

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

***Introduction***

This paper focus on the legal principles that can give a lawful aspect to the intervention of International Organization and to the delegation from an organization as ONU to another organization as NATO.

I start from an analysis of the international actual situation to focus on the new role of the international organizations and of the typologies of operations for the maintenance of international peace and security.

The focal point of this research is the comparison between the praxis and the legal bases that could give legitimacy to the operations realized by the regional organizations.

The crisis prevention and crisis management, including Peace Keeping Operation, represent the greatest task of civil country.

The weak point of the whole matter lies on the normative uncertainty because the practical evolution of the activities of the International Organizations and of the international security system has not been carried on by a proper and concurrent development in the normative and legal reference field.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

***The United Nations and the regional organizations in the  
security collective system***

The participation of the organizations to the security collective system of the U.N. is based on the art.53 of the Charter: *“The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council”*.

Today the organizations and the regional arrangements operate in a new system, that is different by the post-Cold War system for two important elements: a process of global integration and a process of disintegration to local level.

Today we have to face different and unpredictable threats of the international security that require a new engagement by the United Nations in resolving the new emergencies.

In the last years the United Nations, looking for others instruments for the maintenance of peace and international security focused on the regional systems and international organization as actors in the peacekeeping operations.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

The United Nations Security Council moved from a period of bipolar equilibrium to a raising activity of the own role with a real increase of competences even if they were not provided by the Charter.

In the San Francisco Conference, in phase of editing the text of the Charter, the omission of the definition of "regional organization" is connected to the exigency to let an ample and fluid notion that can face the different situations.

In the document "An Agenda for Peace " the United Nations General Secretary, Boutros Ghali, affirms that a precise definition of the term has been intentionally avoided in the Charter to allow the Security Council to have a "useful flexibility" for the collective operations. He also underlined that *“such associations or entities could include treaty-based organizations, whether created before or after the founding of the United Nations, regional organizations for mutual security and defense, organizations for general regional development or for cooperation on a particular economic topic or function, and groups created to deal with a specific political, economic or social issue of current concern.”*

The “Agenda for peace” is the first official UN document in the field of strategies that encourage the “regionalism”.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

The regional organization or the arrangements must have a delimited geographical area of reference in whose interest they pursued the peace and security

According to any authors the arrangements and the regional organizations include also self-defence ones like NATO.

In the 1991 and then in January 1993 the Security Council invited the different regional organizations to analyse and define methods for the collaboration with the United Nations. The particular interest by the U.N. for the new role of regional organizations is confirmed by the new lines of “Agenda for Peace” and the “Supplement to an Agenda for Peace”.

The inadequacy of the United Nations Charter is also underlined by the Declaration on the strengthening of the cooperation between the United Nations and the arrangement or regional organizations in the maintenance of peace and international security adopted by the General Assembly with the resolution 49/57 of December 9, 1994.

In May 1994, the Security Council declared to use the regional and subregional organization in the new operations of peacekeeping for the resolution of the conflicts and in September 1997, it was adopted the resolution n.1197 regarding the need for the United Nations to furnish all the supports to the initiatives at regional level

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

and the strengthening of the cooperation among the U.N. and the organizations order to prevent the conflicts and to maintain the peace.

In the presidential declaration of November 30, 1998 the Security Council has underlined the increasing importance of the role of regional systems in the field of peace and security and the supremacy of the U.N role because the activities carried out by regional agencies must respect the art.52, 53 and 54 of the Charter.

The Council underlined also that all activities have to be controlled by itself and they need the authorization to operate unless they have not to defend themselves by an armed attack .

The declaration put in evidence the importance to create a cooperation and coordination among United Nations and regional organizations for these collective activity and to define the objectives, the respective roles and the responsibility.

Until to today, the cooperation in the field of peace and security between the U.N. and the different regional organizations was sporadic and “ad hoc”.

It is also important to remember that some members of the United Nations are worry for the increasing attempt of involvement of structures that are out of the Security Council because these organizations, except NATO, could miss the resources and the necessary experience to plan and realize peacekeeping operations.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

***The use of force and the UN operations in the new context***

The threat and the use of force in the international relationships are forbidden by the international consuetudinary law *-jus cogens-* and by the art.2 of the United Nations Charter with the only derogation in the case self-defence.

In this context we can not consider legitimate the preventive armed operations, the armed operations to protect of the life of the own citizens in the foreign countries, the armed humanitarian operations or the armed operations against the States that help the terrorism or the smuggling of drug.

The collective security system provides the check of the existence of a threat to the peace by the United Nations Security Council that has a large discretionality in this operation because there is not any peremptory list in the Charter. The United Nations Security Council can therefore provide the adoption of measures involving the use of force (art. 43-47) or of measures not involving the use of force (art. 41 and 42).

The adoption of measures involving the use of force needs the stipulation of special accords to individualize the armed national contingents under a Military Staff Committee composed by Chiefs of

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

Staff of the permanent member and under the authority of the Security Council.

For a long time the international community debated about the right of single nations or international organizations to introduce military contingents in the territory of other State, also if to purposes of peace or humanitarian, without the consent of local governments.

The art.2 of the UN Charter states that *“Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state”* but the case of the Kosovo disproved this disposition.

The art.24 of the UN Charter underlines the Security Council primary responsibility for the maintenance of peace and international security, even if at art.52 states that *“Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations”*.

All the operations carried out without the Council authorization would constitute therefore, according to art.2 and art.53 of the UN Charter, unlawful actions and they would not be admissible according to the international law even if they have an humanitarian nature. It is

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

interesting to observe that this norm regards the cases of actions involving the use of force because there is no dispositions in the Charter about the need of authorization for actions of different nature, for example the economic ones the self-defence.

The UN Charter statues the configuration of the regional organizations as "decentralized organs" of the United Nations, engaged in realizing the objective of the maintenance of peace and international security according to the Security Council dispositions.

The art.53 of the UN Charter underlined that the Security Council has the primary direction of enforcement actions.

It is difficult to accept the possibility for the Security Council to bind the member States to adopt military measures in the bosom of organizations or regional arrangement because the Council can bind the single member States to provide the armed contingents for the UN operations.

In the field of "delegation" the Security Council has recovered its institutional role recently with the end of cold war because during that period many of its powers and the relative procedures were never activated.

In this context it is impossible to take the recent praxis back to the Charter.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

While the armed action as self-defence is justified by the precedent armed attack, in the UN Charter there is not any disposition that recognizes to the Security Council the power of delegate single States to use of force

The Council resolutions, therefore, that delegate the States to use the force and give them autonomy in the management, are against the spirit of the UN Charter because the art.42 states that the military actions must be managed directly by the Security Council with the assistance of Military Staff Committee.

The recent praxis of the United Nations has produced a consuetudinary rule that lets the States to carry out military operation if they receive the Security Council authorization as legitimation by international community.

In this way the military operations can be considered as actions carried out for account of the international community and to guarantee its fundamental interests.

The Security Council should legitimate these actions also in absence of the specific consent of the States interested as Charter requests.

The Gulf War represents the turning point because for the first time the United Nations authorized a coalition of States to use all measures against Iraq if it did non accept the UN resolution.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

Today there is a tendency to enlarge the regional organizations' participation in the peacekeeping mission but the only ones that can assure the proper preparation and resources seem to be NATO and OSCE.

In the "Declaration on the strengthening of the cooperation between the United Nations and the arrangements and regional organizations for the maintenance of peace and international security", it is defined again the role of the regional institutions following the concepts and the categories introduced by "An Agenda for Peace".

In the 1992 the General Secretary of United Nations, Boutros Ghali, with the document "An Agenda for Peace" introduce the new philosophy of action inspired to a new world order that requires new roles and new methods for the organization.

In the "Agenda" the General Secretary specifies the functions of preventive diplomacy, the functions of peacemaking, the functions of peacekeeping and post-conflict peacebuilding.

The preventive diplomacy is defined as the action directed to prevent the birth of controversies and the degeneration of existing controversies.

The peacemaking includes the procedures of solution of the controversies.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

As regards the peacekeeping operations the arrangements and regional organizations are called to a strong cooperation with the United Nations in order to prepare the armed contingents. For the first time there is no more the distinction between the concept of peacekeeping and enforcement.

The peacebuilding measures regard the activities for the maintenance of peace at the end of a conflict.

**The peacekeeping operations**

The peacekeeping operations' role evolved in order to the radical changes of international scenery because of the nature of the new conflicts, the lack of the explicit State's consent to the intervention, the collapse of the structures of the Nations, the involvement of the populations and the related humanitarian disasters and emergencies.

This kind of operations were born like a U.N. system's fundamental task managed by the Security Council but their evolution has been rather problematic and characterized by some failures.

The characteristic elements of traditional peacekeeping operations were:

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

- the full consent and cooperation of State part;
- the neutrality of peacekeepers;
- the use of force only for self-defence;
- the mandate by the United Nations.

The operations were sometimes ineffective because the objective and the procedures were not clear and defined.

As of June 1996, the United Nations has carried out 41 peacekeeping operations, 15 in the period between 1948 and 1988 and 26 after 1989.

This suggest the importance to review the discipline of this kind of operations to avoid the arising legal conflicts.

Today the peacekeeping operations have more responsibilities in the field of prevention, resolution of a conflict and construction of a durable peace.

The new generation of peacekeeping operations are assimilated to the enforcement operations and the praxis underlined as they can carry out to defend some general right violated by a state or government and not only to restore the peace between two or more States.

This evolution has determined the birth of a conflict of competence between the Security Council and international organizations.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

In the recent praxis some economic and political reasons induced the Council to delegate many operations to the organizations and to the regional agencies so many local conflicts are managed from the aforesaid organizations.

This tendency has underlined two problems:

- the Security Council is not able to develop its own role in the actual context without a revision of the Charter;
- even if it is possible a cooperation between United Nations and regional organizations, it is necessary to specify the precise delimitation of cooperation and competences.

The conflict of competence concerns, therefore, the individuation of organization that can be defined as guarantor of the new international order.

At the beginning the peacekeeping operations had a conservative role and the use of force was justified only in the cases of self-defence but the recent praxis showed a new generation of peacekeeping operations in which the regional organization used the force without the related authorisation.

The failure of UN operations in Somalia, Rwanda and ex-Yugoslavia and the problem of economic resources have determined

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

the crisis of the traditional peacekeeping system suggesting the involvement of the regional organizations as NATO.

Some authors consider the regional organizations as a kind of "decentralized organs" of the United Nations and that the Security Council can delegate them to carry out some particular operations.

In this way, if we consider NATO as self-defence organization connected to the interests of member States, it can not be included in the hierarchical structure with an organization superpartes as the Security Council that can decide about the use of force.

The organizations like NATO, therefore, seem answer to the exigencies, provided by art.51 of UN Charter, to intervene to defend an attacked State if the Council has not be able to operate at the right time.

In this approach the NATO operations even if authorized but carried out under the direction of Alliance Military Staff can not be considered framed under the art. 53 of UN Charter..

In the field of collaboration among the Security Council and the regional institutions, the General Secretary, Boutros Ghali, in the "Supplement to an Agenda for Peace" identifies five possible kind of cooperation:

- the consultation to exchange views and opinions about the conflicts;

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

- the diplomatic support;
- the operational support;
- the joined deployment of armed contingents;
- the joined operations.

It is so clear that the rules for cooperation represents the new border for the future activities of organizations in the field of international order.

***The new role of the NATO and the interventions “out of area” and the new strategic guidelines.***

The principle introduced by art.5 of NATO Treaty is put in discussion by the new international world order.

The new threats and the challenges are no more the same that are included in the art. 5 because they are referred also to religious and ethnic conflicts or humanitarian crisis and terrorism able to menace the peace.

Today NATO maintains its principle role to defend the integrity member States but it has to face with a new scenery that is very different by the scenery at the time of its constitution.

In this context we can underline some critical points in which some institutional conflicts can arise:

- art.4 of Treaty states *"The Parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the parties is threatened"* but the praxis underlines the difficulty to conciliate the different policies and interests;

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

– all NATO members are also UN and OSCE members so the activities of NATO have to be in conformity with the principles and objectives of the others organizations;

– NATO can not be subordinated to another organization because it has to follow its own objectives so it is difficult to accept the hierarchic thesis that recognizes to the United Nations Security Council, as body "super partes," the possibility to decides about the use of force.

The Alliance faces these new challenges with the resolution n.283 adopted in November 1998 “On recasting euro-atlantic security” that underlines the new role of NATO and the possibility to realize operations that are not included in art.5.

The resolution n.283 proposes two levels of legitimation for operations:

– the self-defence has to be considered also as the defence of common interests;

– NATO can safeguard the freedom and the security in case the United Nations Council is blocked in its activity but with the *jus cogens* limit and the respect of art.103 of the UN Charter.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

The end of United Nations Council monopoly in the field of competence to decide the use of force is the real problem for the future international security.

Today NATO is the only organization that can face the menaces to the international security but in the future it could be possible that others regional organizations could be "ready to defend values and common interests".

We could propose the UN Council or OSCE mandate as the legitimation for not art.5 operation. This kind of approach could resolve the problem of UN Council paralysis but it is difficult to accept that OSCE as regional organization could authorize the other regional organization to operate.

The strategic doctrine approved in Rome in November 1991 has already widened the presuppositions for the NATO intervention because it provides the NATO possibility to carry out peacekeeping operations under the control and the direction of the OSCE and peace-enforcement operations with the UN delegation.

The real debate is grown with the innovations introduced by the new strategic doctrine, approved in the April 1999 in Washington, because it increased the possibility to use the military integrated structure and, for the first time, it provided the possibility to carry out

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

coercive operations to maintain the peace and international security even if they are not connected to UN initiatives.

For the first time the systematic violations of human rights, massive exodus of fugitives, the terrorism and proliferation of mass destruction arms are considered as threat to the security of the States.

The new strategic doctrine remember the art.7 of the Treaty about the Security Council primary responsibility in the field of maintenance of peace and security but it does not exclude that NATO can carry out some activities without any kind of delegation and cooperation.

The real innovation are the intervention out of area connected to a new security concept that is larger and different than the classical notion of self-defence.

The new doctrine attributes exclusively to the Alliance the competence to effect the coercive decided by its political organs and they are defined Alliance typical activities and they can carried out by its own military structure.

In the new doctrine there are not a strict list for the individuation of the measures to adopt and the situations that can be considered as potential threats to the security, so the Alliance has a great discretionary power in this field because there is not an obligation to intervene.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

The Member States can decide about the opportunity to have a role in the operations because the unanimous decision of the Council NATO is only requested to start the activity.

This kind of approach underlines a problem in the operative way because the need to use the States' military infrastructures imposes the provision of a minimum States' collaboration falsifying the principle of States' voluntary participation.

The determination of the geographical area for the interventions defined in the Treaty was annulled in the new strategic doctrine that does not provide any kind of geographical delimitation.

This approach can come out a limit in the case of future UN delegation to NATO as regional organization.

In the new doctrine there is not an explicit link with the UN system and the actions out of the geographical area delimited can be justified only through a functional connection with the principal purpose of maintenance of peace and security in the region.

It is interesting to underline the consequences of the system introduced by the new doctrine on international general law.

The new strategic doctrine clashes with the *jus cogens* that statues the prohibition of unilateral use of force.

The legal consequences of this incompatibility should be the invalidity as in the case of agreements in contrast with fundamental

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

rules of the international system but the applicability of the Vienna Convention meets two limits:

- only a State part of the Treaty have title to invoke the invalidity and it is very difficult that the matter could be lifted inside of the Alliance;
- the sanction system can operate in case of a State's obligation to hold the behaviour contrary to the *jus cogens* but in the new NATO doctrine there is not any kind of obligation for the operation out of area.

The intervention in Kosovo is antecedent to the formulation of the new strategy and it has been qualified by the member States like an action of exceptional character and therefore not able to constitute a precedent for the future.

The Kosovo case should be considered as an aware violation of the international lawfulness carried out to avoid a humanitarian catastrophe; it has been a not serious and exceptional forbidden act, unfit to modify the international discipline on the use of force.

The innovation introduced with the new strategic doctrine weakens this perspective, defining the event like "repeatable" whenever the circumstances require it, introducing therefore a modification of the international law.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

### ***Conclusion***

The focal point of relationships between the international organizations – United Nations and NATO – is that the new NATO strategy gave up the old system, introduced by the UN Charter, where the international interventions for maintenance of peace resulted very limited. The substitution of the traditional system has been accelerated by the context of progressive decline of the Security Council international role.

The reasons of this decline include:

- the problem of the paralysis of the Security Council activity because of the veto that in the last period was an instrument for State to redistribute the power;
- the UN operational inadequacy in developing their role in an effective way and with particular attention to the recent crisis and conflicts;
- the inapplicability of art.42-48 of the Charter in order to create of the UN contingents and the narrowness of resources that could be assigned to the actual emergencies; these elements forced the Security Council to use the tool of delegation, particularly in favour of NATO

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

that has the right requisites in the field of operational efficiency and resources even if NATO is a self-defence organization and it can not be considered as a real regional organization.

Today we are witness to the development of a new system that accept the military interventions against a sovereign State, but the rules are not clear.

The definition of the rules, in fact, has been until now a rationalization of praxis (see Kosovo case) so there has not been any kind of explicit deliberation and joined agreement.

We have to remember that the old system sometimes defined some bloody conflicts with the term of internal conflict, approach in contrast with the modern concept of justice.

It is necessary a real reform in the United Nations system and a regulation of the new typologies of intervention to avoid the birth of unlawful situations.

In the case of the Kosovo, for example, the intervention was accepted by public opinion because of the emergence to avoid the humanitarian catastrophe, but it must be considered illegal according to the norms of the old system.

The intervention in Kosovo can not be justified because:

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

- it has been an attack against a sovereign State from the outside;
- there is not any kind of authorization to intervene by the Security Council.

The legal regime of the Charter has operated unmolested from 1945 to 1999, it recognizes all the States as equally sovereign, prohibiting each type of interference from the outside and the use of force was permitted only if it was authorized by the Security Council.

In the spirit of the Charter the threat to the international security had to be connected to the conflict between States besides we have to remember that the Charter was drawn up the day after the finish of the Second World War.

The system turned out inefficient because of the paralysis connected to the Cold war and the veto practice.

The old rules were not able to avoid the birth of international conflicts (see Afghanistan, Vietnam), and they are not able to give the right answer to national interventions - Soviet operations in Hungary and Czechoslovakia, the American operations in Dominican Republic, Grenada, Panama and Nicaragua, the Argentine one in the Falklands Islands.

According to international law we should consider as unlawful all the interventions that international community carried out to

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

resolve an internal conflict and to – as in Rwanda, Somalia, Haiti – put an end to civil population even if they are authorized by the Security Council because the Charter provides that the internal conflict must be considered under the exclusive domestic jurisdiction.

The most innovative aspect of the new scenery is surely represented by the new NATO role; in 1999 the new strategic doctrine, in fact, pursuing the Alliance main objectives, exploits the end of the cold war to decree the end of the United Nations Security Council monopoly of competence for maintenance of peace and security..

The new NATO strategic doctrine, giving the official character to the unlawful operation in Kosovo, underlined the focal problem connected to the necessity to avoid that some unlawful acts can be legitimate after their conclusion.

The emerging new regime has to be developed but it already has some delineated characteristics:

- a smaller application of the old concept of sovereignty in favour of a larger interventionist approach;
- the recognition of internal conflicts, terrorism and mass destruction arms as the greater threats to peace and security in the new international epoch than

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

international conflict so the related rules must operate in both directions;

- predilection for multilateral interventions in order to share the costs and to conciliate the different interests.

In the future it will be important to define a new official system in order to avoid that the operations *ad hoc* - as the NATO one in Kosovo - can create situations of injustice more dangerous than the problems raised by the old regime. We have to avoid that the future operations can be considered unlawful and connected to the abuse of power.

It would be desirable that the initiative for these new regulations arises from the Security Council as organ with this explicit competence, even if it showed its own difficulty to overcome its internal limits.

In the recent experience of Kosovo operation, the Security Council, in fact, limited itself to adopt the resolution n. 1244 with the recognition of operations carried out by another organization and the underlining a diminution of its own role in the field of maintenance of peace and international security.

The United Nations Security Council prefers to undertake a role more and more directive rather than operational, underlining its own

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

inability to operate as the guardianship of peace and international security.

The only way to assure an effective activity of enforcement in the peacekeeping seems is to delegate the interventions to coalitions of States or to regional organizations, with particular attention to NATO because it is the only regional institution with the requisites for the typologies of interventions in matter.

Today NATO is the favourite candidate as the principal protagonist for the future interventions to support of peace and international security.

But we can not exclude a boomerang effect of these violations unless these violations are *decisions ad hoc*, adopted for single isolated cases.

On the one hand it is necessary to individualize the precise limits of the regional organizations' activity like NATO, on the other hand it is important to avoid that the United Nations assumes the functions of a world executive board suffering the pressure of few States.

The recovery of reference models that are clearer and more defined in their structural and operational characters, is not the only assignment for the future.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

It is more and more necessary that the process of United Nations reform fits up the organization with a new formal structure and guarantees the maximum States' participation in the organs.

It is more and more important to guarantee a control of legitimacy exercised by a superior international authority in order to avoid an ulterior institutional deficit in future.

The U.N. today has the competence to guarantee the interventions that the States carry out in name of the international Community but it is not able to exercise its prerogative.

The tendency of decentralization can be justified with the sense of trust that the regional organizations could favour in the local conflicts, could constitute the right key for the effectiveness of the operations; at the eyes of the belligerents they appear less threatening and extraneous than the Security Council.

The results, moreover, are better when the execution of coercive measures is committed to a homogeneous group of States rather than to individual States.

The recent praxis underlined that the lawfulness of the action seems to be therefore anchored to the conformity of the actions to a UN Council recommendation also if the same is contrary to the international law, but this kind of approach can not be accepted in order to assure the certainty of law.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

From a juridical point of view it is important to observe that the United Nations could address its binding decisions only to the member States because the organizations international are not part of the Charter.

The risk of growing decentralization of competences in the field of maintenance of peace and international security is that the intervention in the crises will be more and more connected to the good will and to the interests of the regional organizations with the possible carelessness for areas deprived of economic-strategic and political interest.

An interesting element of the new system is the lawfulness of interventions carried out in order to defend the fundamental human rights, as Kosovo case learns .

It seems that in the new system there is a new consuetudinary law that provide that the prohibition of human rights' violation has to be considered more important than the prohibition of use of force.

The intervention in Kosovo could be interpreted, in fact, like a case of compression of the rule that forbid the use of force in favour of the superior rule of prohibition of human rights.

In the new scenery there is no more the concept of State as only holder of the power on the citizens.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

The cases of Kosovo and Timor East have underlined that the human rights are an absolute value that overcomes the limits of space, the limits of time, the frontiers and will of the single States. The human right constitute the new challenge of the international law and their protection is claimed by the public opinion and the collective conscience.

The safety in the 2000 years is a very large concept; there are no more sufficient the arms, the only winning key is the cooperation

The better solution, for contribute effectively to the maintenance of the international peace, it would be , therefore, to realize a real cooperation among the Security Council and the organizations and regional arrangements.

It is important to remember that if in one hand in isolated cases, some political and moral considerations could give lawfulness to the particular operations, in the other hand the praxis can not corrode the fundamental principles of international general law.

If NATO put its “violations” into its ordinary and systematic doctrine, in its own strategic future program and general policy, as in the case of Kosovo intervention, it could have a destructive impact on the collective security system provided by the UN Charter.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

In the field of maintenance of peace and international security, the Charter, in fact, states a hierarchical structure with the subordination of other organization to the United Nations.

It is difficult that in the future NATO accept to be subordinated to United Nations so it will be very important to have a precise agreement between the two organizations in order to define the relationships and the competences.

It could be convenient that in the future the attainment of an agreement between the parts will be assured by regional systems with the support and assistance of United Nations in the financial and logistic aspects.

This kind of approach could favour the exploitation of regional institutions' operational capabilities with the resources and the experience of the United Nations.

The attribution of the competence in matter will be delegate to one organization in order to assure the certainty of law and it is desirable a clear a formal revision of the old system in order to assure ready and better answer to the emergences of the new scenery.

According to this, we have to agree that the recent intervention in defence of human right can be justified by the international emergence that the international organizations can not ignore in order to respect a Charter approved 50 years ago.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

In the future it could be opportune that the United Nations delegates to NATO the function of *problem solver* and maintain only the function of guarantor.

I hope to have been able to write this research purified from factors connected to the specificity of the operations although my awareness that any juridical disquisition about legitimacy of to Peace Keeping Operation might be opinable if we consider that these operations directly affect different interests.

*Legitimation of Interventions of International Organizations  
in Peacekeeping Operations*

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