
ABSTRACTS

THE FADING OUT OF THE PEACE AND COLLECTIVE SECURITY SYSTEM OF THE UNITED NATIONS

Throughout its history, the United Nations system has gone through various crises. Some of them have, in particular, struck against the functioning of the mechanism drawn up through the Charter for Peace-Keeping and International Security. Three of them must be singled out. The first critical situation arose in the 1940s, culminating in Korea throughout the month of June, 1950. It is evident that the mechanism foreseen through the Charter could not function against a big power represented in the Security Council. Nevertheless, from the struggle for ideas provoked by the inevitable paralysis in South Korea came forth a new and controversial path for action, set forth through Resolution 377 (V), «Uniting for Peace». The use of this and other mechanisms gave rise to the new application of a yet undeveloped means of action, the so-called «Peace Keeping Missions». Nonetheless, the costs (and the political situation) generated by the first two stimulated a so-called «constitutional crisis» of the Organisation. After this second big crisis, and despite the brilliant arguments put forth by the TIJ in the judgement on «certain costs», the functioning of the system changed radically. The Peace Keeping Operations took on a more standard profile but became increasingly less operational. At a time when the Security Council regained its protagonist role, we find ourselves paradoxically in face of non coercive actions and the simple work of para-police prevention. This is because, as has been said, after the crisis of the early 1970s, «The United Nations dropped their collective security system to organise a new

system, that of the Peace Keeping Missions». Things being that way, the mechanism is suffering the logical erosion produced by time passing by, and twenty years after the judgement, a new Secretary General arrives to the Organisation and approaches the theme with the ingenuity of an idealist. But his efforts to revitalise one of the primordial functions of the Organisation clash against the will of States and against the third crisis of the system, the economic crisis provoked by the US government's suspension of quota payments.

The two first crises of the Organisation were modifying both the mechanism initially set up in San Francisco and its transformation through posterior practice. Currently, nevertheless, after looking at the experience of the Organisation and that of its memberstates within this forum, what we perceive is much more serious than a mere modification. It would best be said that the set of mechanisms progressively drawn up to carry out this primordial function is in the process of disappearing. This is one reason which explains the title of this work, the fading out of a disappearing system. There is still another reason. In another sense, fading out means losing precision in the contours of something. The mechanism that was functioning in practice within the Organization since 1962 shows this symptom acutely. Neither is it known what is the basis of the Peace Keeping Missions, nor is it an authentic collective security mechanism or something more than settling differences. In any case, it does not seem very efficient in keeping peace.

TRANS-FRONTIER COOPERATION IN EUROPE WITH SPECIAL REFERENCE TO THE PYRENEAN REGION

Over the last few years trans-frontier cooperation in Europe has progressed spectacularly in all fields, guaranteeing and strengthening at the same time the role of the territorial bodies in its development. Aspects such as transport, communications, energy, tourism and the environment have been approached in an integrated and global way, with coordinated, cross-frontier solutions to problems being sought across European frontiers. The adoption of the European Outline Convention on Trans-frontier Cooperation between Territorial Communities or Authorities helps to create a framework which permits the consolidation of such cooperation.

Thus, by means of the progressive opening and deactivation of the frontiers and the achievement of objectives relating to the integrated and regional development of the frontier collectivities, trans-frontier cooperation plays a positive role in the process of

the construction and unification of Europe. All these affirmations are especially true of the Pyrenean region. Despite the frontiers which divide them, the Pyrenean regions constitute a community of economic and cultural interests forged out of common challenges which derive from being peripheral, mountainous and national border areas. To these factors may be added a traditional lack of services and infrastructure, especially in communications, deficiencies which must be overcome through community aid.

Taking these premises and facts as their point of departure, the representatives of the Pyrenean frontier regions meeting under the auspices of the Parliamentary Assembly of the Council of Europe and the Standing Conference of Local and Regional Authorities of Europe constituted in 1983 the Community of Work of the Pyrenees as a body to promote trans-frontier cooperation in the area.

COOPERATION AND CONFLICT IN INTERNATIONAL RELATIONS (The theory of the International Regime)

Today's international system is characterised by its complexity. This is based on the simultaneous existence of different sets of relations, including diplomatic strategic rap-

ports between Washington and Moscow and international economic relations. The New Realists, representing the latest theoretical line of thinking in vogue in interna-

tional relations, have elaborated new instruments of analysis. The International Regime is among the most important of them.

The International Regime is a theoretical instrument applied to the analysis of current situations in international activity, in order to study their development, evolution, transformation or disappearance. This theoretical instrument was developed in the 1970s and aims to analyse an international system characterised by its globalism (understood as complete interdependency), the existence of a certain order (not formally established) and by a realist logic (where national interest determines action).

The application of the International Regi-

me is carried out in those fields of action where a certain organised behavior exists. This is the case with the «ocean regimes» studied by several authors. The work carried out by Robert Keohane and Joseph Nye is worthy of mention for its general theoretical value (one could consider them among the New Realist) as well as for its analytical application. More concretely, for the study, among others, of the oceans as field of activity. The article takes up this analysis in detail and forwards a series of critiques with the objective of transposing the work of Keohane and Nye in the political spectrum of the end of the 1980s.

THE RELATIONS BETWEEN MOROCCO AND THE EEC

This paper is a concise overview of the global framework of the relations between Morocco and the EEC. Both economical and political views are covered. The study shows how throughout the past thirty years contracting patterns as well as EEC enlargements have conditioned this relations.

EEC's Mediterranean Policy, Euro-Arab Dialogue and situation in the Maghreb zone are facts to be considered as international cleavages in which this relations are to be developed.

As an Afro-Mediterranean country, Morocco has entered into a large variety of treaties with the EEC ranging from Association to Cooperation, from mere bilateral partnership to the Mediterranean Global Approach,

these agreements covering agricultural and industrial products, financial aid, migrant labour and so many.

Finally, Spanish accession to EEC is to be considered in order to determine the consequences of the «Spanish Factor» in Morocco relations with the EEC. The new member has been involved in historical disputes with the Maghrebian country due to territories. Nevertheless, as far as EEC is concerned fisheries facilities arises as a major problem. New agreements in this field and renewed Protocols to the former treaty have lead up to improve the relations to the extent that Morocco might be reputed as the closer Third-State partner of the EEC.

TOWARDS A COMMON ELECTORAL LAW FOR ELECTIONS TO THE EUROPEAN PARLIAMENT

To increase the powers and competences of the European Parliament it seems necessary to gain a major degree of legitimization. One way to favour it is to incentivate the participation of EEC nationals in the european elections. To achieve this aim the establishment of a common electoral law would bring a desirable contribution.

Nowadays, european elections are regulated by the Brussels Act (September 20th 1976) which establishes that the European Parliament, according to what is fixed by articles 21.3 ECSC, 138.3 EEC and 108.3 EURATOM, should elaborate a draft of common electoral law. At the moment the drafts of 1982, 1985 and 1986 have had the same result, that is to say: failure due to the sensitive political issues which were involved such as the right of voting of the EEC citizens residents in other EEC country other than their own, and the determination of electoral districts.

Meanwhile, these issues, and the european elections in general, are regulated by national procedures. The majority of EEC States have chosen nationalist criteria for the right to vote and a unique electoral circumscription at the national level. These facts, and other elements, have caused that more than a european election, 12 national elections take place every four years, which has as a result low participation indexes in the last two european elections (63 % in 1979 and 59 % in 1984) and the plausible fear that these results could be worse in the next polls.

In that restricted sense the Brussels Act could be reproached because it did not favour enough the degree of legitimization of the European Parliament. On the other hand, it made possible the realization of the first direct universal suffrage in 1979 at a supranational level, and was a positive step towards the establishment of a common electoral law unifying some aspects of the procedure as minimal common privileges and immunities of the eurodeputies, the compatibility of being at the same time national and european parliamentary, the principle of an elector a vote, among others.

This difficult process analyzed in the article shows that it is not very likely to arrive at once to agreement on a common electoral law. A step by step policy seems more factible: so, unilateral or multilateral measures to implement a progressive convergence of the national electoral procedures v.g. to concede the right of voting to EEC citizens residents in other EEC countries should be encouraged as expressed repeatedly by some politicians and the European Parliament, which should make after June 1989 elections proposals to eliminate unified national districts or other sort of measures in the same sense.

There is still a long way to go, but this perceived need will probably lead in the next future to a common electoral law, which shall be an important step towards the political construction of a real European Union.