

“The Role of Regional Organizations in International Law: An Analytical Study”

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Abstract:

This paper examines the role of regional organizations in the field of international law and analyzes their function as actors and implementers of international legal principles. It explores the collaborative efforts between regional organisations and the United Nations (UN) in advancing human rights, peace, and security within their respective regions. Furthermore, the paper investigates the influence of regional organisations on the UN's agendas and priorities. The analysis includes a case study of the Arab League, exploring its influence and effect in the region, as well as its contribution to the work of the UN.

Keywords: International law, Regional Organisations, United Nations, International norms and Standards, League of Arab States.

1 Introduction

Globally, there is an ongoing process of regional integration occurring in various parts of the world. States are recognizing the significance of international organisations in addressing certain challenges that they cannot address on their own; consequently, a more collective approach to international law is emerging, as states pursue their respective interests primarily through international and regional organisations.¹ This paper aims to analyse the impact of regional organisations on the development and implementation of international law, with a particular focus on their collaboration with the United Nations (UN) and their role in advancing human rights, peace, and security within their respective regions. Additionally, it explores how regional organizations can exert influence on the UN's agendas and priorities. This study also includes a case study that examines the collaboration between the Arab League and the United Nations, investigating their influence and impact in the region.

According to Ferreira-Snyman, the requirement for regional and international organisations is a result of increasing global problems and the need to regulate emerging interdependence between states regarding issues such as development, trade, security, human rights and the environment.² These institutions, with their supranational characteristics, establish a system of law that could “pierce the veil of sovereignty and influence of internal affairs of states.”³

States are voluntarily delegating certain aspects of their national sovereignty to supranational entities⁴ such as the Arab League (LAS), the European Union (EU), the African Union (AU) and other regional organisations.⁵ Generally, the reasons can be briefly emphasized in the following:

Humanity is courting great danger if it is not able, at the very least, to safeguard the principal human and natural balances, to find joint responses to the problems arising from globalisation, and to combat, as much as possible intolerable inequalities and structural imbalances. These are factors that threaten world peace.⁶

Traditionally, states valued their sovereignty by acting independently to achieve their goals.⁷ Today, because of the rise of state participation in international and regional organisations, States transfer certain aspects of their sovereignty to these

¹ See Cram, L., Dinan, D., Nugent, N. (1999). Reconciling Theory and Practice. In: Cram, L., Dinan, D., Nugent, N. (eds) *Developments in the European Union*. Palgrave, London. See also, Villes, S. (2001). The path to unity in RJ Guttman (ed) *Europe in the new century: visions of an emerging superpower* 24, cited in Ferreira-Snyman, A. (2011). Regionalism and the restructuring of the United Nations with specific reference to the African Union. *The Comparative and International Law Journal of Southern Africa*, 44(3), 361.

² Ferreira-Snyman, A. (2009). Regional organisations and their members: the question of authority. *The Comparative and International Law Journal of Southern Africa*, 42(2), 183.

³ Tangney, P. (1996). The new internationalism: ceding sovereign competences to supranational organisations and constitutional change in the United States and Germany. *Journal of International Law* 403.

⁴ The term "supranational" refers to “the existence of power or influence” that is independent of governments to a degree and extends beyond nation-states. cited in Ferreira-Snyman, A. (2011). Regionalism and the restructuring of the United Nations with specific reference to the African Union. *The Comparative and International Law Journal of Southern Africa*, 44(3), 361.

⁵ Ibid.

⁶ Delors, J. (2011). *Europe: Regional Organisation and Globalisation*. *India International Centre Quarterly*, 38. 164

⁷ Chayes, A and Handler Chayes, A. (1995). *The new sovereignty: compliance with international regulatory agreements*. (Harvard University Press) 26.

bodies.⁸ As a result, states often lose their individual freedom of action.⁹ Nevertheless, it is often argued that these organisations can be “sovereignty-strengthening” since they promote “the individual state’s ability to gain access to new resources a secure other benefits needed to operate in a globalized world.”¹⁰

Alvarez indicates that international organisations are described as “arenas” for “law-making action.”¹¹ International organisations are established for practical purposes and act autonomously to the states that created them.¹² In this sense, international and regional organisations have a great impact on the nature of state sovereignty “by changing it into a status consideration.”¹³ The enjoyment of sovereignty by states “is no longer measured by the degree of a state’s autonomy but by the extent of its membership and participation in international organisations.”¹⁴ States are now dependent and constrained to some extent to their obligations to international organisations ultimately for the “fulfilment of their national goals.”¹⁵

2 The impact of Regional Organisations and the Role of the UN

International organisations play significant roles in the process of international law-making.¹⁶ These roles can be examined from various perspectives, including their position in “accordance with the rules of procedure of international fora,” their function in formulating international regulations through coordination and collaboration with other institutions, and their role in “interim arrangements.”¹⁷ These dimensions are also applicable to regional organisations, as will be elaborated upon further on in this paper.

Enhancing “institutionalized cooperation” is considered vital for establishing a new sense of stability in the international system.¹⁸ Regional organisations frequently engage in activities that were traditionally handled exclusively by the UN and other international institutions.¹⁹ This overlapping authority can occasionally lead to ambiguity regarding the precise relationship between the UN and regional alignments, causing a rise to certain degrees of uncertainties.²⁰

It is argued that during the discussions leading to the creation of the UN Charter, there was a notable conflict between universalist and regionalist perspectives.²¹ The shift towards regionalism was a result of the perceived shortcomings of the UN in effectively dealing with its assigned responsibilities. As such, there was a resurgence of “group solidarity among member states”; a preference for addressing specific issues in more focused and cooperative settings, and “the attempt to escape the involvement of outside powers with global strategies.”²² Given this context, regional groupings and considerations play a significant role within the UN.

The UN considers regional factors in its composition, personnel appointments, and decision-making processes.²³ Regional cooperation is further institutionalized in the UN General Assembly’s election and appointment procedures, where positions

⁸ See Ferreira-Snyman (n 2) at 183.

⁹ Schrijver, N. (1999). The changing nature of state sovereignty. *The British Yearbook of International Law*. 76.

¹⁰ JE Alvarez (2005). International organizations as Law-makers. (Oxford University Press) 616.

¹¹ Alvarez, JE (2006). International organizations: then and now. *American Journal of International Law* 333.

¹² See Ferreira-Snyman (n 2) at 184.

¹³ Ibid.

¹⁴ Alvarez (n 11) at 335.

¹⁵ Seita, AY. (1997). Globalization and the convergence of values. *Cornell International Law Journal*. 429-430.

¹⁶ Loibl, G. (2001). The role of international organisations in international law-making international environmental negotiations an empirical study. *Non-State Actors and International Law*, 1(1), 44.

¹⁷ Ibid.

¹⁸ Ferreira-Snyman (n 4) at 362.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ferreira-Snyman (n 4) at 364.

²² Ibid.

²³ Thakur, R., & Van Langenhove, L. (2006). Enhancing global governance through regional Integration. *Global Governance*, 12(3), 235. See also Ferreira-Snyman, (n 4) at 365.

such as the President, Vice-Presidents, and Chairs of the Main Committees adhere to a regional pattern.²⁴ States form regional caucuses to align their stances, while the position of the secretary-general rotates among different regions. The UN also maintains regional commissions and specialized economic structures for each region. Overall, regional dynamics are an important aspect of the UN's functioning and organisation.²⁵

As such, since its inception, the UN has supported the establishment of regional organisations.²⁶ According to Schreuer:

Regionalization within the United Nations has clearly served some useful purposes. Political groupings can play an important and beneficial role in any decision-making process. They add efficiency and structure to the complex process of communication, thereby facilitating compromise. Regional distribution of seats in political organs reduces the potential for conflict in the selection of Members and gives groups a more secure sense of representation.²⁷

Several regional governance bodies, including the Caribbean Community and the League of Arab States (LAS), have been conferred observer status at the UN. These arrangements demonstrate that regional-level governance is not in conflict with the goals of the UN but rather an essential component of its structure and operation.²⁸ A notable example of this cooperation took place in 1950 when the UN General Assembly passed Resolution 477(V), inviting the secretary-general of the LAS to attend UN General Assembly sessions as an observer.²⁹

Initially, the LAS engaged with the UN primarily to seek support for Arab liberation movements and to incorporate newly independent Arab States. However, over time, the League increasingly turned to the UN as a platform to address regional crises and developments, leading to a deepening partnership between the two organisations.³⁰ This collaboration between the LAS and the UN illustrates the mutually beneficial relationship between regional governance bodies and the UN, showcasing how they work together to address regional challenges and advance their shared objectives. This will be elaborated further on in the paper.

Regional organisations also address and maintain conflicts between their member states and help them from spreading into international conflicts.³¹ This regionalist character is also evident in the composition of the United Nations Security Council (UNSC), with ten non-permanent seats allocated to specific regions. There are also discussions about restructuring the UNSC that include improved regional representation and the establishment of permanent and non-permanent regional seats.³² As Sarwar rightly states:

It is argued that with the changes in geopolitics realities, and with the number of UN member states having surged from 51 to 192, the UNSC needs to restructure itself as it is increasingly getting ineffective in its decisions, given its inequitable geographical composition.³³

²⁴ Ferreira-Snyman, A. (2011). Regionalism and the restructuring of the United Nations with specific reference to the African Union. *The Comparative and International Law Journal of Southern Africa*, 44(3), 364.

²⁵ See Thakur & Langenhove (n 23) at 235.

²⁶ Paragraph 37 of the Vienna Declaration and Programme of Action, World Conference on Human Rights (UN Doc A/CONF. 157/23 (12 July 1993) determines that “[Regional arrangements play a fundamental role in promoting and protecting human rights. They should reinforce universal human rights standards, as contained in international human rights instruments, and their protection.” Schreuer, C. (1995). *Regionalism v. Universalism*, *European Journal of International Law*, Volume 6, Issue 3, 478, cited in Ferreira-Snyman (n 4) 365.

²⁷ Ibid at Schreuer.

²⁸ See Thakur & Langenhove (n 23) at 237.

²⁹ Maksoud, C. (1995). *Diminished Sovereignty, Enhanced Sovereignty: United Nations-Arab League Relations at 50*. *Middle East Journal*, 49(4), 583.

³⁰ Ibid.

³¹ See Thakur & Langenhove (n 23) at 236.

³² See Ferreira-Snyman (n 4) at 365.

³³ Sarwar, N. (2011). *Expansion of the United Nations Security Council*. *Strategic Studies*, 31(3), 257. See also Royeppen, A. (Ed.). (2016). *United Nations Security Council Reform*. In *United Nations @ 70* (pp. 5–8). Institute for Global Dialogue.

The provisions within the UN Charter concerning regional arrangements address the role and importance of regional organisations in promoting peace and security.³⁴ This is consistent with the fundamental mission of the UN. Chapter VIII of the UN Charter urges member states that have entered into regional security arrangements, such as the LAS, to “make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.”³⁵ It also permits the UNSC to collaborate with regional organisations for enforcement actions under its authority and mandates that the UNSC “be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.”³⁶ Furthermore, Article 53 allows these organisations to engage in enforcement actions with only authorisation from the Security Council.³⁷ As such, Chapter VIII of the UN Charter explicitly acknowledges regional organisations and outlines their relationship with the UN.³⁸

Regional organisations have proliferated globally over the past six decades. The framework of regional organisations incorporates not only economic integration, but also “law, security, and culture.”³⁹ These organisations can assume different structures, varying from agreements that set rules or principles for a specific group of states to the formation of alliances such as G7, G20, or regional organisations with permanent institutions.⁴⁰ Regional organisations can serve the interests of states within a relatively confined geographical area, such as the Middle East, the Caribbean, or the Balkans.⁴¹

In 1992, the previous UN Secretary-General Boutros Boutros-Ghali, in his publication “An Agenda for Peace,”⁴² advocated for increased collaboration between the UN and regional organisations in matters of peace and security. He proposed the importance of using regional arrangements as “preventive diplomacy, peacekeeping, peacemaking, and post-conflict peacebuilding.”⁴³ Since the publication, the formal cooperation between regional organisations and the UN has been strengthened even further. From 1993 to 2005, the UN secretary-general organized six high-level meetings with regional organisations from different continents, focusing on security concerns. These discussions explored challenges to “international peace and security,” including the role of regional organisations in peacekeeping and peacebuilding endeavors.⁴⁴ They emphasised the importance of information exchange and adopting best practices as key means of achieving this goal.⁴⁵

For example, in his 1992 report to the Security Council, UN Secretary-General Boutros-Ghali highlighted the importance of regional organisations’ support for UN initiatives:⁴⁶

Under the Charter, the Security Council has and will continue to have primary responsibility for maintaining international peace and security, but regional action as a matter of decentralization, delegation and cooperation with United Nations efforts could not only lighten the burden of the Council but also contribute to a deeper sense of participation, consensus and democratization in international affairs.⁴⁷

³⁴ See Ferreira-Snyman (n 4) at 366.

³⁵ Art. 52 of the United Nations, Charter of the United Nations, 24 October 1945, 1 UNTS XVI.

³⁶ Art. 54 of United Nations, Charter of the United Nations, 24 October 1945, 1 UNTS XVI.

³⁷ UNSC, Regional Arrangements (Chapter VIII of UN Charter) <<https://www.un.org/securitycouncil/content/regional-arrangements-chapter-viii-un-charter>>

³⁸ See Thakur & Langenhove (n 23) at 237.

³⁹ Ibid., at 234. See also Padelford, N. J. (1954). Regional Organization and the United Nations. *International Organization*, 8(2), 205.

⁴⁰ Padelford, N. J. (1954). Regional Organization and the United Nations. *International Organization*, 8(2), 205.

⁴¹ Ibid.

⁴² UN Doc. A47277, 17 June 1992.

⁴³ See Thakur & Langenhove (n 23) at 236.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ MacFarlane, S. N., & Weiss, T. G. (1994). The United Nations, Regional Organisations and Human Security: Building Theory in Central America. *Third World Quarterly*, 15(2), 277.

⁴⁷ Boutros Boutros-Ghali, *An Agenda for Peace*, New York: United Nations, 1992, para 64. This same theme reappeared in ‘An agenda for peace: one year later’, *Orbis*, 37, 1993, pp 330-331, cited in MacFarlane, S. N., & Weiss, T. G. (1994). *The*

On 16 October 2005, through UN Security Council Resolution 1631,⁴⁸ the Security Council expressed its aim to take further steps to maintain international peace and security with the development of cooperation between the UN and regional and subregional organisations.⁴⁹ As stated in UN SC Res. 1631:

Regional organisations also take on an important role in in the maintenance of international peace and security. The UN has recognised the importance of regional organisations in this role, and has been high in its agenda.⁵⁰

Further reports have been issued on the topic such as the Report of the High-Level Panel on Threats, Challenges and Change,⁵¹ the Secretary General's Report in Larger Freedom⁵² and the Outcome Document of the 2005 UN Summit.⁵³

Recently in 2021, the UNSC urged the UN and regional/subregional organisations to enhance their collaboration with the UN in order to prevent and resolve conflicts, enhance collective security, and uphold international peace and security.⁵⁴ In a unanimous adoption of a presidential statement,⁵⁵ the UNSC acknowledged the capacity of regional and subregional organisations in conflict prevention, crisis management, post-conflict stabilization, and the promotion of sustainable peace.⁵⁶

The Secretary-General highlighted successful ways the UN worked with regional organisations in various conflict areas.⁵⁷ For instance, in Bosnia and Herzegovina, the UN collaborated with the European Union (EU), the Organization for Security and Cooperation in Europe (OSCE), and the Council of Europe (CoE) to foster dialogue, trust-building, and reconciliation. In Libya, the UN collaborated with the African Union (AU) to facilitate Libyan-led efforts to establish a ceasefire and national reconciliation. In Bolivia, the UN, along with the EU and the Episcopal Conference of Bolivia, worked together to find a peaceful resolution to the crisis following the 2019 general elections.⁵⁸ These examples demonstrate the effectiveness of UN-regional cooperation in driving political solutions.

According to Zhongkui and Xingfang, the EU and ASEAN are recognised as successful models of integrative decision-making systems. To function effectively, regional organisations must meet three key requirements.⁵⁹ According to the authors, they must first facilitate the mediation of interests among member states, integrating diverse state interests into a unified regional agenda. Secondly, they should operate as efficient organisations with clearly defined responsibilities for

United Nations, Regional Organisations and Human Security: Building Theory in Central America. *Third World Quarterly*, 15(2), 277.

⁴⁸ UN SC Res. 1631, 16 October 2005. UN doc. S/RES/163. Zwanenburg, M. (2006). Regional organisations and the maintenance of international peace and security: three recent regional african peace operations. *Journal of Conflict & Security Law*, 11(3), 484.

⁴⁹ UN SC Res. 1631, 16 October 2005. UN doc. S/RES/163.

⁵⁰ Ibid. See also Zwanenburg, M. (2006). Regional organisations and the maintenance of international peace and security: three recent regional African peace operations. *Journal of Conflict & Security Law*, 11(3), 484.

⁵¹ UN, A More Secure World: Our Shared Responsibility, Report of the High-Level Panel on Threats, Challenges and Change, 2 December 2004, UN doc. A/59/565.

⁵² UN, In Larger Freedom: Towards Security, Development and Human Rights for All, Report of the Secretary-General, 21 March 2005, UN doc. A/59/2005.

⁵³ UN, World Summit Outcome, 24 October 2005, GA Res. 60/1, UN doc. A/RES/60/1., 5, p. 71, para. 272.

⁵⁴ UN, In Times of Global Crises, Collaboration between Regional Organizations, United Nations Has “Grown Exponentially”, Secretary-General Tells Security Council, SC/14498, 19 April 2021, <<https://press.un.org/en/2021/sc14498.doc.htm>> [Last accessed 20 January 2023]

⁵⁵ United Nations S/PRST/2021/9,

⁵⁶ See UN (n 54).

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Chen, W & Zhao, J. (2009). The Arab League's Decision-making System and Arab Integration. *Journal of Middle Eastern and Islamic Studies (in Asia)* Vol. 3, No. 2. 60.

each branch, ensuring successful decision-making. Finally, they must have the authority and capability to implement policies, “turning paperwork policies into political achievements.”⁶⁰

3 Regional Institutions and International Human Rights

The UN also promoted the establishment of regional arrangements to support and reinforce universal human rights standards.⁶¹ For example, in 1968, the UN Economic and Social Council organized the International Conference on Human Rights in Tehran from April 22 to May 13.⁶² During this conference, the Proclamation of Tehran was adopted as the outcome document. The Proclamation reaffirmed the principles enshrined in the Universal Declaration of Human Rights (UDHR) and recognized the importance of regional organizations in supporting and advancing human rights principles in their respective regions.⁶³

The 1993 World Conference on Human Rights called for increased cooperation between regional organisations and the UN, with the objective of strengthening their engagement in promoting and protecting human rights in line with international standards. The conference also emphasized the need to establish regional organisations in regions where they were not yet present, recognizing their potential to contribute to the advancement of human rights.⁶⁴

Arguably since 1948, regional cooperation has advanced in the field of human rights. The Council of Europe (1950) established the European Convention on Human Rights (1950) and the European Court of Human Rights, which administers the enforcement of human rights.⁶⁵ The Organisation of American States (OAS) and its American Convention on Human Rights (1978) also provide monitoring and compliance mechanisms.⁶⁶ As a result of the African Charter on Human and Peoples' Rights (1981)⁶⁷, regional cooperation in Africa has advanced gradually. The African Commission on Human and Peoples' Rights has played an increasing role in advancing human rights and the African Court on Human and Peoples' Rights (1998)⁶⁸ has influenced human rights compliance at the regional level.⁶⁹ With the establishment of the Arab Charter

⁶⁰ Zhongkui Ye & Xingfang Wang, *The Survey of International Organization*(Beijing: China RenMin University Press, 2001), pp.233-43, cited in Chen, W & Zhao, J. (2009). *The Arab League's Decision-making System and Arab Integration*. *Journal of Middle Eastern and Islamic Studies (in Asia)* Vol. 3, No. 2. 60.

⁶¹ Paragraph 37, *The World Conference on Human Rights, Vienna Declaration and Programme of Action*, A/CONF.157/23, UN General Assembly, 12 July 1993..

⁶² *Proclamation of Teheran, Final Act of the International Conference on Human Rights, Teheran, 22 April to 13 May 1968, U.N. Doc. A/CONF. 32/41, 3.*

⁶³ Ibid.

⁶⁴ See *Vienna Declaration and Programme of Action*.

⁶⁵ Eide, A. (2006). *International Cooperation for Group Accommodation through Minority Protection: A Review of Standard Setting and Institution Building at Regional and Global Levels*. *International Journal on Minority and Group Rights*, 13(2/3), 154. See *Council of Europe, European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols Nos. 11 and 14, 4 November 1950, ETS 5.*

⁶⁶ *American Convention on Human Rights, O.A.S. Treaty Series No. 36, 1144 U.N.T.S. 123, entered into force July 18, 1978, reprinted in Basic Documents Pertaining to Human Rights in the Inter-American System, OEA/Ser.L.V/II.82 doc.6 rev.1 at 25 (1992) , Statute of the Inter-American Commission on Human Rights, O.A.S. Res. 447 (IX-0/79), O.A.S. Off. Rec. OEA/Ser.P/IX.0.2/80, Vol. 1 at 88.*

⁶⁷ *African [Banjul] Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force Oct. 21, 1986.*

⁶⁸ *Protocol to the African Charter on the Establishment of the African Court on Human and Peoples' Rights, OAU Doc. OAU/LEG/AFCHPR/PROT (III), entered into force Jan. 25, 2004.*

⁶⁹ See for example, Eide, (n 66) at 154.

on Human Rights (2004)⁷⁰ and the Arab Human Rights Committee (2009), the Arab League plays a crucial role in monitoring and protecting human rights in the Arab world

4 The Arab League and its collaboration with the UN

The Arab League (the LAS) was established on 22 March 1945, making it one of the earliest regional organisations in the world.⁷¹ Syria, Transjordan (Jordan), Iraq, Saudi Arabia, Lebanon, Egypt, and Yemen were the founding members of the LAS, which has since grown to include 22 Arab states.⁷² Although other subregional and intergovernmental organisations have been established in the Middle East since 1944, the LAS is the only organization that can be described as "regional." Since the 1960s, the LAS has created multilateral initiatives with a significant impact on regional politics.⁷³ In addition to other bodies established by the Joint Arab Defense Treaty in 1950 and bodies established by council decisions, the league consists of three primary subdivisions.⁷⁴

The primary objectives of the LAS are to enhance the bonds among its member states, facilitate policy coordination to foster cooperation. The League aims to address various aspects, including economic and financial matters such as commercial relations, customs, currency, agriculture, and industry.⁷⁵ Additionally, the LAS seeks to promote social and cultural affairs, including initiatives related to education, healthcare, and cultural exchanges.⁷⁶

The LAS, similar to the UN, has various specialized agencies and agreements. The Council of Arab Economic Unity (CAEU) was established through the Economic Unity Agreement in 1957, while the Economic and Social Council facilitated free-trade agreements leading to the Greater Arab Free Trade Area (GAFTA). The LAS also established the Arab League Educational, Cultural, and Scientific Organization (ALECSO) in 1970 to promote cultural unity.⁷⁷ Additionally, the LAS is affiliated with organisations such as the Arab Labor Organization, Arab Fund for Economic and Social Development, Arab States Broadcasting Union, and Arab Telecommunications Union.⁷⁸ In 2004, the LAS adopted the Arab Charter on Human Rights, which is universally ratified by member states and includes a mechanism for monitoring compliance. The Charter aims to promote and protect human rights in the region, aligning with the International Bill of Human Rights.⁷⁹

⁷⁰ League of Arab States, Arab Charter on Human Rights, May 22, 2004, *reprinted in* 12 Int'l Hum. Rts. Rep. 893 (2005), *entered into force* March 15, 2008.

⁷¹ See the Pact of the Arab League, The Arab Office, Washington D.C. Text may be found in the American Journal of International Law, v. 39 (1945), Documents Section, p. 266. There are currently 22 Arab speaking members of the Arab League, its members are Arabic-speaking countries -- the official language -- and the founding members were: Saudi Arabia, Egypt, Syria, Lebanon, Iraq, Jordan and Yemen. Others joined successively: Libya, Sudan, Tunisia, Morocco, Kuwait, Algeria, Bahrain, Oman, Qatar, UAE, Mauritania, Somalia, Palestine, Djibouti, and Comoros.

⁷² Pinfari, M. Regional Organizations in the Middle East', *Oxford Handbook Topics in Politics* (online edn, Oxford Academic, 6 Aug. 2015), 3.

⁷³ *Ibid.*, at 4.

⁷⁴ Saudi Press Agency, "Arab League... Rich Record of Achievements in its Long History" <<https://www.spa.gov.sa/en/7348e70ff8y>> [Last accessed 1 December 2023]. See also Aziz, M. A. (1955). Origins of the Arab League. *Pakistan Horizon*, 8(4), 479–494.

⁷⁵ Article 2, League of Arab States, Charter of Arab League, 22 March 1945.

⁷⁶ *Ibid.*

⁷⁷ Pinfari, M. Regional Organizations in the Middle East, *Oxford Handbook Topics in Politics* (online edn, Oxford Academic, 6 Aug. 2015), 4 <<https://doi.org/10.1093/oxfordhb/9780199935307.013.86>> [Last accessed 1 December 2023]

⁷⁸ For more information on the Arab League see The Arab League, <<http://www.leagueofarabstates.net/en/Pages/default.aspx>> [Last Accessed 13 August 2023]. See also Saudi Press Agency, "Arab League... Rich Record of Achievements in its Long History" <<https://www.spa.gov.sa/en/7348e70ff8y>> [Last Accessed 13 August 2023].

⁷⁹ See the League of Arab States, Arab Charter on Human Rights, May 22, 2004, *reprinted in* 12 International Human Rights Report. 893 (2005), *entered into force* March 15, 2008.

Throughout its existence, the LAS has played a crucial role in fostering unity among Arab nations, upholding their independence and sovereignty, and facilitating cooperation and coordination in response to regional developments.⁸⁰ The LAS has addressed inter-Arab conflicts and cooperated with the Security Council and established a temporary military force during the Kuwaiti-Iraqi war in 1961.⁸¹ It has consistently maintained diplomatic positions during Arab summits and within United Nations forums.⁸² The LAS council oversees the execution of agreements among its member states and promotes collaboration between Arab nations and international organisations committed to maintaining international peace and security.⁸³

Throughout their respective 80-year history, the UN and the LAS have experienced parallel development and addressed similar issues and challenges.⁸⁴ Despite their shared objective of “promoting peace, security, and stability,”⁸⁵ both organisations have been involved in a number of regional and international conflicts. They have also encountered difficulties related to respecting the sovereignty of their member states, implementing resolutions effectively, managing internal disputes and conflicts, and confronting political and regional security matters.⁸⁶

In 1950, the United Nations General Assembly adopted Resolution 477(V), which extended an invitation to the secretary-general of the LAS to attend General Assembly sessions as an observer.⁸⁷ Initially, the LAS’s engagement with the UN was focused on soliciting support for Arab liberation movements and incorporating newly independent Arab states into the League’s initiatives.⁸⁸ Over time, the League increasingly relied on the UN as a platform to address regional crises, resulting in a deepening partnership between the two organisations.⁸⁹

In 1989, the UN and the LAS signed a Memorandum of Understanding (MoU), which was renewed in 2016 by concluding a Protocol of Amendment.⁹⁰ These agreements aim to strengthen relations between the two organisations, focusing on economic opportunities, human rights promotion, and political inclusion.⁹¹ Regular meetings are held between the UN and LAS secretariats, as well as their respective agencies, funds, and programs, to foster cooperation on various topics.⁹² For example, additional MoUs have been established, including one between the UN High Commissioner for Refugees and the

⁸⁰ Saudi Press Agency, “Arab League... Rich Record of Achievements in its Long History” <<https://www.spa.gov.sa/en/7348e70ff8y>> [Last accessed 1 December 2023]

⁸¹ Ibid.

⁸² Ibid.

⁸³ See “United Nations General Assembly Resolution “Inviting Secretary-General of the League of Arab States to Attend Session of the General Assembly,” in Mohammed Khalil, *The Arab State and the Arab League: Documentary Record*, vol. 1 (Beirut: Khayyat, 1962), 80, cited in Maksoud, C. (1995). *Diminished Sovereignty, Enhanced Sovereignty: United Nations-Arab League Relations at 50*. *Middle East Journal*, 49(4), 583.

⁸⁴ Maksoud, C. (1995). *Diminished Sovereignty, Enhanced Sovereignty: United Nations-Arab League Relations at 50*. *Middle East Journal*, 49(4), 583.

⁸⁵ UN, League of Arab States, < <https://dppa.un.org/en/league-of-arab-states#:~:text=The%20League%20of%20Arab%20States,spirit%20of%20solidarity%20and%20unity>> [Last accessed 1 December 2023]

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid., See also UN, “Arab League” < <https://dppa.un.org/en/league-of-arab-states#:~:text=The%20League%20of%20Arab%20States,spirit%20of%20solidarity%20and%20unity>> [Last accessed 1 December 2023]

⁹¹ UN. League of Arab State, Department of Political and peacebuilding affairs <<https://dppa.un.org/en/league-of-arab-states>> [Last accessed 1 December 2023]

⁹² Ibid.

LAS Secretary-General in 2017, aiming to enhance global cooperation for an effective response to refugee needs in the Arab region.⁹³ Additionally, the UN Security Council has increased its involvement with the LAS by holding informal meetings on particular issues. There has been an increased emphasis on fostering inter-Arab cooperation. The LAS provides a systematic framework for addressing crises and challenges in the Arab region.⁹⁴ Furthermore, the UN opened a Liaison Office in Cairo to the LAS in 2019, “the first such office to be funded through the regular budget.”⁹⁵

Regrettably, the LAS has faced criticism for its perceived ineffectiveness and propensity for conflicts, leading to economic and political fragmentation.⁹⁶ Some attribute the ineffectiveness of the LAS to the internal and external security challenges faced by certain member states.⁹⁷ The League has been faulted particularly with its non-binding resolutions, and absence of enforcement mechanisms. In contrast to the African Union Peace and Security Council (established in December 2003), the African Union (AU) is empowered to intervene in any member state, “in case of grave humanitarian circumstances and danger to its population,” The LAS lacks a similar mandate to implement the responsibility to protect doctrine.⁹⁸

Despite this, the LAS remains committed to reform. In recent years, there have been numerous meetings between the LAS and the UNSC to seek to provide more institutionalized conflict management and resolution mechanisms.⁹⁹ As stated in a recent conference between the LAS and the Security Council, “with multilateralism under great strain, the relationship between the United Nations and Arab regional leadership is even more critical to the maintenance of peace and stability.”¹⁰⁰ In addition to the recent LAS Summit held in Jeddah, Saudi Arabia, the leaders of the Arab countries stressed the importance of strengthening joint Arab action based on common foundations, values, interests, and unity.¹⁰¹ The summit, discussed important topics, including the Arab peace initiative, as well as the crisis and developments in Sudan, Yemen, Syria, Libya and Lebanon.

Overall, with sustained political will and cooperation, the Arab League can exert a greater meaningful impact in the region and the globe at large.

5 Conclusion

In conclusion, regional organizations play an important role in the realm of international law. As emphasized in this paper, they not only serve as actors in the field of international law but also act as implementers of international legal norms and principles. This study has highlighted significant advancements in strengthening States’ adherence to international law and the alignment of regional organisations with the UN’s overarching objective of upholding global order and promoting peace and stability.

Regional organisations play a vital role as intermediaries between national and regional interests and international organisations. They also possess certain advantages due to their ability to make prompt decisions, navigate fewer bureaucratic

⁹³ UNHCR, “UNHCR and League of Arab States Sign Agreement to address refugee challenges in the Arab Region”. <<https://www.unhcr.org/news/news-releases/unhcr-and-league-arab-states-sign-agreement-address-refugee-challenges-arab>> [Last accessed 1 December 2023]

⁹⁴ Dakhllallah, F. (2012). The League of Arab States and Regional Security: Towards an Arab Security Community? *British Journal of Middle Eastern Studies*, 39(3), 411.

⁹⁵ See UN, “Arab League” at n 91.

⁹⁶ Çarkoglu, A. Eder M and Kirijci, K. *The Political Economy of Regional Cooperation in the Middle East* (London: Routledge, 1998). See also Dakhllallah (n 94).

⁹⁷ Ibid.

⁹⁸ Cited in Dakhllallah (n 94).

⁹⁹ See Dakhllallah (n 94) 410. See also UN, Strategic Partnership between United Nations, Arab League Vital for Transformation of Region, Senior Official Tells Security Council, 9343RD Meeting* (AM), SC/15315, 8 June 2023, <<https://press.un.org/en/2023/sc15315.doc.htm>> [Last accessed 1 December 2023]

¹⁰⁰ Ibid., at UN.

¹⁰¹ SPA, “Jeddah Declaration: Arab Leaders Affirm the Importance of Promoting Joint Arab Action Based on Common Foundations, Values, Interests and One Destiny” Jeddah, May 19, 2023, <<https://www.spa.gov.sa/en/47e1778aaao>> [Last accessed 1 December 2023]

obstacles compared to international bodies such as the UN and can respond more effectively to urgent situations.¹⁰² As such regional organisations contribute to the overall stability and development of their respective regions.

Despite the challenges encountered by regional organisations, like the LAS, they remain pivotal in fostering peace and stability within their regions. Moving forward, it is crucial to enhance collaborative efforts between the regional organisations such as LAS and the UN to uphold global order, peace, and security. Furthermore, States must demonstrate increased political will to strengthen these organisations and work collectively towards shared goals.

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"دور المنظمات الإقليمية في القانون الدولي: دراسة تحليلية"

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قسم القانون العام

جامعة الملك عبدالعزيز

الملخص:

تتناول هذه الورقة دور المنظمات الإقليمية في مجال القانون الدولي وتحلل وظيفتها كعناصر فاعلة ومنفذة لمبادئ القانون الدولي. ويستكشف الجهود التعاونية بين المنظمات الإقليمية والأمم المتحدة في تعزيز حقوق الإنسان والسلام والأمن داخل مناطقها. علاوة على ذلك، تبحث الورقة في تأثير المنظمات الإقليمية على أجندات الأمم المتحدة وألوياتها. يتضمن التحليل دراسة حالة لجامعة الدول العربية، واستكشاف تأثيرها وتأثيرها في المنطقة، فضلاً عن مساهمتها في عمل الأمم المتحدة.

الكلمات المفتاحية: القانون الدولي، المنظمات الإقليمية، الأمم المتحدة، القواعد والمعايير الدولية، جامعة الدول العربية.