

self-determination is an internal affair states are generally under a duty not to intervene.

14.6 Collective use of force

14.6.1 *The United Nations – a brief introduction*

The term 'United Nations' was first used shortly after the USA entered World War Two in 1941. On 14 August 1941 Churchill and Roosevelt met in mid-Atlantic and issued a declaration of common principles known as the Atlantic Charter on which was based their hopes for a better future for the world. These included the eventual abandoning of the use of force, territorial changes and forms of government to be based on the expressed wishes of the peoples concerned and economic co-operation between all nations with the object of securing for all improved labour standards, economic advancement and social security. On 1 January 1942 a Declaration by the United Nations was made and adhered to by all those states at war with the Axis Powers. This was followed by the Moscow Declaration of 30 October 1943 in which the USA, the USSR and the UK committed themselves to forming a new world organisation for the maintenance of international peace and security. Proposals for its Charter were drawn up in 1944 at Dumbarton Oaks in the USA, by the USA, USSR, UK and China and the following year the three major powers agreed on voting procedures for the Security Council at the Yalta Conference. The amended Dumbarton Oaks Proposals formed the basis of the 50-nation conference held on 25 April in San Francisco and on 26 June 1945 the Charter of the United Nations was formally signed. It contained 111 articles which defined the purposes, principles and methods of the new organisation and set up its structure. The main purposes of the UN are set out in Article 1, and Article 2 sets down the fundamental obligations of member states. Membership of the UN is open to all peace-loving states which accept the obligations contained in the Charter and which, in the opinion of the UN, are able and willing to carry them out.

The UN has six principal organs – the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice and the Secretariat. The General Assembly consists of all members of the UN, each of which has equal voting rights. It may discuss any matter within the scope of the Charter unless it is already under discussion in the Security Council and it may make recommendations. It has no mandatory powers. Major decisions are taken by a two-thirds majority, less important ones by a simple majority. Amendments to the Charter require a two-thirds majority including the concurrent votes of the five Permanent members of the Security Council. The Assembly meets once annually in regular session from September to December. Special sessions and emergency sessions may be called by the Security Council or a majority of members to discuss particular issues. The work of the Assembly continues all year, however, through the special committees and subsidiary organs such as the United Nations Conference on Trade and Development.

The UN Security Council has primary responsibility for maintaining international peace and security. It has five permanent members (the USA,

Russia, the UK, China, and France) and 10 non-permanent members who are elected for a two-year term (five are elected each year). Decisions of the Security Council must have the affirmative vote of nine members including the permanent members, except on procedural matters where voting is by majority. The question of whether something is or is not a procedural matter is itself a non-procedural matter. Any permanent member can therefore veto a decision; abstention, however, is not taken as a veto. According to the Charter no member should vote on a matter in which it is involved, but this rule is not observed in practice.

14.6.2 *The UN and collective use of force – the Security Council*

Under the UN collective security system as originally envisaged, the Security Council was to be the organ through which international peace and security were to be maintained. It is given specific powers in Chapter VII of the Charter to act on behalf of all states, even if this means using force itself. Resolutions passed under Chapter VII provisions are binding on all states.

Article 39 of the Charter provides that:

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42 to maintain or restore international peace and security.

Under Article 40 the Security Council may indicate provisional measures pending a determination under Article 39. It is therefore important to determine what type of behaviour might fall within Article 39.

Resolution on the Definition of Aggression 1974¹⁷

The General Assembly adopts the following definition of aggression:

Article 1

Aggression is the use of armed force by a state against the sovereignty, territorial integrity or political independence of another state, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition.

Explanatory note: In this Definition the term 'state':

- (a) is used without prejudice to questions of recognition or to whether a state is a Member of the United Nations;
- (b) includes the concept of a 'group of states' where appropriate.

Article 2

The first use of armed force by a state in contravention of the Charter shall constitute *prima facie* evidence of an act of aggression although the Security Council may, in conformity with the Charter, conclude that a determination that an act of aggression has been committed would not be justified in the light of other relevant circumstances, including the fact that the acts concerned or their consequences are not of sufficient gravity.

17 General Assembly Resolution 3314 (XXIX), 14 December 1974.

Article 3

Any of the following acts, regardless of a declaration of war, shall, subject to and in accordance with the provisions of Article 2, qualify as an act of aggression:

- (a) the invasion or attack by the armed forces of a state of the territory of another state, or any military occupation, however temporary, resulting from such invasion or attack, or an annexation by the use of force of the territory of another state or part thereof;
- (b) bombardment by the armed forces of a state against the territory of another state or the use of any weapons by a state against the territory of another state;
- (c) the blockade of the ports or coasts of a state by the armed forces of another state; ...
- (e) the use of armed forces of one state which are within the territory of another state with the agreement of the receiving state, in contravention of the conditions provided for in the agreement or any extension of their presence in such a territory beyond the termination of the agreement;
- (f) the action of a state in allowing its territory, which it has placed at the disposal of another state, to be used by that other state for perpetrating an act of aggression against a third state;
- (g) the sending by or on behalf of a state of armed bands, groups, irregulars, or mercenaries, which carry out acts of armed force against another state of such gravity as to amount to the acts listed above, or its substantial involvement therein.

Article 4

The acts enumerated above are not exhaustive and the security Council may determine that other acts constitute aggression under the provisions of the Charter.

Article 5

- 1 No consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression.
- 2 A war of aggression is a crime against international peace. Aggression gives rise to international responsibility.
- 3 No territorial acquisition or special advantage resulting from aggression is or shall be recognised as lawful.

Article 6

Nothing in this Definition shall be construed as in any way enlarging or diminishing the scope of the Charter including its provisions concerning cases in which the use of force is lawful.

Article 7

Nothing in this Definition, and in particular Article 3, could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter, of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International law concerning Friendly Relations and Co-operation among states in accordance with the Charter of the United Nations, particularly peoples under colonial and racist regimes or other forms of alien domination; nor the right of these peoples to struggle to that end and to seek and receive support, in accordance with the principles of the Charter and in conformity with the above-mentioned Declaration.

The measures envisaged by Article 41 involve non-military sanctions, such as trade boycotts or arms embargoes. Decisions taken under Article 41 are binding on member states. In the event of the measures available under Article 41 being considered inadequate Article 42 enables the Security Council to take such military action as may be necessary to maintain or restore international peace and security. Under the original scheme the use of force by the Security Council under Article 42 depended upon satisfactory agreements having been concluded under Article 43 which envisaged an organised military force being permanently at the Council's disposal. No such agreements have ever been concluded. There is no indication that Article 42 is dependent upon agreements reached under Article 43 and Article 42 does state that enforcement action 'may include demonstrations, blockade, and other operations by air, sea, or land forces of members of the UN'.

Enforcement action taken under Chapter VII of the UN Charter must be distinguished from the peace-keeping role exercised by the UN under Chapter VI and often carried out through the use of the so-called 'blue helmets'. This peacekeeping role will be discussed at 14.6.4.

14.6.3 Enforcement action under Chapter VII

In the history of the UN, the Security Council has authorised the use of force under Chapter VII on six occasions and these will be looked at in turn. In addition the UN has on a number of occasions imposed measures falling short of the authorisation of the actual use of force. The use of Chapter VII enforcement action has dramatically increased since the collapse of the former Soviet Union and the ending of the Cold War.

14.6.3.1 Korea 1950

Before World War Two Korea had been under Japanese control. In 1943 its independence was guaranteed by the Allies but in 1945 Japan surrendered North Korea to the Soviet Union and surrendered South Korea (south of the 38th parallel) to the USA. Deadlock ensued and in June 1950 North Korean troops crossed the border into South Korea. At that time the USSR was boycotting meetings of the Security Council in protest against the fact that it was Nationalist China rather than the People's Republic which was the representative of China. The invasion was reported to the Security Council which determined that the action constituted a breach of the peace and called for an immediate cessation of hostilities. When this call went unheeded the Council passed a second resolution under Article 39 recommending that all states should provide such assistance to South Korea as was necessary to repel the armed attack and to restore international peace and security to the area. A third resolution established the UN unified command and recommended that member states should make military force and other assistance available to the unified command under the USA. The USA provided the commander of such forces and was in overall control. Subsequently the USSR returned to the Security Council and the matter passed into the hands of the General Assembly because agreement was no longer possible in the Security Council.

There have been arguments put forward that the Korean action was not legitimate under the UN Charter on the basis that USSR's absence should not be

counted as a concurring vote. A similar argument was mounted against Security Council Resolution 678 (1990) which imposed a deadline on Iraq to withdraw from Kuwait or face military action. In that case it was China that abstained. The majority of opinion seems to suggest that an abstention should not be considered to be a veto. It was also disputed as to whether the Security Council could instigate the use of armed force outside the Article 42 and Article 43 procedure. The action in Korea has therefore been characterised by some commentators as an example of the collective self-defence of South Korea.

14.6.3.2 Rhodesia 1965

Following the unilateral declaration of independence by Southern Rhodesia in November 1965 the Security Council passed a resolution calling upon all states to refrain from any action which would assist and encourage the illegal regime and in particular to desist from providing it with arms, equipment and military material and to do their utmost to break all economic relations with Southern Rhodesia including an embargo on oil and petroleum products. In April 1966 in Resolution 221 the Security Council made a determination that the situation in Southern Rhodesia constituted a threat to peace and the voluntary sanctions were replaced by mandatory sanctions under Article 41. The resolution passed authorised the UK to use force if necessary to uphold the oil embargo imposed upon Southern Rhodesia. The UK made use of this authority when it threatened to use force against a Greek registered oil tanker in April 1966 although the actual use of force was not necessary.

14.6.3.3 Iraq

On 2 August 1990 Iraqi forces invaded Kuwait after a period of growing tension between the two states. The invasion was almost universally condemned and the Security Council passed a series of resolutions relating to the situation. On the day of the invasion the Security Council passed Resolution 660 which determined that the situation constituted a breach of international peace and security and demanded immediate Iraqi withdrawal. Following Iraq's failure to withdraw, Resolution 661 was passed which imposed comprehensive economic sanctions on Iraq. Resolution 665, passed on 25 August 1990, authorised those member states co-operating with the government of Kuwait to 'use such measures commensurate to the specific circumstances as may be necessary under the authority of the Security Council' to enforce the sea blockade of Iraq. Colombia and Cuba both questioned whether it was permissible for the Security Council to authorise the use of force without the agreements necessary under Article 43, but no conclusive answer was given. The USA and the UK announced that they would use force to uphold the sanctions but their main justification for doing so was based on the right of collective self-defence of Kuwait. The USA and the UK continued to maintain that use of force against Iraq was permitted under rights of self-defence although it was recognised that politically it would be better to act under UN authorisation. Accordingly, Security Resolution 678 which was passed by 12 votes to two (with the Yemen and China abstaining) on 20 November 1990 authorised member states 'to use all necessary means' in co-operation with the government of Kuwait to implement Resolution 660 unless Iraq withdrew by 15 January 1991. What was never completely clear was whether the resolution amounted to Chapter VII

enforcement action or was merely a recognition of the Kuwaiti right to collective self-defence. The majority of writers seem to support the view that Resolution 678 amounted to enforcement action and thus military force was not confined purely to the liberation of Iraq as it would have been if restricted by the conditions applicable to self-defence.

14.6.3.4 Somalia, Bosnia and Haiti

Within the last two years the use of Chapter VII procedures has taken on a new aspect raising questions of humanitarian intervention by the UN. In both Bosnia and Somalia the UN Security Council recognised that the situations there constituted a threat to peace and security. However, the main concern in both cases was the provision of humanitarian relief to the local population rather than a response to the use of aggression by another state. In spite of the fact that there was no outside aggressor the UN Security Council has authorised the use of force in both situations. In the case of Bosnia, member states were authorised under Security Council resolution 816 (1993) to take 'all necessary measures' to enforce the no-fly zone above the territory of Bosnia-Herzegovina.

Perhaps the greatest extension of UN powers has come in respect of Haiti. Following the overthrow of the democratically elected government of President Aristide concern was expressed by the Organisation of American States at the worsening situation in Haiti. In June 1993 the Security Council determined that the situation constituted a threat to international peace and security, called for the re-instatement of President Aristide and imposed a number of economic sanctions pending his re-instatement. The sanctions were lifted in August 1993 but stronger sanctions were re-imposed following a new Article 39 determination in October. In Resolution 875 (1993) the Security Council authorised the use of force to enforce the sanctions. Thus for the first time, the UN has authorised the use of force in a situation of civil unrest and in an attempt to bring about a return to democracy. While the use of such action in respect of the particular situation in Haiti might be welcomed the general principle operating gives rise for some concern. If, as seems possible, the ICJ finds in the *Lockerbie* case that it has no power to review the legitimacy of Security Council Resolutions then the use of the Security Council to bring about changes in the government of states is open to considerable abuse.

When Saddam Hussein invaded Kuwait on 2 August 1990 the security Council reacted with unusual speed and decisiveness. Between 2 August and 29 November it adopted, under Chapter VII of the Charter, 12 resolutions on different aspects of the Kuwait crisis.¹⁸ It imposed sanctions;¹⁹ a naval embargo;²⁰ and then, on 29 November, it finally authorised the use of force if Iraq did not comply with its resolutions by 15 January 1991.²¹

While the Council's unprecedented sense of urgency and determination in dealing with aggression were widely praised, it was not acting precisely

18 The first was SC Res 660 of 2 August 1990 condemning the Iraqi invasion of Kuwait which had taken place earlier the same day.

19 SC Res 661 of 6 August 1990.

20 SC Res 665 of 25 August 1990.

21 SC Res 678 of 29 November 1990.

according to Chapter VII of the Charter. Articles 46 and 47 clearly imply that enforcement measures under Chapter VII will be under the control of the Security Council and its Military Staff Committee. Thus, already on 25 August, when it asked the states with maritime forces in the Gulf area to monitor shipping, the Council had begun to depart from the precise terms of Chapter VII of the Charter. On 29 November, in Resolution 678, the Council diverged still further from the terms of Chapter VII when it authorised 'member states co-operating with the government of Kuwait ... to use all necessary means' (ie the use of force) if Iraq had not withdrawn by 15 January 1991. A comparable departure from the course envisaged in Chapter VII had also occurred in the Korean war (1950–3) in which there was also US control of military operations.²²

The tendency to diverge from the Charter was inherent from the beginning of the 1990–1 Gulf crisis, and for a very good reason. In the 40 years of the Cold War the Security Council has made none of the preparations necessary to meet a crisis of this kind in the way suggested in the Charter. The Military Staff Committee had held no substantive meetings since 1948, and had done no preparatory work or contingency planning. No agreements with member states had been concluded under Article 43. Thus, when the Council denounced Iraq's aggression in August 1990, it was not in a position to assure the security of other states in the region – most notably Saudi Arabia – against a possible attack by Iraq.

Instead, a parallel operation was mounted under US leadership to protect Saudi Arabia. This was justified primarily under Article 51 of the Charter, which provides for the inherent right of individual or collective self-defence. When this operation, involving a massive deployment of forces, began, its name, Operation Desert Shield, gave the impression that it was defensive, and that UN sanctions and embargoes were to be the means of eventually forcing Iraq to withdraw from Kuwait. Later on, however, when the US build-up became so large as to have offensive capacity, and sanctions seemed to be having little effect on Saddam Hussein's determination to hold on to Kuwait, the choice of the main instrument to reverse Iraq's aggression shifted from sanctions to the use of force.

The wisdom of the change from sanctions to force was a matter of much debate at the time, more particularly since the enforcement operation would be under the command of the USA rather than of a command structure designated by the Security Council. Moreover, the goal of Chapter VII is action short of force if possible. Article 42 states: 'Should the Security Council consider that measures provided for in Article 41 [sanctions] would be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security.'

No formal determination as to the inadequacy of sanctions was ever made by the Security Council before Operation Desert Storm was launched. In retrospect, it seems that sanctions, even when rigorously applied, are unlikely, in the short run at any rate, to force a dictatorial and unscrupulous leader to reverse his course. Saddam Hussein may well also have believed that the Security Council's threat of force was a bluff which would never become a reality. When he had invaded Iran in 1980, the Security Council had sat on its hands, neither demanding withdrawal nor imposing sanctions. His assessment of the determination of the Security Council to reverse aggression was certainly influenced by this experience.

22 SC Res 678 of 29 November 1990.

The USA and its coalition partners commenced the major military operation on the night of 16-17 January 1991 with Operation Desert Storm, an air offensive against Iraqi targets in Iraq and Kuwait. The main coalition land offensive began on 24 February. A suspension of coalition offensive combat operations came into effect on 28 February after coalition forces had taken over all of Kuwait and parts of southern Iraq.

After the end of this war, Saddam Hussein was required to carry out the terms of a monumental cease-fire resolution.²³ This requires, among other things, the destruction or removal of all weapons of mass destruction, including chemical and nuclear weapons, as well as missiles with a greater range than 150 kilometres. It also requires reparations and the return of all Kuwaiti property, and maintains the sanctions on Iraq until these and other provisions are fulfilled. Sanctions also provided the background for international efforts to protect the Kurdish population of northern Iraq and the Shiites of the south from the tender mercies of the central government. 'Safe havens', 'no-fly zones', a UN guard force, and massive relief operations are all part of the complex aftermath of Desert Storm. Iraq resisted many of the conditions imposed on it by the UN and by some of the coalition powers, who responded with air attacks on targets in Iraq on 14 and 18 January 1993.

The forceful reaction in January-February 1991 to Saddam Hussein's Kuwait adventure may well prove something of a deterrent to future aggressors. However, such a clear case of aggression in a strategically sensitive region is unlikely to recur in the foreseeable future; and the long-term impact of that reaction was inevitably weakened by the fact that Saddam Hussein remained firmly in power in Iraq. At all events, the episode shed much light on the capacity of the UN as an instrument of collective security.

In the existing state of international leadership and military preparedness, an operation of the size and strength of Desert Storm could not be undertaken without the leadership and military commitment of the USA. That fact has already contributed to negative interpretations, in some quarters, of the Security Council's conduct over Kuwait. It has also, partly due to the unfortunate use of the phrase 'new world order', created much speculation as to the US government's conception of the future role of the USA, the sole surviving superpower, *vis-à-vis* the rest of the world.

As far as the Security Council is concerned, there seems little or no will to make a literal reality of the articles in Chapter VII of the Charter. There is no inclination at the present time to resuscitate the Military Staff Committee even in a contingency-planning role. Nor is there any sign of a governmental response to Secretary General Boutros-Ghali's urging that governments conclude agreements under Article 43 to make forces available to the Security Council.²⁴

On the other hand, Chapter VII, the enforcement chapter – used partially, and only on rare occasions, to impose sanctions during the Cold War – is far more freely invoked in the post-Cold War era. This tendency is causing considerable concern in the developing world as a harbinger of a new great power hegemony. For this, among other reasons, the vexed questions of the structure of the

23 SC Res 687 of 3 April 1991; 'the mother of all resolutions'. This had been preceded by Res 686 of 2 March 1991, outlining necessary measures by Iraq which would permit a definitive end to the hostilities.

24 Boutros Boutros-Ghali, *An Agenda for Peace*, June 1992, para 43.

Security Council and the anachronistic present structure of Permanent Members are becoming pressing political issues.

In spite of the recommendations in Boutros-Ghali's 'Agenda for Peace', there seems little concern at present to put the UN and the Security Council in a better position to respond in full accordance with the terms of Chapter VII of the Charter to a new and serious act of aggression – nor indeed to give the organisation the capacity to deal with more limited challenges. The deterrent to major acts of aggression – and to disastrous disruptions of civil order – thus remain largely the military power of the USA and one or two of its allies, and the determining factor in responding to future emergencies will be the interest and concern of the USA and its allies in a given situation. There is no guarantee that forceful action can, or will, be taken against acts of aggression wherever they may occur. However, there is still a practical possibility of the UN taking less extreme steps, such as interruption of diplomatic relations and communications, and sanctions. In May 1992, for example, although there was little support for major military intervention in former Yugoslavia, the Security Council adopted stringent sanctions against Serbia and Montenegro; these were toughened further in 1993.^{25, 26}

14.6.4 *Peace-keeping actions*

The Security Council has also been involved in the use of force on other occasions which have not been considered enforcement actions under Chapter VII. In July 1960 the breakdown of law and order following Congo independence brought a request from the Congolese government requesting immediate military assistance. The Security Council passed a resolution authorising the Secretary General to take the necessary steps in consultation with the Congo government to provide such military assistance as was necessary. A multinational force under UN authority was assembled (ONUC) but the authority to use force from the Security Council was given in terms of preventing civil war. The legitimacy of the action was subsequently discussed in the *Expenses* case (1962) and the ICJ concluded that the use of force was not against a state which had committed an act of aggression and that the action did not involve any enforcement measures under Chapter VII. Under Chapter VI the Security Council is given general powers relating to the pacific settlement of disputes. Article 37 states that once the Council has deemed that a dispute is likely to endanger international peace and security it shall decide on appropriate measures to be taken. The terms are very wide and while the general intention is to encourage settlement by arbitration or the ICJ the words of Articles 36 and 37 do not rule out the creation of a peace-keeping force. Such peace-keeping forces have been used on a number of occasions but their presence in a state depends upon the consent of that state. It should be noted that, unlike Chapter VII, resolutions passed under the provisions of Chapter VI are not legally binding on states.

25 SC Res 757 of 30 May 1992; SC Res 820 of 19 April 1993.

26 Brian Urquhart, 'The UN and International Security after the Cold War', in Roberts and Kingsbury (eds), *United Nations, Divided World*, 2nd edn, 1994, Oxford: Clarendon at pp 82–87.

Current peace-keeping operations:

UNTSO	United Nations Truce Supervision Organisation ²⁷
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNFICYP	United Nations Peace-keeping Force in Cyprus
UNDOF	United Nations Disengagement Observer Force ²⁸
UNIFIL	United Nations Interim Force in Lebanon ²⁹
UNIKOM	United Nations Iraq-Kuwait Observation Mission
UNAVEM III	United Nations Angola Verification Mission III
MINUSO	United Nations Mission for the Referendum in Western Sahara
UNPROFOR	United Nations Protection Force ³⁰
UNOMIG	United Nations Observer Mission in Georgia
UNOMIL	United Nations Observer Mission in Liberia
UNMIH	United Nations Mission in Haiti
UNMOT	United Nations Mission of Observers in Tajikistan

14.6.5 *The General Assembly's role*

The perceived failure of the original system and the widespread use of the veto during the Cold War eventually led the General Assembly to play a more active role in the maintenance of international peace and security. In 1950 the Assembly passed the Uniting for Peace Resolution. This provides that if the Security Council could not discharge its primary responsibility because of the veto, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to members for collective measures including, in the case of a breach of the peace or act of aggression, the use of armed force where necessary to restore peace and security. This landmark resolution has been used on many occasions to justify consideration of cases where force has been used. The resolution was passed in connection with the Korean crisis. It was used in 1956 as the basis for the formation of a multinational force (UNEF) which operated on Egyptian soil with Egyptian consent after the Suez crisis. Because it was there with Egypt's consent the ICJ stated in the *Expenses* case that the deployment of the force did not constitute enforcement action and did therefore not require the Security Council's authorisation. It is still argued that the Uniting for Peace Resolution does not authorise the General Assembly to carry out enforcement action – that would require a revision of the UN Charter. Multinational forces operating in Lebanon (UNIFIL) and on the Israeli-Syrian border (UNDOF) on the basis of General Assembly resolutions do not really operate under the UN Charter; like UNEF they only remain with the consent of the host state and they have limited

27 Supervises the truce which brought an end to them Arab-Israeli war of 1947–8.

28 Set up following the 1973 Six-Day War.

29 The 'interim' force has now been in place for six months short of 20 years.

30 Formed in three parts – UNCRO in Croatia, UNPROFOR in Bosnia-Herzegovina, UNPREDEP in the Former Yugoslavian Republic of Macedonia.

powers. Since the ending of the Cold War the need for the General Assembly to act in a peace-keeping role has diminished.

14.6.6 Regional organisations

Under Article 53 of the Charter the Security Council can utilise regional organisations such as the OAS and OAU for 'enforcement action'. However it is clearly stated in Article 53 that no enforcement action can be taken without the authorisation of the Security Council. Some states argue that regional organisations can take measures on their own decision to maintain the peace including use of armed force. For example, the USA argued that its invasions of the Dominican Republic in 1965 and Grenada in 1983 were partly justified as actions authorised by the relevant regional organisations taken to restore peace and security in the region. This view has obtained little widespread support and it is thought that action in the name of regional organisations is only legitimate if there has been a request from a sovereign state and the regional force operates within the requesting state or under the doctrine of collective self-defence.