). Michael F. Harsch, *The Power of Dependence. NATO-UN Cooperation in Crisis Management*, PhD Thesis (Berlin: Freie Universität Berlin, 2011).

Afghanistan. These complex stabilization operations include a wide range of actors and necessitate NATO-UN cooperation on the ground. For example, the NATO-led ISAF force operates side by side with the UN mission in Afghanistan. Yet both sides have failed to effectively align their actions in the country. In a nutshell, NATO and the UN face incentives to cooperate in military interventions and joint stabilization operations but struggle to identify effective terms of cooperation. The following two sections analyze the hindrances to more unity of effort in both scenarios. The paper concludes with recommendations for more effective terms of NATO-UN cooperation.

NATO-UN Cooperation in “Stand Alone” Operations: From Kosovo to Libya

More than sixty years after NATO’s creation, the alliance’s role within the UN system of collective security remains unclear. The alliance has been unwilling to rule out the option of intervening in conflicts absent a UN Security Council mandate. Many UN members remain concerned about unsanctioned allied actions and have complained about their insufficient consultation in NATO-led operations. These conflicts between the organizations over “stand alone” interventions were highlighted in the aftermath of the Libya campaign. NATO Secretary-General Rasmussen argued that Security Council approval for allied operations was desirable but not imperative.⁴

This section examines to which extent NATO and the UN depend on each other’s resources in military interventions and how this dependence has played out in the case of Libya. A closer look at the provisions of the UN Charter and the NATO treaty shows that the alliance has a strong interest in Security Council mandates for both legal and fundamental strategic reasons. The operation in Libya demonstrates that NATO-UN agreement on military intervention in civil conflicts is possible. Yet, the organizations need to develop clear and inclusive terms of cooperation which provide the Security Council with the opportunity to raise concerns and prevent self-defeating public controversies between NATO and non-Western powers during operations.

The UN, NATO and the Use of Force

The UN Charter of 1945 yields the primary responsibility for maintaining international peace and security to the Security Council to prevent another world war or large scale military confrontation, in which each side claims just cause. Chapter VII of the Charter specifies that force which does not serve the purposes of individual or collective self-defense may only be used on the basis of a Security Council mandate. Thus, the Security Council possesses a *de jure* monopoly over authorization of non-self-defensive use of force.

⁴ Joachim Zepelin, “Nato will ohne Uno-Mandat in den Krieg,” *Financial Times Deutschland*, 27 October 2011.

However, NATO’s creation in 1949, and to some extent its continuing existence after the demise of the Soviet Union, has been an expression of Western states’ desire for an institution which provides more reliable security guarantees than the UN. NATO members feared deadlock in the Security Council in case of a Soviet attack and built the alliance around the musketeer principle of collective defense: an armed attack against one member is considered an attack against all, resulting in coordinated counter-measures by all allies.⁵

NATO’s founding fathers were keen to place the North Atlantic Treaty within the framework of the UN system to avoid the impression that they were replacing the UN with an old-fashioned military alliance.⁶ Thus, the NATO treaty refers extensively to the UN Charter. Highly symbolically, the preamble’s first sentence reaffirms NATO members’ “faith in the purposes and principles of the Charter of the United Nations.” In addition, four of the treaty’s fourteen articles mention the Charter. Article 7 explicitly states that NATO’s existence shall not affect “in any way [...] the primary responsibility of the Security Council for the maintenance of international peace and security.”⁷

However, the NATO treaty deliberately does not mention Chapter VIII of the UN Charter or any of the articles which deal with “regional arrangements” (today usually referred to as regional organizations). To date, NATO members fear that Chapter VIII obligations will undermine NATO’s freedom of action. As a Chapter VIII organization, NATO would be required to keep the UN Security Council “at all times [...] fully informed of activities undertaken or in contemplation [...] for the maintenance of international peace and security.”⁸ NATO could also undertake enforcement action only “under the authority” of the UN Security Council. Thus, NATO would have to seek prior Security Council permission before taking any military action. This would enable Russia and China to veto

⁵ North Atlantic Treaty, article 5.

⁶ Lawrence S. Kaplan, *NATO and the UN: A Peculiar Relationship* (Columbia: University of Missouri, 2010), chapter I.

⁷ North Atlantic Treaty, article 7.

⁸ Charter of the United Nations 1945, article 54.

alliance decisions.⁹ In order to avoid UN Security Council scrutiny, the NATO treaty instead refers to article 51 of the Charter. This article obliges NATO to simply report to the Security Council after self-defense measures have been taken.

In the case of Kosovo, NATO conducted its 1999 air campaign without UN authorization. NATO members put forward multiple legal and moral justifications for the intervention, most prominently that the use of force was the last resort to avert an immediate humanitarian catastrophe. However, most scholars of international law agreed that NATO’s intervention was illegal because it lacked a UN mandate.¹⁰ The unsanctioned Kosovo campaign created great tensions among NATO members and sparked domestic and international resistance against the intervention.

NATO’s 2010 strategic concept emphasizes that the “Alliance is firmly committed to the purposes and principles of the Charter of the United Nations,” affirming “the primary responsibility of the Security Council for the maintenance of international peace and security.”¹¹ It also asserts that NATO will fulfill its tasks “always in accordance with international law.”¹² However, the alliance’s strategic concept neither accepts NATO as a regional organization as defined in Chapter VIII of the UN Charter, nor explicitly excludes NATO from undertaking offensive military actions without UN authorization.

Libya and its Implications for NATO-UN Relations

NATO’s operation in Libya from March to October 2011 has two important implications for NATO-UN relations in military interventions. First, it illustrates that it is possible for the alliance to receive approval for humanitarian interventions from the UN Security

Council. On 17 March 2011, the Council authorized the use of “all necessary means” to protect civilians under threat of attack in the country.¹³ UN Resolutions 1970 and 1973 reflected the historical moment of the Arab Spring and the Gaddafi regime’s open defiance to all calls for restraint in his reaction to the popular revolt against its rule. The UN resolutions were also significant as they referred for the first time to the responsibility to protect a population from mass atrocities. This emerging legal norm conflicts with China and Russia’s support for the principle of national sovereignty and non-interference in internal affairs. Yet China and Russia, along with India, Brazil and Germany, abstained from the vote and allowed the resolution to pass. This made a UN-sanctioned military intervention possible, which was soon taken over by NATO and likely prevented a massacre in the rebel stronghold Benghazi.

Second, the Libya intervention demonstrated the challenge of maintaining cooperative relations between NATO and the UN in the course of a military campaign. NATO faces few incentives to respond to UN requests once the alliance has acquired a mandate for the use of force. Security Council members Russia, China, India, Brazil and South Africa accused the alliance of overstepping the UN mandate’s boundaries. These states argued that NATO’s military actions were one-sided and aimed at regime change, a goal which went far beyond the original UN mandate to protect Libyan civilians. Yet at the UN, critics of the intervention remained powerless bystanders. After the Libya experience, Russia and China are likely to be more reluctant to provide NATO with a UN mandate, fearing they will be sidelined during military operations. Thus, NATO’s lack of transparency and unwillingness to address the concerns of powerful UN nations during the Libya campaign has increased the threshold for gaining support for future operations in the UN Security Council.

NATO’s boldness in stretching the Libya mandate to its limits, and arguably beyond them, has also complicated a UN response to the violence in Syria, where security forces in 2011 reacted to anti-government protesters with widespread human rights violations. There is no evidence that NATO has seriously considered an intervention in Syria, given the danger that the country could then become a battleground for

⁹ Charter of the United Nations 1945, article 53(1). See also Dan Sarooshi, “The Security Council’s Authorization of Regional Arrangements to Use Force: The Case of NATO,” in *The United Nations Security Council and War*, ed. Vaughan Lowe, et al. (Oxford: Oxford University Press, 2008), 226–247.

¹⁰ Steven Haines, “The Influence of Operation Allied Force on the Development of the Jus ad Bellum,” *International Affairs* 85(3) (2009): 477–490.

¹¹ NATO Heads of State and Government, “Active Engagement, Modern Defence: Strategic Concept for the Defence and Security of the Members of the North Atlantic Treaty Organisation,” Lisbon, 19 November 2010, <http://www.nato.int/lisbon2010/strategic-concept-2010-eng.pdf>, para. 2.

¹² *Ibid.*, para. 4.

¹³ UN Security Council, “Resolution 1973,” S/RES/1973, 17 March 2011, para. 4. See also UN Security Council, “Resolution 1970,” S/RES/1970, 26 February 2011.

various regional powers.¹⁴ Moscow's close political and economic ties to the Assad regime also made it unlikely from the beginning that Moscow would support UN sanctions against the country. Yet, in October 2011, Russia and China even vetoed a watered down UN resolution sponsored by the European members of Security Council that condemned the violence and warned that the Council would consider "targeted measures" if violence against civilians continued. The Russian UN ambassador stated that one important reason for Russia's rejection of the resolution was the Libyan experience. He warned of Libya becoming "a model for future actions of NATO in implementing the responsibility to protect [R2P]."¹⁵

In late October 2011, NATO members addressed some of these concerns by supporting a Russian initiative for a UN resolution which formally ended the mandate for international military operations in Libya.¹⁶ However, the intervention in Libya illustrated that NATO military actions which are not fully covered by a UN mandate will put an operation's legitimacy into question and provoke international resistance. The concluding section therefore suggests new terms of NATO-UN cooperation in "stand alone" operations which would balance relations and create incentives for stronger unity of effort.

14 International Crisis Group, "Uncharted Waters: Thinking through Syria's Dynamics," *Middle East Briefing* No. 31, Damascus/Brussels, 24 November 2011.

15 UN Security Council, "6627th Meeting," UN Doc. S/PV. 6627, 4 October 2011.

16 UN Security Council, "Resolution 2016," UN Doc. S/RES/2016, 27 October 2011.

NATO-UN Cooperation in Parallel Operations: The Case of Afghanistan

Over the past decade, Afghanistan has been the most important test case for NATO and the UN's ability to operate side by side in operations. At the doctrinal level, NATO and the UN have acknowledged that they are "never alone in the theatre" and must engage with other organizations to fulfill their mission.¹⁷ However, as former commander of the NATO-led forces in Afghanistan (ISAF) General Stanley McChrystal observed: "What happens is, sometimes at cross-purposes, you got one hand doing one thing and one hand doing the other, both trying to do the right thing but working without a good outcome."¹⁸ One of his predecessors, British General David Richards, more bluntly remarked that international organizations' collective disunity had created a situation "close to anarchy" in Afghanistan, and warned that this was a recipe for failure.¹⁹

This section illustrates that NATO and the UN have failed to implement a comprehensive approach to conflict management in Afghanistan because a dysfunctional division of labor and imbalanced resource distribution decreased the incentives for cooperation.²⁰ This has become particularly obvious in the area of governance and reconstruction. In the current transfer of responsibility to Afghan authorities, NATO and the UN should therefore develop a division of labor

which builds on the organizations' comparative strengths.

A Skewed Division of Labor

When NATO and the UN began to work together in Afghanistan in 2003, their division of labor seemed to be clear-cut. UNAMA (United Nations Assistance Mission in Afghanistan) received a narrow political mandate in 2002. Its task was to concentrate on the political process set out in Bonn, human rights, the rule of law and gender issues. Furthermore, it was given the mandate of promoting national reconciliation and coordinating UN humanitarian efforts.²¹ ISAF was mainly responsible for providing a secure environment in which political processes and economic development could take place.²² The force acts based on an annually renewed UN mandate, adopted under Chapter VII of the UN Charter.²³

In contrast to the post-war mission in Kosovo, there have been no joint NATO-UN tasks such as the provision of public safety. ISAF and UNAMA are parallel missions with separate chains of command. This necessitates a complicated form of non-hierarchical coordination, where neither organization has formal authority over the other.

UNAMA and ISAF officials attend countless meetings at various levels, but prioritization and meaningful coordination have remained elusive. Participants in coordination forums have often done "little more than repeat policy lines and action points."²⁴ Officials have begun to refer derisively to "the C-word." Coordination has become a synonym for an endless stream of tiring meetings without significant output.

¹⁷ Claudia Major and Christian Mölling, "More Than Wishful Thinking? The EU, UN, NATO and the Comprehensive Approach to Military Crisis Management," *Studia Diplomatica* 62(3) (2009): 21–28, 26.

¹⁸ McChrystal cited in Richard A. Opiel and Rod Nordland, "U.S. Is Reining in Special Operations Forces in Afghanistan," *New York Times*, 15 March 2010. General McChrystal was referring to the coordination between the international military forces and US special forces in Afghanistan, but the essence of his remark also holds true for cooperation between other international actors in the country.

¹⁹ David Richards, "NATO in Afghanistan: Transformation on the Front Line," *RUSI Journal* 151, no. 4 (2006): 10–14, 12.

²⁰ See also Michael F. Harsch, "NATO and the UN in Afghanistan: Partners or Competitors?," in *The UN and NATO: Forward from the Joint Declaration*, ed. Brooke A. Smith-Windsor (Rome: NATO Defense College, 2011), 76–111; M. J. Williams, "(Un)Sustainable Peacebuilding: NATO's Suitability for Postconflict Reconstruction in Multiactor Environments," *Global Governance* 17(1) (2011): 115–134.

²¹ UN Secretary-General, "The Situation in Afghanistan and its Implications for International Peace and Security," UN Doc. A/56/875-S/2002/278, 18 March 2002, para. 97.

²² UN Security Council, "Resolution 1386," UN Doc. S/RES/1386, 20 December 2001.

²³ As of October 2011, twelve Security Council resolutions had been passed (Res. 1386, 1413, 1444, 1510, 1563, 1623, 1707, 1776, 1833, 1890, 1943 and 2011).

²⁴ International Crisis Group, "Afghanistan: The Need for International Resolve," 6 February 2008, 14.

Orchestrating policies has been further complicated by the fact that the UN Special Representative of the Secretary-General (SRSG) lacks authority over the various UN agencies operating in Afghanistan. Afghanistan has the largest concentration of UN agencies in a single country and each is keen to guard its autonomy.²⁵ In addition, each ISAF nation tends to conduct operations according to national preferences and priorities.

Finally, over-classification of information, even non-military, has repeatedly impeded cooperation. For example, a Provincial Reconstruction Team (PRT) in Afghanistan once rejected a UN request to share its flood-contingency plan because it was classified.²⁶ In a private conversation with the author, a NATO general dryly remarked that NATO and the UN could not even talk about the weather because ISAF routinely classifies weather forecasts.

In sum, the lack of joint tasks, UN authority to coordinate non-military affairs, and mechanisms for sharing classified information complicate ISAF-UNAMA relations and create few incentives for cooperation. Within this framework, how has collaboration evolved in key policy areas?

Governance and Reconstruction: Working at Cross-Purposes

One of the most important areas of ISAF-UNAMA interaction has been the promotion of effective governance and reconstruction. The creation of NATO-led Provincial Reconstruction Teams (PRTs) from 2003 onward was aimed at jumpstarting reconstruction in areas where Afghan authorities had a nonexistent or minimal influence.²⁷ ISAF maintains that certain non-military PRT activities such as the improvement of basic public services including infrastructure, health care and education are essential for attaining military

goals and can only be delivered by the military at present.

However, the UN and many Non-Governmental Organizations (NGOs) have been concerned about the PRTs' activities in the field of reconstruction and governance, as these tasks go well beyond ISAF's original mission of providing security.²⁸ NATO countries promoted PRTs as means to foster security and reconstruction at the provincial level, but the PRTs' main contribution and impact has been political.²⁹ The commanders of the PRTs and the Regional Commands (RCs) became the first and most important points of contact for local powerbrokers which weakened the authority of the government in Kabul.³⁰

The UN has also been worried that the military engage directly in reconstruction activities or relied on international contractors to implement projects which were not in line with provincial and national development plans. The military's aim has been to accelerate project implementation and to keep money from ending up in illicit channels. At the same time, however, local government has been deprived of resources and was unable to develop in many areas.

UNAMA has been largely excluded from PRT decision-making. It had no role in coordinating the civilian activities of PRTs, nor did it receive information on these activities as part of its overall coordination mandate. Additionally, the UN's proven track record in certain areas, such as promoting the establishment of governance and security structures at the local level has not been acknowledged.³¹

Against the backdrop of deteriorating security, sluggish economic development and growing frustration among Afghans about a lack of progress, the international community strengthened the UN's coordinating role in 2008. The Security Council expanded and sharpened UNAMA's mandate.³² ISAF

25 See remarks by Michael Keating, UNAMA's Deputy SRSG for Relief, Recovery and Reconstruction, Oslo, 4 October 2011, http://media01.smartcom.no/Microsite/dss_01.aspx?eventid=6375.

26 Interview with Scott Smith, Senior Political Affairs Officer (Afghanistan Desk), UN Department of Peacekeeping Operations, New York, October 2008.

27 The literature on PRTs is extensive, e.g. Carter Malkasian and Gerald Meyerle, *Provincial Reconstruction Teams: How Do We Know They Work?* (Carlisle: Strategic Studies Institute, March 2009), <http://www.strategicstudiesinstitute.army.mil/pdf/files/PUB911.pdf>.

28 Bas Rietjens et al., "Enhancing the Footprint: Stakeholders in Afghan Reconstruction," *Parameters* 39(1) (2009): 22–39, 22.

29 Barbara J. Stapleton, "A Means to What End? Why Prts Are Peripheral to the Bigger Political Challenges in Afghanistan," *Journal of Military and Strategic Studies* 10(1) (2007): 1–49, 2.

30 Paul Fishstein and Andrew Wilder, *Winning Hearts and Minds? Examining the Relationship between Aid and Security in Afghanistan* (Medford: Feinstein International Center, Tufts University, January 2012).

31 Michael Aaronson, "An Outsider's View on the Civil-Military Nexus in Afghanistan," in *Comparative Perspectives on Civil-Military Relations in Conflict Zones*, ed. Michael J. Williams and Kate Clouston (London: RUSI, 2008), 10–19, 16.

32 UN Security Council, "Resolution 1806," UN Doc. S/RES/1806, 20 March 2008.

nations publically acknowledged UNAMA's lead role in coordinating the overall international civilian effort. The UN General Assembly also decided to increase UNAMA's budget and the number of its staff.³³

In Afghanistan, ISAF and humanitarian aid organizations, including UN agencies, endorsed a set of guidelines for the interaction and coordination of civilian and military actors in 2008.³⁴ UNAMA hoped that the civil-military coordination guidelines would safeguard a "humanitarian space" in which NGOs and UN agencies can operate in a neutral manner. ISAF, in turn, expected to receive more security-relevant information and to learn more about plans and projects of humanitarian agencies.

Finally, NATO leaders urged UN Secretary-General Ban Ki Moon not to delay further the signature of a pending Joint Declaration on NATO-UN cooperation. On 23 September 2008, the Secretaries-General signed the first formal accord between the NATO and the UN Secretariat.³⁵ The document contains a joint commitment to cooperation and outlines possible fields of collaboration, but it remains vague on specific measures to develop relations.³⁶ The declaration was highly controversial within the UN because many member states and staff were afraid that a stronger reliance on NATO assets could reduce UN operational independence. In particular the UN's humanitarian bodies and agencies were concerned that closer cooperation with NATO could jeopardize their neutrality in conflict areas and put their staff at risk. However, the UN Secretary-General's authority to sign joint declarations without formal agreement of the member states made it possible to avoid a vote in the Security Council or General Assembly, where NATO critics dominate. Russia's Foreign Minister Sergey Lavrov nonetheless accused Ban Ki Moon of "secretly" concluding an agreement without properly consulting Security Council members.³⁷

³³ UNAMA, "Press conference by Kai Eide, Special Representative of the Secretary-General for Afghanistan," Kabul, 17 December 2008, <http://www.reliefweb.int/node/290871>.

³⁴ Afghanistan Civil Military Working Group, *Guidelines for the Interaction and Coordination of Humanitarian Actors and Military Actors in Afghanistan*, 20 May 2008, <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1091345>.

³⁵ Jaap de Hoop Scheffer and Ban Ki Moon, "Joint Declaration on UN/NATO Secretariat Cooperation," New York, 23 September 2008.

³⁶ Michael F. Harsch and Johannes Varwick, "NATO and the UN," *Survival* 51(2) (2009): 5–12.

³⁷ Steve Gutterman, "Russia Official Blasts 'Secretive' UN-NATO Deal," *The Associated Press*, 9 October 2008. The NATO

NATO's push for a formal accord seems to have been primarily an effort to increase international as well as domestic support for the Afghan mission. NATO countries did not assume that the Joint Declaration would convince many nations outside the alliance to become substantially engaged in the military stabilization and reconstruction of Afghanistan. However, they were interested in mobilizing stronger political support for the ISAF mission from the Muslim countries.³⁸ The Joint Declaration was as a senior NATO official put it a way of "image enhancement"³⁹ for the alliance. NATO hopes that it will now be easier to improve its relations with non-governmental and other regional organizations, such as the African Union and the League of Arab States.⁴⁰

However, this period of increased cooperation between NATO and the UN was short-lived. In 2009, the Obama administration decided to strengthen its engagement in Afghanistan. This so-called "surge" was not restricted to increasing the number of ISAF soldiers but had also an important civilian dimension. From January 2009 to early 2010, the US government trebled its civilian staff in Afghanistan. A large share of the "civilian surge" was designated to support military units with civilian expertise. The initiative quadrupled US civilian staff at PRTs and US forward operating bases.⁴¹ ISAF focused increasingly on political issues such as anti-corruption and good governance.

NATO members responded to the US "surge" by expanding the role of the Senior Civilian Representative (SCR) in 2010, which effectively ended UNAMA's

and UN Secretariats argued, however, that they held sufficient briefings and that a joint declaration of the Secretaries-General did not require approval from UN members. A UN spokesperson emphasized that the accord was in line with similar agreements with other regional organizations and that it did "not imply agreement with all NATO policies." See Michele Montas, "Highlights of the Noon Briefing," UN Headquarters, New York, 3 December 2008, http://www.un.org/News/ossg/hilites/hilites_arch_view.asp?HighID=1227.

³⁸ See the interview with then-NATO Senior Civilian Representative, Daan Everts:

Aunohita Mojumdar, "Afghanistan Needs Muslim Aid Effort," *Al Jazeera*, 31 December 2007.

³⁹ Interview with senior NATO official, Brussels, June 2010.

⁴⁰ Jaap de Hoop Scheffer, "Keynote Address at the 54th Annual Session of the NATO Parliamentary Assembly," Valencia, 18 November 2008, <http://www.nato.int/docu/speech/2008/s081118a.html>.

⁴¹ US Department of State, "Report of Inspection: Embassy Kabul, Afghanistan," Report No. ISP-I-10-32A, Washington, DC, 2010, <http://oig.state.gov/documents/organization/138084.pdf>, 4.

role as aid coordinator. The appointment of a senior British diplomat for the post created an influential civilian leadership position within ISAF, although the SCR continues to resemble a subordinate rather than a diplomatic counterpart of the ISAF commander.⁴² NATO members informally agreed that the new SCR would team up with the US ambassador to take over coordination of the civilian effort. NATO members supported keeping UNAMA formally in charge of aid coordination because the UN's involvement provided a legitimizing political cover for NATO's activities.

As for UNAMA, the new resources arrived very slowly and proved insufficient to turn it into a capable partner for ISAF. In addition, direct assaults against UN personnel and offices have reduced UNAMA's ability to act and have strained its relations with ISAF. In October 2009 Taliban fighters launched an attack against a guest house in Kabul, killing five UN staff members and wounding five. In October 2010, suicide bombers attacked the UNAMA office in Herat and in April 2011, violent protesters overran UNAMA's compound in Mazar-i-Sharif, killing three international staff and four guards. UNAMA argues that in none of the three incidents ISAF reacted in a meaningful way, despite the existence of an agreement between UNAMA and ISAF on "in extremis support." Stricter safety precautions have now further reduced UN personnel's freedom of movement. Simultaneously, a considerable number of personnel have quit their positions over security fears, leaving UNAMA critically understaffed.

Thus, while the UN was weakened, the military has strengthened its position as predominant international actor in most areas of Afghanistan. ISAF's comprehensive role was clear during 2010–2011 operations in southern Afghanistan. The military identified a vacuum in the governance and development sector and has been keen to fill it. In contrast to the jointly endorsed guidelines for civil-military coordination, the military's role in promoting "government in a box" exceeded gap-filling measures.⁴³

ISAF planned and conducted its campaigns in insurgency strongholds without serious consultation of UNAMA. UN agencies and many aid organizations

withdrew due to their unwillingness to work in support of a military strategy.⁴⁴ The Afghan officials who were picked to rapidly deliver services lacked experience, capacity and were often unpopular among the local population. As a result, ISAF relied on its own civilian capacities and development work was increasingly initiated and implemented by the military.

The public services which were expected to win over the population in the South of Afghanistan have yet to materialize. It remains unclear how much capacity UN agencies and NGOs would have been able to add to humanitarian and reconstruction efforts. Regardless, ISAF's substitution strategy has clearly failed to fulfill the Afghan population's expectations in the Southern provinces and beyond. Former ISAF commander General McChrystal recently admitted that the military continues to hold a "frighteningly simplistic view" of the situation in Afghanistan and lacks local knowledge.⁴⁵

In sum, an extensive NATO role in governance and development has sidelined the UN and has failed to empower competent Afghan officials. As this division of labor reflected resource and power imbalances rather than comparative strengths, it has reduced the impact of international efforts in the governance and development area. The poor performance in this area should be of great concern because it is unlikely that the security situation in Afghanistan can be improved in a sustainable manner without visible progress in the delivery of basic public services. NATO countries should therefore reconsider the distribution of tasks and resources between ISAF, UNAMA and Afghan officials in the transition and beyond 2014.

The Transfer of Responsibility: Opportunity for Cooperation?

Cooperation between ISAF and UNAMA will remain a critical issue in the transition of responsibility to Afghan authorities by 2014. At this point, the crucial questions are: which roles can and should NATO and the UN play in the transition towards Afghan self-governance and how can the organizations increase their unity of effort? The challenge will be to return

⁴² Mark Landler and Thom Shanker, "British Diplomat Takes Key Afghan Role," *New York Times*, 15 May 2010.

⁴³ Although the guidelines were never signed, they serve as a reference for ISAF and humanitarian organizations in Afghanistan, see Wolfgang Weisbrod-Weber, "Vereinte Nationen und NATO in Afghanistan," *Vereinte Nationen*, 59(3) (2011): 105–113, 106.

⁴⁴ UNAMA, "UN Humanitarian Coordinator Press Conference," Kabul, 17 February 2010, <http://unama.unmissions.org/Default.aspx?tabid=1761&ctl=Details&mid=1892&ItemID=7810>.

⁴⁵ Declan Walsh, "US Had 'Frighteningly Simplistic' View of Afghanistan, Says McChrystal," *Guardian*, 7 October 2011.

from a military-driven counter-insurgency campaign to a civilian-led international approach to conflict resolution which builds on NATO and the UN's comparative strengths.

Thus far, ISAF's dominance has further minimized the organizations' readiness to align their approaches. The organizations have pursued disconnected policies to building institutional capacity for governance and security at the national and provincial level. NATO and the UN have also failed to coordinate their efforts at promoting a peace process with the Taliban.

UNAMA largely focuses on long-term, structural issues such as promoting reconciliation and political reform. For example, UNAMA advocates for devolution of political and financial authority from Kabul to the Afghan provinces. This would provide provincial governors with the means to initiate development projects without entering in a cumbersome process of obtaining approval from the inefficient central bureaucracy. The main challenge to implementing this plan is that governors' competence and integrity varies significantly across Afghanistan. Corruption is widespread. Thus far efforts have failed to give provincial councils the authority to exercise scrutiny in order to make local administrations more accountable for their actions. However, the structural reforms promoted by UNAMA could improve the speed and quality of services and increase local acceptance of the government.

In contrast, ISAF has focused on short-term training and capacity building measures in the security sector. This policy is built on the assumption that security forces are required immediately, as the country faces a civil war that threatens all existing political structures in Afghanistan. While ISAF's efforts have produced a high number of security forces, their quality and loyalty are questionable. Given Afghanistan's scarce revenue, it is also clear that the Afghan government will not be able to finance the huge, ISAF-built security apparatus in the foreseeable future without massive foreign support.

In the transition process as a whole, there is little connection and coordination between UNAMA's long-term approach and ISAF's short-term approach. UNAMA even took the deliberate decision to only act as an "observer" on the Joint Afghan-NATO Inteqal Board which assesses Afghan provinces' readiness for transition of security responsibility. UNAMA's passive role in this process is short-sighted because the Afghan state's ability to provide security is a crucial prerequisite for meaningful political reform. As for ISAF, the

training of security forces must focus more on quality rather than just quantity, and must be combined with capacity building in other sectors. Most importantly, the UN and NATO have both neglected attempts at reforming the judicial sector, although much of the support for the Taliban in the 1990s was built on the movement's reputation for draconian yet effective promotion of "law and order."

Some analysts see UNAMA's narrow focus on political reform and human rights issues as the result of practical constraints: monitoring and advocacy may be the UN's only viable role in Afghanistan's insecure environment. However, the past decade of international intervention has also shown that NATO, as a military alliance of Western states, has its own structural deficits in peace operations. It possesses neither the civilian expertise nor legitimacy that the UN has.

The UN should regain its role as focal point of the international engagement in the post-2014 period, when civilian initiatives must dominate international policy. The UN should coordinate international efforts at promoting free and fair elections, police, justice and governance reform, and humanitarian aid. It should also offer "good offices" for reanimating a peace process that includes Afghanistan's neighbors. All policies must be developed in constant dialogue with the Afghan government and the parliament. The EU and the World Bank also have important complementary capacities that enable them to lead attempts to promote economic development. In contrary, NATO's role should focus on tasks that require its military expertise: training security forces, building an accountable defense administration, and technical yet risky tasks such as demining. Building on NATO and the UN's distinct strengths could increase the effectiveness of a reduced but still important international engagement in Afghanistan.

Conclusions: Towards More Effective Cooperation

UN and NATO actions in crisis management are rarely in natural harmony because of their different institutional origins, tasks and interests. Despite the organizations' growing dependency on each other's resources, NATO and the UN have frequently acted at cross-purposes in the operations in Afghanistan and in Libya.

While structural differences and organizational interests in guarding independence are unlikely to disappear, member states should concentrate on identifying effective terms for cooperation: NATO should make it an unwritten rule that it will only intervene in conflicts after receiving Security Council authorization. UN mandates should stipulate a clear division of labor and set unambiguous rules for consultation in operations. Member states should promote a balanced resource distribution between NATO and UN field missions to facilitate cooperation among equals. Finally, the organizations should build stronger links between their headquarters and institutionalize strategic dialogue and information exchange.

Accepting the Need for UN Mandates

An important step to further NATO-UN cooperation would be the alliance's voluntary acceptance of the need for UN authorization for the use of force. NATO has much stronger interest in receiving a UN-mandate for military interventions than in preserving its ability to act absent Security Council approval for the rare cases where this is actually relevant and useful. In particular the US will not be ready to formally accept the requirement for a Security Council mandate. However, the alliance should continue its current practice of operating under UN mandates and make it an unwritten rule for future operations.

UN mandates reduce international opposition and promote unity of purpose among allies. A consistent NATO practice and rhetoric with regard to the mandate question would reduce concerns among non-Western UN member about the alliance's motivations for military interventions and facilitate organizational collaboration. In many NATO member states UN man-

dates are also necessary, though not sufficient to create domestic support for military actions. Relying on disputed justifications for intervention such as the "responsibility to protect" would cast doubt upon the legitimacy and legality of NATO's actions. Conflicts among NATO allies over unsanctioned interventions are likely to become even more intense in the future. In particular, Turkey's rise and its general insistence on UN mandates will make non-authorized military intervention more controversial within the alliance.

Interventions without UN mandate also set dangerous precedents and would make it possible for other countries to justify unsanctioned military campaigns against other countries or domestic rivals. Former UN Secretary-General Annan already warned in 1999 that the unsanctioned use of force could undermine "the imperfect, yet resilient, security system created after the Second World War" and create "precedents for future interventions without a clear criterion to decide who might invoke these precedents, and in what circumstances."⁴⁶

It is true that a commitment to the requirement of UN authorization would mean that NATO cannot militarily intervene in a conflict when it is unable to reach agreement with Russia and China. Yet such scenarios have been extremely rare. Since the Kosovo war, NATO has received a UN mandate for virtually every one of its operations. NATO already acts like a *de facto* regional organization in Afghanistan. In the unlikely event of an attack against a member state, the alliance could use military force based to the right to collective self-defense.⁴⁷ To date, NATO has invoked article V of the NATO treaty only once – after the 9/11 terrorist attacks against the United States. Thus, it is both feasible and in NATO's longer-term interest to acquire UN mandates for crisis management operations.

⁴⁶ Kofi Annan, "Annual Report to the General Assembly," New York, 20 September 1999.

⁴⁷ Alexis Vahlas, "Dispelling Misperceptions for a Renewed Synergy between the United Nations and the Atlantic Alliance," in *The UN and NATO: Forward from the Joint Declaration*, ed. Brooke A. Smith-Windsor (Rome: NATO Defense College, 2011), 53–75, 56–57.

Agreeing on Inclusive and Balanced Terms of Cooperation

Future Security Council mandates for NATO “stand alone” operations will have to address the challenge of UN dependency on NATO during military campaigns. NATO’s interest in working with the UN often ends once the alliance has obtained a Security Council mandate for the use of force.

For future military interventions, NATO and the UN should identify terms of cooperation which are more inclusive and allow non-NATO member to raise their concerns. Terms of engagement for military interventions must preserve NATO’s operational flexibility and the Security Council should not engage in military micro-management. However, NATO will have to become more responsive and transparent to allay fears of “hijacking” UN mandates once they are granted. One option would be UN mandates which have to be regularly renewed by the Security Council. The ISAF mandate is a case in point. An authorization which sets a clear time limit for operations would reduce UN concerns about extended NATO engagements and lower the threshold for non-NATO members to sanction the allied use of force.

In Afghanistan, ISAF-UNAMA cooperation has remained a marriage of convenience, rather than an effective partnership building on comparative strengths. NATO governments should create and balance dependency between ISAF and UNAMA. The UN should provide UNAMA with the necessary resources to become a capable partner for ISAF and promote a more complementary division of labor between the organizations. This could foster closer cooperation in the transfer of responsibilities to Afghan hands and in the post-2014 phase.

In future post-conflict operations, capacity building and training should be a top joint priority for NATO and the UN from the very beginning.

This would create the foundation for more seamless trajectories to local responsibility and allow the organizations to leave a post-conflict nation before their prolonged presence foments local resentment.

Institutionalizing Cooperation

NATO-UN relations would also benefit from a stronger institutionalization of cooperation. Since the early 1990s limited, *ad hoc* cooperation has dominated NATO-UN relations. While NATO soldiers and UN

personnel in the post-Cold War era have increasingly worked side by side, cooperation between the organizations’ headquarters has remained limited to occasional desk-to-desk contacts. The limited exchange between NATO and UN headquarters reflected both organizations’ eagerness to guard autonomy and flexibility. The UN-NATO Joint Declaration provides now an important basis for expanded institutional cooperation.

The practical impact of the declaration has been very modest thus far. Following the declaration’s signature, more regular staff talks have taken place at different levels. The organizations have also conducted joint “education days” for staff to increase knowledge about the partner organization. But the scope of this dialogue is limited; the “education days” agenda reportedly “read like a first year undergraduate course on the basics of NATO-UN mandates and structure.”⁴⁸

The most important result has been an improvement of NATO and the UN’s liaison arrangements. Since 1993, NATO has had only a single military liaison officer based in New York. In July 2010, NATO increased its presence at the UN by appointing a civilian liaison officer.⁴⁹ The UN was only represented at NATO Headquarters by an official from the UN’s Office for the Coordination of Humanitarian Affairs (OCHA) from 1999 to 2006. The UN maintains an office in Brussels, but it does not focus on security issues and it has mainly worked with the EU, not NATO.⁵⁰ NATO countries have promoted the expansion of the UN presence in Brussels to gain better access to the UN’s knowledge and assessments about conflict regions and the organization’s best practices for peacekeeping operations. The UN General Assembly in 2010 approved the funds for establishing a small permanent liaison unit in Brussels to facilitate communication with the EU and, as a secondary task, with NATO on questions of peace and security.

NATO members should continue to build on the Joint Declaration and promote more substantial in-

48 Brooke A. Smith-Windsor, “Misery Makes for Strange Bedfellows: The Future of the NATO-UN Strategic Partnership,” in *The UN and NATO: Forward from the Joint Declaration*, ed. Brooke A. Smith-Windsor (Rome: NATO Defense College, 2011), 15–52, 17.

49 Kent J. Kille and Ryan C. Hendrickson, “NATO and the United Nations: Debates and Trends in Institutional Coordination,” *Journal of International Organization Studies* 2(1) (2011): 28–49.

50 David S. Yost, *NATO and International Organizations* (Rome: NATO Defense College, 2007), 66.

stitutional cooperation. The fact that Russia, the strongest opponent of closer NATO-UN cooperation, seems to have come to terms with the declaration offers the allies new room for maneuver. Moscow has reached a similar accord between the UN and the Russian-led Collective Security Treaty Organization (CSTO). On 18 March 2010, Secretary-General Ban and CSTO Secretary-General Nikolay Bordyuzhka signed a Joint Declaration on UN/CSTO Secretariat Cooperation in Moscow. This step has eased tensions between NATO, the UN Secretariat and Russia over the NATO-UN declaration.

Stronger links between NATO-UN Headquarters have the potential of promoting more effective strategic and operational cooperation in the longer run.⁵¹ It is important to keep in mind that institutional coordination requires precious staff time and organizational resources. It should therefore go beyond a simple demonstration of goodwill. Talks should focus on important topics of common interests and meetings should be used to reach consensus and identify solution to problems of operational relevance. The development of procedures and best practices for joint operations could avoid having to “reinvent the wheel” for each operation, and substantive joint training courses would increase preparedness and mutual understanding for future crisis. Thus, it seems worthwhile for NATO and UN officials to deepen Headquarter relations, while respecting the partner organization’s independence.

It will always remain a challenge to promote cooperation between a military alliance and a universal organization. Yet NATO and the UN are two of the most crucial international organizations in crisis management and policy-makers should be concerned about their dysfunctional relations. Creating a more effective and efficient NATO-UN partnership in crisis management remains a worthwhile endeavor.

Abbreviations

CSTO	Collective Security Treaty Organization
DDR	Disarmament, Demobilization and Reintegration
ISAF	International Security Assistance Force
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
OCHA	Office for the Coordination of Humanitarian Affairs
PRT	Provincial Reconstruction Team
RC	Regional Command
RUSI	Royal United Services Institute for Defence Studies
SCR	Senior Civilian Representative
SRSR	Special Representative of the Secretary-General
SSR	Security Sector Reform
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNPROFOR	United Nations Protection Force

⁵¹ Friis Arne Petersen et al., “Implementing NATO’s Comprehensive Approach to Complex Operations,” in *NATO in Search of a Vision*, ed. Gülnur Aybet and Rebecca R. Moore (Washington, DC: Georgetown University Press, 2010), 75–98.