

# Maintaining International Peace and Security: A Summit Meeting of the UN Security Council

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**Cover Photo:** A wide view of the United Nations Security Council at its meeting on the situation in the Democratic Republic of the Congo (DRC). Members discussed the challenges facing the country and the UN's mission there (MONUSCO). May 18, 2011. © UN Photo/JC McIlwaine.

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## Introduction

On September 23, 2010, the United Nations Security Council held a summit meeting on the maintenance of international peace and security, which is the primary responsibility of the Council.<sup>1</sup> The summit was initiated by Turkey, a nonpermanent member of the Council in 2009-2010 and holder of the rotating presidency for September 2010. It was attended by nine heads of state and government and six ministers, and chaired by Abdullah Gül, President of the Republic of Turkey. The resulting presidential statement (S/PRST/2010/18, reproduced in the Annex to this report) reaffirmed that international peace and security require a more comprehensive and coherent approach. The Council also pledged to continue to strengthen the crisis-management toolbox at its disposal, including preventive diplomacy, peacemaking, peacekeeping, and peacebuilding, and to adapt it to changing circumstances. In addition, the statement reiterated the Council's support for the protection of civilians and its commitment to strengthening strategic partnerships with regional and subregional organizations and other relevant players. Further, it reaffirmed the importance of women in all aspects of prevention and resolution of conflicts and underlined the importance of addressing the root causes of conflict.

Turkey carefully managed the process that led to the summit. Beside numerous bilateral consultations, Turkey with the support of the International Peace Institute (IPI) organized an expert meeting in New York in May 2010, and an informal retreat in Istanbul for members of the Council in June of that year. Turkey and IPI also commissioned a set of regional papers to draw lessons from the UN's experiences in three areas of the world (Afghanistan, the Balkans, and the Great Lakes region of Africa), in addition to a paper on cross-cutting themes. The discussions aimed to build on and enrich the ongoing debate on the interplay among peacekeeping, peacemaking, and peacebuilding, and to facilitate the formulation and implementation of coherent, flexible, and integrated strategies for addressing threats to international peace and security. The four papers, the outcome summary of the Istanbul retreat, and the final presidential statement are presented here.

The importance of the topic taken up by the Council in September 2010 cannot be overstated. Since the first Council summit in January 1992, the global peace and security environment has witnessed dramatic changes. While traditional threats still persist—from conflict to the proliferation of weapons of mass destruction and small arms and light weapons—new challenges have emerged. Climate change, environmental degradation, growing demand for resources, and dramatic demographic trends all affect the security of states and their people, most especially the poor. Other challenges have evolved to become more dangerous, such as transnational organized crime, piracy, and terrorism. Illicit and violent organizations have gained control over territory, markets, and populations, complicating peacemaking efforts. States with ineffective and corrupt institutions increasingly constitute weak links in global arrangements to deal with international threats.

Not only have the threats evolved, but the world also looks like a very different place since the end of the Cold War. Rapid socioeconomic changes have affected the geopolitical landscape. New powers have asserted themselves on the international scene. Regional and subregional organizations play a growing role in peace and security. Nonstate groups have become relevant actors in many conflicts, both positively and negatively. This fluid, and at times confusing, context is severely testing the Council's capacity in providing coherent solutions to conflict and insecurity.

It was a timely choice for Turkey to focus on the big-picture issues at the crossroads of peacemaking, peacekeeping, and peacebuilding. In fact, the Council had not had such a discussion since 2001.

The 1992 summit was followed up by the Secretary-General's report *An Agenda for Peace*, a landmark document that attempted to provide a coherent framework for the analysis and implementation of preventive

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<sup>1</sup> *Charter of the United Nations*, 1945, Article 24, para. 1.

<sup>2</sup> Boutros Boutros Ghali, *An Agenda for Peace* (United Nations: New York, 1992).

diplomacy, peacemaking, peacekeeping, and “peacebuilding,” a term that it introduced.<sup>2</sup> The only other summit-level meeting which covered a broad overview of international peace and security was held in 2000.<sup>3</sup> The Millennium Summit Declaration of September 7, 2000, (S/RES/1318), pledged “to enhance the effectiveness of the UN in addressing conflict at all stages from prevention to settlement to post-conflict peacebuilding.” The presidential statement of February 2001 (S/PRST/2001/5) still provides the point of reference for the Council’s comprehensive approach to peacemaking, peacekeeping, and peacebuilding.

While in the last two years the Council engaged in a series of thematic debates on issues that recognize the growing linkages and overlaps among prevention, peacemaking, peacekeeping, and peacebuilding, there has been no attempt so far to bring coherence to these fragmented discussions. The Turkish initiative sought to refocus the debate and bring political attention to the need for a stronger UN architecture and greater capacity in the maintenance of international peace and security.

In fact, judging from the multiple attempts to improve the UN capacity in that area, there is a broad consensus that something should be done. The opportunity presented by an exceptionally strong membership of the Council in the next two years should not be missed; the Council’s work can be more strategic, dynamic, and integrated. Building on the September 2010 presidential statement, the Council could encourage a process of taking stock of what has been achieved since *An Agenda for Peace*, but also acknowledge the limitations of the concepts of conflict prevention, peacemaking, peacekeeping, and peacebuilding as outlined in that report, and the departmental silos and institutional arrangements that have flowed from these concepts. In other words, the UN system has “overlearned” the lessons of *An Agenda for Peace*, separating the functions of peacemaking, peacekeeping, and peacebuilding into different offices and structures, which are poorly coordinated, obeying conflicting interests and goals. The process could take a critical look at the efficacy of the Secretariat’s overall institutional arrangements for peace and security and recommend reforms to break down silos with respect to leadership and management, analytical support, budgets and resourcing, and the design of political and peacekeeping missions.

A solid base for discussion already exists in the form of recent efforts at doctrinal and institutional levels carried out by different parts of the UN system—e.g., “New Horizon,”<sup>4</sup> the Secretary-General’s nonpaper on peacebuilding, the Department of Field Support strategy, and the Secretary-General’s forthcoming report on preventive diplomacy. While each of these efforts may represent significant progress, some of them may also serve to reinforce existing silos. None of them offers an overarching strategy for the maintenance of international peace and security, which should come from the Council. A focus on consolidating these efforts would allow the Council to stress the importance of coherent and sustained engagement with a country, which could also include the international financial institutions and other important actors on the agenda from the outset to create a common sense of purpose from the international community.

The Turkish initiative was grounded in the recognition of the complexity of the task and the need for high-level engagement to create momentum for the pursuit of a more coherent, responsive, adaptable Council. Given how much has been achieved so far, it would be a pity not to push forward on the road to a more effective way to carry out the primary responsibility of the Council: the maintenance of international peace and security.

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<sup>3</sup> Security Council Report, “Monthly Forecast, September 2010,” available at [www.securitycouncilreport.org](http://www.securitycouncilreport.org), 2010.

<sup>4</sup> UN Departments of Peacekeeping and Department of Field Support, “A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping,” New York, United Nations, July 2009.



## MEETING NOTE

# Security Council Istanbul Retreat: At the Crossroads of Peacemaking, Peacekeeping, and Peacebuilding

Adam C. Smith and Vanessa Wyeth, rapporteurs

*On June 25-26, 2010, the government of Turkey and the International Peace Institute co-organized an informal retreat for members of the United Nations Security Council. The discussions aimed to build on and enrich the ongoing debate on the interplay of peacemaking, peacekeeping, and peacebuilding, in part by drawing on the lessons learned from the UN's experiences in three regions: Afghanistan, the Balkans, and the Great Lakes region of Africa. A second goal was to facilitate the formulation and implementation of coherent, flexible, and integrated strategies for addressing situations in flux.*

### KEY ISSUES

In advance of the retreat, three regional case studies and a cross-cutting thematic paper were produced to frame the discussion around the following topics:

- forging sound connections and transitions among peacemaking, peacekeeping, and peacebuilding;
- producing clear and achievable mandates and adjusting them as needed to reflect changing circumstances on the ground;
- ensuring that peace operations and other missions receive adequate financial, human, and material resources to fulfill their mandates;
- ensuring coherence with the work of other UN bodies, including through enhanced communication, consultation, and exchange of information among the Council, the General Assembly, the Economic and Social Council (ECOSOC), and the Peacebuilding Commission;
- ensuring coordination and coherence with non-UN actors, including regional bodies, international financial institutions (IFIs), and host countries; and
- building effective state capacity and legitimacy so that host countries are better placed to lead their own recovery.

### LESSONS FROM THE FIELD

The authors of the case studies were asked to focus on those topics above that were most relevant to their region's experience. The following is a summary of important takeaways from the UN's recent and ongoing engagement in these regions, based on the case studies and the authors' presentations at the retreat.

In the **Great Lakes** region, recognition of the interconnections among peacemaking, peacekeeping, and peacebuilding are evident in the content of the peace agreements signed for Burundi, the Democratic Republic of the Congo (DRC), and Northern Uganda, as well as in the mandates developed for the integrated missions in Burundi and the DRC. However, it should be recognized that processes set in motion by the Council's engagement are intrusive and are often aimed at establishing new power relations in a country. Hence, lessons for the Council include the following:

- The Council needs to be proactive and remain engaged during the entire life of the mandate, since the implementation of a peace agreement is a delicate and transformative process for the host country.
- Political strategies developed by the Council that undergird its resolutions are necessary but not sufficient to the success of peace processes. Council members need to remain consistent with respect to the spirit and letter of these resolutions in their bilateral interactions with transitional governments.
- The Council should always consider accounta-

bility and transitional justice mechanisms as a core element of peacebuilding mandates and impose them when necessary through both bilateral and multilateral pressure.

- There is a need to be pragmatic about any proposed division of labor and partnership with regional actors. The Great Lakes experience showed that African regional engagement could deliver impressive results, especially in peacemaking. Such regional engagement was important in both Burundi and in the Democratic Republic of the Congo.

An overarching lesson from the UN's experience in **the Balkans** is the importance of recognizing the limitations that political context puts on the Council. In this regard, understanding the Council's proper role in relation to other actors is important. While it is now common to claim that the Council should play a lead role in devising political strategies for peace operations, the Balkan cases show that the Council is often a receiver, legitimizer, or adapter of strategies developed elsewhere.

- On mandates in the Balkans, the Security Council often wavered between two extremes: excessive and detailed mandates with constant reassessments and readjustments (1992-1995), and broad or vague mandates giving significant freedom to the mission head (post-1995). Neither extreme option was an ideal scenario. But the Council should guard against the tendency to micro-manage through the production of overly detailed mandates.
- In spite of the Council's difficulties in defining effective mandates, it did make a useful innovation in its Preventive Deployment Force (UNPREDEP) to the former Yugoslav Republic of Macedonia.
- There is still no standard for transitioning from one mission to another (e.g., a UN mission to an EU mission). Where possible, phased transitions are more useful than an on-off switch of authority.

Since 2004, **Afghanistan** has been in a peace-to-war transition driven by the parties excluded from the Bonn process. The resulting instability has circumscribed the UN's ability to operate effectively in Afghanistan.

- The United Nations Assistance Mission in

Afghanistan (UNAMA) has no objective that it can achieve alone; it must work with and through other institutions in order to fulfill its mandate. With limited financial resources and no military capacity, the mission's success depends on its political authority and the skills of its staff.

- The mandate for UNAMA needs to reflect the limitations in staffing, staff movement, and staff security. It should focus on preserving both the UN relationship with the Afghan government and its credibility with the Afghan opposition.
- Given its limited resources, the UN should concentrate on work that others cannot do: development and governance in secure provinces; reporting on human rights; and regional dialogue, specifically with Iran.
- Dialogue with the armed opposition should be undertaken by a separate special envoy, rather than the UNAMA Special Representative of the Secretary-General (SRSG).
- Thorough and regular consultations between the UN Security Council and the NATO Secretary-General would be a useful supplement and "backstop" for coordination in Kabul between UNAMA and the International Security Assistance Force (ISAF).

The analyses of these distinct cases together suggested a number of **lessons and conclusions**:

- The Security Council is not a single actor, but rather a collection of member states with diverse interests. Politics is messy and rational decision making is not always possible. Ambitions should generally be scaled down when there is no sense of common purpose among Council members.
- Periods of transition may offer the Council opportunities to consolidate gains and address gaps. Transitions from peacekeeping to peacebuilding missions, as well as mandate renewals, often offer a window of opportunity to redesign the roadmap for international engagement in a country. Yet, the process of reconfiguring the UN presence from one largely featuring peacekeeping into one in which peacebuilding dimensions move to the fore still poses significant political and administrative challenges.



- The cases suggest the need for the Council to adapt to changing circumstances without abandoning its legal and political authority. The temptation to constantly revise mandates can risk diminishing the Council's authority and diluting its vision.
- The Council requires candid analysis and the presentation of a range of policy options to inform its deliberations. However, history suggests that the UN Secretariat is not structured to deliver this kind of analysis consistently.
- The cases suggest that the issuing of a mandate is just the beginning of a process. Mandates and the UN's authority are often challenged, and many actors need to be influenced repeatedly and throughout the life of the UN's engagement. Council members can do a better job of persuasion.
- Regional and subregional arrangements need improvement. Desk-to-desk cooperation is an encouraging development, but there is a continued problem at the strategic and political levels.
- Finally, the Council must do better at matching means and ends. Proper resourcing of missions and mandates was a recurrent theme throughout the case studies.

## KEY THEMES AND CONCLUSIONS

The remaining discussion in Istanbul was organized around three distinct but related themes: mandates, capacities, and adaptation. Below is a summary of the salient points raised by retreat participants on these topics, as well as comments on three related themes that emerged during the course of discussion: conflict prevention, partnerships with regional organizations, and engagement with the Peacebuilding Commission (PBC).

### Mandates

The retreat's thematic discussions began with a panel focused on mandates and mandate-making. The discussions explored the process of crafting achievable and strategic mandates that have sound connections among peacemaking, peacekeeping, and peacebuilding. Discussion also covered consultations among partners (troop- and police-contributing countries, regional and subregional organizations, other organizations, host govern-

ments, the UN Secretariat, and other UN organs) and how the Security Council, and the UN more generally, devise strategies.

There was broad agreement that mandates should be clear and achievable, based on a realistic assessment of the political context on the ground, the broader strategic context, and the UN's capacity to deliver. The challenge, of course, is to make mandates sufficiently detailed but not too burdensome—too often, overly detailed mandates and task lists have substituted for strategy. As political documents, mandates should be backed by a political strategy. But they also define priorities and tasks that the Secretariat is called upon to implement. The Council should involve the Secretariat (including DPA, DPKO, and the Office of Legal Affairs) in the process of drafting mandates. Other relevant actors should be included in the process as well, including the host country, regional actors, and other UN organs.

At the same time, mandate design is just the beginning of the process. Mandates need to be continually reassessed against developments on the ground. This requires continual engagement by the Council, matched by strong analytical capacity within the Secretariat. Mandate reviews should be seen as moments to assess and address shortcomings in strategy and capacity. Prioritization and sequencing are essential in implementing mandates.

Participants were reminded that there is a tendency to speak exclusively of peacekeeping when discussing mandates, whereas nonpeacekeeping mandates are also clearly important. The Council, especially during times of severe economic stress, could pay more attention to its other, less-often-discussed tools of peacemaking, preventive diplomacy, and peacebuilding. Of course, these types of mandates have less flexibility in terms of resourcing than do typical peacekeeping operations.

### Capacities

The second panel focused on the issue of the capacities of the UN, host states, and partner organizations for peacemaking, peacekeeping, and peacebuilding. Discussions focused on how to properly resource missions, assess capacity needs at the outset of engagement, develop host state capacity, and leverage each partner organization's

relative strengths to accomplish mandated goals.

Discussion of resourcing UN missions focused on two main issues: financial resources, particularly regarding budgeting for UN missions, and human resources, particularly the issue of civilian capacity. Participants noted the apparent disconnect between policy decisions taken in the Council and financial decisions taken in the General Assembly. Different arrangements govern budgeting for peacekeeping missions and for special political missions, which can limit the flexibility of nonpeacekeeping missions and pose additional difficulties in planning transitions. Such disconnects make it difficult to generate a shared understanding of what capacities are needed and inhibit the ability to conduct careful, conservative, and sober assessments of these needs.

Participants agreed that the Council should do a better job of matching ends and means. In an ideal world, the Council would focus on designing the best kind of mission for the task at hand, and the system would work to support the mandate. Many participants noted the need for the Council to make more frequent use of preventive diplomacy mandates and peacebuilding missions, particularly in the context of funding constraints resulting from the global financial crisis. Recent innovations within the Secretariat—such as the creation of the Department of Field Support (DFS)—have allowed the UN to support both DPA- and DPKO-led missions more efficiently. Unfortunately, budgeting remains a significant obstacle. Participants agreed that the Council should work more closely with the Fifth Committee of the General Assembly to ensure more appropriate resourcing for Council-mandated missions.

Much attention was devoted to the subject of human resources, as missions should receive both adequate numbers of personnel and the right balance of military and civilian capacity. The credibility of the Council depends on the implementation of its mandates, but missions often struggle to find staff with the right combination of skills. While military capacity remains important, the expansion of mandates to include more peacebuilding tasks has increased demand for essential civilian staff. Missions need expertise in areas such as rule of law, security-sector reform, and elections. In addition, they need staff that are

capable of planning and assessment, who also possess the ability to develop local capacity and transfer skills. Technical experts who can also navigate complex political contexts in postconflict countries and work effectively to build fragile institutions are a rare breed, and the UN struggles to find them.

Participants spoke frankly about the shortcomings of the current personnel system, both in recruitment and personnel management. One participant noted that in some missions, “we probably have the right numbers but the wrong people.” The current climate of distrust between the Secretariat and member states leads to reluctance on the part of the Secretariat to “cut the fat,” for fear of losing overall posts and resources. Several participants spoke of the need for a new deal between the Secretariat and member states that would allow the Secretariat to shift resources more freely. On the other hand, if the Secretariat were seen to be saving money through personnel reforms, member states might prove less resistant on resourcing issues. Participants looked forward to the forthcoming civilian-capacity review undertaken by the Peacebuilding Support Office (PBSO) to address some of these issues.

The discussion also emphasized the importance of linking the process of developing mandates with the need to assess—and, where necessary, bolster—implementation capacity. This should include regular appraisal of capacity gaps. It was suggested that each mission should maintain a gap list that could be addressed during mandate reviews and renewals. Since the Secretariat and the field both bear responsibility for helping the Council identify capacity gaps, they should both be forward-looking in terms of estimating capacity needs. At the same time, the Council could do a better job of helping the Secretary-General mobilize capacity in support of the mandates it has declared. Finally, when capacities simply are not and will not be there, the Council could be more judicious in the use of Chapter VII.

### Adaptation

The final panel, on adaptation, drew from the previous two panels. It focused on how the Council adjusts mandates and strategy to meet changing conditions, how missions and the Council can better use benchmarks to mark progress and refine

strategy, and how the UN can be more proactive on the ground and the Council more agile and inclusive in its consultations and deliberations in New York. Among the questions posed were, How frequent should the mandate or strategy reassessment process be? How could more policy planning expertise be harnessed? And, how could the Council's interface with the host country be enhanced to achieve fuller consent?

Given the diversity and complexity of the issues the Council is now called upon—or has chosen—to address, many felt that the Council has, in fact, displayed an ability to adapt to the changing nature of security threats. In addition, the evolution of Council working methods and strategy can be seen in each of the regional case studies. They show that the Council has learned and adapted during the life of each mission, as well as from one mission to another. The learning, however, has been slow and uneven at times. This would argue for a continuing review of Council working methods to ensure that the learning process continues. One note of caution, however, was expressed. Too often “working method reform” is used as code for increasing the transparency and openness of the Council. It is argued that such reforms should rather be concerned primarily with how the Council could forge better mandates.

It was asserted that more could be done with the tools the Council already has, rather than working to develop new ones. The Council needs to make more efficient and more effective use of its tools, in addition to generating greater political will and better follow-up to assess implementation. In this regard, benchmarking is an important tool of which the Council could make better use. There could be more frequent meetings between the Security Council and the Secretariat, with the Secretariat not necessarily always represented at the Under-Secretary-General level. More use could be made of the Council working group on peacekeeping operations. However, establishing a working group for each mission, such as the joint working group on Chad, would overburden already busy member states.

Finally, the discussion turned to the possibility of undertaking a strategic reassessment of the efficacy of the UN's peace and security architecture and instruments in light of changing conditions and

opportunities. The Council had not initiated such a broad-based review since January 1992, when its first summit-level meeting launched the process that produced the Secretary-General's report, *An Agenda for Peace*. Almost twenty years later, it may be time for the Council to step back and consider how to organize a new strategic review. Such a process could take stock of what has been achieved since *An Agenda for Peace*, but also acknowledge the limitations of the concepts of preventive diplomacy, peacemaking, peacekeeping, and postconflict peacebuilding as outlined in that report, as well as of the departmental silos and institutional arrangements that flowed from those concepts. Such a review could consider ways to break down silos in terms of leadership and management of the UN's peace and security efforts, analytical support, budgets and resourcing, and the design of political and peacekeeping missions.

## Related Themes

### *Conflict Prevention*

Under Article 34 of the UN Charter, the Security Council may investigate any dispute or situation that “might lead to international friction or give rise to a dispute.” Although recently discussed in a formal meeting of the Council on July 16, 2010, retreat participants continued the discussion of how to strengthen the role of the Council in preventing crises, whether through preventive diplomacy, preventive deployment of peacekeepers (e.g., to Macedonia), or through special political or peacebuilding missions.

There is little argument that the Council should be more active in the field of conflict prevention. Yet, despite this consensus and the desire for more cost-effective conflict-management tools like prevention, there is no easy consensus in the Council on which countries should be placed on its prevention agenda or on how exactly to go about doing prevention work. Such a decision is fraught politically, and it would be problematic to attempt a preventive deployment without the full consent of the host state. The Secretary-General, on the other hand, can use his good offices for the cause of prevention with comparative ease. In this, the Secretary-General could be supported by the Department for Political Affairs and would not need a consensus in the Council. The newly established DPA regional offices could be useful in

this regard.

Participants also called for a fresh look at how missions are designed. Some urged the use of more Chapter VI mandates that address underlying causes of conflict, rather than relying on Chapter VII mandates, which are intended to “put out fires.” Recent successful examples of this include the special political mission in Nepal and the Timor-Leste mission. Both focused on the more pressing political issues likely to spark a return to conflict. Another proposal was for the Council to develop a new kind of mandate that would specify a leading role by a particular member state in each selected prevention opportunity. The leading member state would serve as the chair of a working group with responsibility for political outreach and reporting back to the Council. This arrangement would be similar to the country configurations in the Peacebuilding Commission. Should the Secretary-General appoint a special envoy or other representative to address that situation, the chair of the prevention working group would be charged with coordinating closely with that person.

### *Partnerships with Regional Organizations*

All three case studies highlight the important and evolving role of regional and subregional organizations in conflict management. This topic also surfaced repeatedly in the ensuing thematic discussions. Participants noted both the potential comparative advantages of such regional partners and the gaps regional organizations could help to fill, such as in rapid response, mediation, force enablers, and, at times, local legitimacy.

Despite the benefits of partnership, significant challenges at the operational, strategic, and political levels remain. On the operational side, the lack of a realistic assessment of the capacities of partner organizations complicates any effort to define roles and responsibilities or to attempt a de facto division of labor. In addition, the UN and the Council still struggle with how best to offer support (including financial resources and capacity building) to regional and subregional organizations. Adding to the oft-cited operational difficulties with partnerships on the ground, it is still unclear how the Council can best coordinate with external partners. Even in a UN-led mission, the Council is never the sole actor. It must work in collaboration with a

number of other stakeholders. These factors underscore the value of a strategic vision on the part of the Council regarding why, when, and how to use partnerships to greatest effect

At the political level, while the formal relationship between the Council and regional bodies is codified in the UN Charter, in practice, the relationship is less clear. Article 53 of Chapter VIII prohibits any enforcement action under regional arrangements without Security Council authorization, but contrary to the Charter, Council authorization is often sought ex post facto. Article 54 calls for the Council to be kept fully informed at all times of activities undertaken or contemplated by regional arrangements for the purpose of maintaining international peace and security. Although it may be unreasonable to expect the Council to be kept fully informed of such activities at all times, more regular reporting to the Council by regional and subregional organizations would be welcome.

### *Engagement with the Peacebuilding Commission*

The discussion also addressed how the Council might better collaborate with other parts of the UN system, particularly the Peacebuilding Commission. Some described the PBC as an “orphan” and exhorted the Council to take better care of its child. It was suggested that those with permanent seats on both bodies could do more to fully engage the PBC.

Several ways for the Council to collaborate more closely with the PBC were proposed. For example, the chairs of the PBC’s country-specific configurations could be invited to Council discussions. The PBC could be given a role in advising on and helping to monitor peacebuilding benchmarks in Council mandates. If appropriate, the next country placed on the Council’s agenda could be concurrently placed on the PBC agenda to foster integration between peacekeeping and peacebuilding. The Executive or Special Representatives of the Secretary-General in PBC countries could report first to the PBC and then allow the PBC to report to the Council. The Council could learn from the PBC’s flexible working methods and emphasis on national ownership. There was some disagreement over whether the PBC should be prepared to take on a “bigger” case to demonstrate its value, with

some participants arguing that countries had yet to see the value in being placed on the PBC's agenda. Above all, there were a number of calls for a more organic institutional relationship between the PBC

and the Council, reflective of the value of a more integrated approach to peacekeeping and peacebuilding.



## DISCUSSION PAPERS

### Peacemaking in Afghanistan: A Role for the United Nations?

Gerard Russell\*

*This article asks what it would mean for the United Nations to play a role in peacemaking in Afghanistan, given the organization's recent history in that country and its current capabilities. First, it sets out the context and possible future of the reconciliation process in Afghanistan; second, it examines the possible role for, and limitations of, the United Nations there; and, finally, it makes some concrete proposals for future action.*

#### RECONCILIATION: CONTEXT

The term “reconciliation” is regularly used to refer to attempts to bring the Taliban and other insurgents into the mainstream political process. That is how the term will be used in this article. In addition, “reconciliation” is often used—including here—to signify substantive talks with insurgents’ senior leadership, that aim to bring the entire movement into the political process (as opposed to ongoing efforts to persuade individual Taliban members to defect to the government side in exchange for money and other incentives). The latter process is now called “reintegration.”

Reconciliation—usually rendered as *sulh* in Dari and Pashto, meaning peace—was written into the post-2001 political settlement in Afghanistan from its earliest point: signatories of the *Bonn Agreement* of December 2001 declared themselves “determined to end the tragic conflict in Afghanistan and promote national reconciliation, lasting peace, stability and respect for human rights in the country.”<sup>1</sup>

The *Bonn Agreement* itself, signed by representa-

tives of various Afghan factions, reflected the efforts already being made to create an inclusive government in Afghanistan. It did not, however, include the Taliban. Subsequently, Semple estimated that only twenty-two senior Taliban became “reconciled” to the post-Bonn Afghan government and that only three of those had previously been active insurgents.<sup>2</sup> No political party representing the Taliban stood in Afghanistan’s 2004, 2005, 2009, or 2010 elections, mostly rejecting democracy as a matter of religious principle. Many Taliban viewed the post-Bonn settlement as favoring their former enemies in the Afghan Northern Alliance.<sup>3</sup>

The Taliban are not the only faction that took part in the subsequent insurgency. Although, for example, a large part of the *Hezb-e-Islami*, a largely Pashtun Islamist faction, have reconciled with the Afghan government, another part have become insurgents.<sup>4</sup> *Jalaluddin Haqqani* has become a major player in terrorism and insurgency in southeastern Afghanistan, which, although allied with the Taliban, is generally regarded as semi-autonomous.<sup>5</sup> So although reconciliation would primarily be with people who self-identify as Taliban, and have some degree of group identity and cohesion, there are several other groups that would ideally need to be involved. Nonetheless for simplicity’s sake this article concentrates on the dialogue with the Taliban, on the understanding that other groups must be engaged in the same process.

\* Gerard Russell is a Research Fellow at the Carr Center for Human Rights Policy at the Harvard Kennedy School.

1 *Agreement on Provisional Arrangements in Afghanistan (“Bonn Agreement”),* 2001.

2 Michael Semple, *Reconciliation in Afghanistan* (Washington, DC: United States Institute of Peace, 2009).

3 See, for example, Taliban spokesman Mullah Zaeef’s comments to Reuters on December 5, 2001, available at [www.afghanistannewscenter.com/news/2001/december/dec5jj2001.html](http://www.afghanistannewscenter.com/news/2001/december/dec5jj2001.html). “All the control will be with the Northern Alliance ... he (Karzai) will only be a doll in Kabul.”

4 See, for example, Institute for the Study of War, “Hizb-i-Islami Gulbuddin,” 2011, available at [www.understandingwar.org/themenode/hezb-e-islami-gulbuddin-hig](http://www.understandingwar.org/themenode/hezb-e-islami-gulbuddin-hig).

5 See, for example, Jeffrey Dressler, “The Haqqani Network: From Pakistan to Afghanistan,” *Afghan Report* no. 6, Institute for the Study of War: Washington, DC: October 2010.



## IS THE MOMENT RIGHT?

I. William Zartman analyzes conflicts in Africa where parties saw the moment as “ripe for resolution.”<sup>6</sup> In the complex, multiparty conflict in Afghanistan, none of the three major parties appears to see the moment as ripe. Both the United States and the Taliban appear to believe that they are winning the battle; both sides have something to lose from showing a desire for peace, which might sap their followers’ and their allies’ morale; even the Afghan government’s initiative of creating a Supreme Peace Council is viewed by some analysts as an insincere gesture.<sup>7</sup>

Although the US government has professed itself supportive of an initiative from Afghan President Hamid Karzai to launch a renewed push for reconciliation, under the supervision of a newly appointed Supreme Peace Council<sup>8</sup>—and has allegedly facilitated the travel to Kabul of senior Taliban for talks with President Karzai, in what one news report called a “significant U-turn”<sup>9</sup>—a better guide to US policy is probably the position set out by Secretary of State Hillary Clinton. On October 14, 2010, she declared herself “cautious” about reconciliation, and added: “I think it’s highly unlikely that the leadership of the Taliban that refused to turn over [Osama] Bin Laden in 2001 will ever reconcile,” she said. “But, you know, stranger things have happened in the history of war.”<sup>10</sup>

Consonant with that position, the USA’s own emphasis appears to be on reintegration efforts, aimed at persuading individual insurgents or small groups to switch sides, and, governed by tough conditions, “anyone who wishes to rejoin society and the political system must lay down their weapons and end violence, renounce al Qaeda, and be committed to the Constitution and laws of

Afghanistan, which guarantee the rights of women,” said Secretary Clinton when she visited Kabul in July 2010. The US, along with other donors, has contributed to a Peace and Reintegration Trust Fund which “offers antigovernment combatants full recognition of their rights as Afghan citizens, a dignified way to renounce violence, and avenues to peacefully reintegrate into their communities.”<sup>11</sup>

Many experts believe,<sup>12</sup> however, that reintegration efforts will not turn the tide of the Afghan insurgency, even if they do win over some mid-level or senior commanders. Individuals who switch sides are at risk of being targeted, and such individual deals still fail to address the underlying issues that drove people to join the insurgency in the first place. So this brings us back to the idea of a comprehensive reconciliation process—one that may not begin right now, but which might well do so in two or three years’ time, when the political and military environment may be riper for it.

A formula for peace is not unimaginable: Dorronsoro suggests one with Taliban ministers joining the Kabul government, and the appointment of Taliban “judges and administrators in districts the Taliban already control,”<sup>13</sup> along perhaps with President Karzai’s resignation and the choosing of his successor by the traditional Afghan assembly of notables, the *loya jirga*. Former UN envoy Ambassador Francesc Vendrell has proposed another, with an emphasis on a geographic division of local authority with the Taliban rather than a division of government posts in Kabul.<sup>14</sup>

An essentially geographic solution would be easier to verify and enforce; and it would preserve most of the country from the influence of the Taliban (for example, on women’s rights). In either case, though, there would be room for things to go wrong: disputes over the exact meaning of the

6 I. William Zartman, *Ripe for Resolution* (New York: Oxford University Press, 1985).

7 See for example Pajhwok News, “MPs Doubt Peace Council’s Success,” October 11, 2010. An Afghanistan Analysts Network report of September 2010, concludes that “the council’s composition no surprise, but a disappointment all the same.” Martine van Bijlert and Thomas Ruttig, “Warlord’s Peace Council,” AAN, September 28, 2010, available at <http://aan-afghanistan.com/index.asp?id=1175>.

8 Reuters, “US Backs Afghan Reconciliation, No Comment on Talks,” October 6, 2010.

9 Radio Free Europe, “US Changes Course To Back Afghan-Taliban Reconciliation Talks,” October 15, 2010.

10 ABC News, interview with Hillary Clinton on *Good Morning America*, October 14, 2010.

11 This is wording taken from the International Security Assistance Force’s (ISAF’s) Reintegration Guide, published 2010.

12 For example, Michael Semple, “Offer the Taliban More than Mere Money,” *Financial Times*, February 4, 2010: “Reintegration is not going to end the conflict.” Gilles Dorronsoro, “Karzai Comes to Washington,” Carnegie Endowment for International Peace, May 11, 2010, available at [www.carnegieendowment.org/publications/index.cfm?fa=view&tid=40779](http://www.carnegieendowment.org/publications/index.cfm?fa=view&tid=40779).

13 Gilles Dorronsoro, “Afghanistan: Searching for Political Agreement,” Washington, DC: Carnegie Endowment for International Peace, April 2010.

14 “A coalition, personally, I do not see it. I do not think it is realistic, or if it were, it would last a few days. Power-sharing, under which the Taliban commanders would exert power in some provinces and districts in the south and possibly the east, I think that is different. I think that is more conceivable.” Interview with Francesc Vendrell, Voice of America, October 19, 2010.

agreement, and small infringements that could lead to escalating tensions. This shows the need for a strong mediator and, perhaps, an adjudicator of disputes.

If serious talks do take place in the future, the Afghan government and international community will need to have analyzed these and other possible formulae for peace; they will want to know what problems and obstacles stand in the way, and to remove them if they can; and they will want to know who credible interlocutors might be on the Taliban side.

They will also want there to be a relationship of trust between those interlocutors and certain potential intermediaries. That relationship, in particular, will take years to develop, just as secret contacts between the British government and the IRA lasted for years before any public dialogue began,<sup>15</sup> and contacts between US forces and Iraqi insurgents in Anbar province allegedly began in 2004, bearing fruit only many years later.<sup>16</sup> In Afghanistan, contacts between the Soviets and the jihadi commander Ahmed Shah Masoud likewise continued, secretly, for years.<sup>17</sup>

This all points to a great deal of preparatory work, which must start now.

## THE PROCESS

If there is to be a reconciliation process, then it cannot be solely an Afghan-to-Afghan negotiation. The international community will need to be involved—for six reasons:

- First, the lack of US and UN involvement might reduce Afghan confidence in the deal's endurance, especially given the long history of broken and failed peace agreements in Afghanistan.
- Second, US practical support for the talks will be necessary, at least while American troops are actively fighting in Afghanistan. Even before a deal is reached, the United States will probably be called upon to release some prisoners, and the Coalition will certainly need to exempt the Taliban negotiators, and later perhaps the leadership, from arrest or

targeted killing. A final deal might well require US funding, or funding leveraged from third parties by the US, because the Taliban will lose significant revenue from peace (donations from fundamentalist groups in other parts of the Muslim world, for example).

- Third, an Afghan-to-Afghan process might lead to secret deals that international parties might not countenance. Deals of this kind—over narcotics or women's rights—might make an agreement easier to reach, but would be regressive for Afghanistan; they would also make the international community less likely to step in to enforce the agreement and would therefore, from the beginning, make it more vulnerable.
- Fourth, the simple exclusion of the Pakistani government, and other regional parties, might make those parties “spoilers.”
- Fifth, despite the expertise that Afghan politicians have in forging relationships, few of them have any experience of large-scale, successful political negotiations.
- Finally, international involvement may—should—press the Afghan government to be inclusive in its approach to the negotiations. A process that lacks full participation by the major ethnic and political groups on the government side may provoke a backlash among (for example) Tajiks, Uzbeks, or Hazaras.

It seems far preferable therefore that the reconciliation process be complex and inclusive, drawing in at least some of the Afghan pro-government and insurgent factions, and, perhaps in a separate process, engaging regional players as well, especially Pakistan. The former British special representative to Afghanistan and Pakistan, Sir Sherard Cowper-Coles, compared the process to a double-decker bus, with an Afghan track on one level, a regional track on the other, US petrol in the tank, and a UN conductor.<sup>18</sup> Francesc Vendrell has suggested four different layers or tables—one wholly Afghan, one involving the US, NATO, and

15 Jonathan Powell, *Great Hatred and Little Room* (London: Bodley Head, 2008).

16 Mark Perry, *Talking to Terrorists: Why America Must Engage with its Enemies* (New York: Basic, 2010).

17 Steve Coll, *Ghost Wars* (New York: Penguin, 2005), p. 118.

18 Personal communication with author, October 2010.

the EU, a third involving key regional players, and a fourth of well-wishers such as Turkey and the United Arab Emirates.<sup>19</sup>

If a Pakistan-Afghanistan agreement were to emerge from such a series of negotiations, it would have the advantage of status in international law; it could even resolve the contentious issue of the border between the two countries.

To ensure consistency across the different sets of talks, and bring some experience in international negotiations, an impartial mediator would need to be present at all of them. And this is an obvious role for the United Nations to play.

### A ROLE FOR THE UNITED NATIONS?

As explained, formal talks might take years to start. There might be no need, as yet, for a mediator to be appointed. But it is not too soon to start putting in place the infrastructure and political credibility that such a role might require.

The United Nations in Afghanistan already has some qualities which the process will need: considerable expertise, a huge, though neglected, infrastructure, and some residual element of moral authority. The UN has had a continuous presence in Afghanistan for nearly sixty years. Its coordinating body there, the UN Assistance Mission in Afghanistan (UNAMA) has had since 2001 an expanding network of regional offices giving access to parts of the country often unreached and unvisited by national embassies. Until 2009 UNAMA retained more liberal security rules than embassies or the military, giving its staff wide-ranging opportunities to develop personal relationships with Afghans. It still imposes no limit on the time that a staff member can spend in country, meaning that some stay for many years—in contrast to embassies, whose staff tend to serve for a year or two, and the military, whose longest time in country is just over a year. Its talented Afghan staff sit alongside international colleagues, unlike the system used in the larger embassies, which exclude non-national staff on security grounds from at least some parts of their premises.

As a result of these circumstances UNAMA, and

other UN bodies that preceded it, have housed a number of Kabul's finest international experts. Francesc Vendrell, Antonio Giustozzi, and Michael Semple are among its alumni. For this author, who joined it in 2009, it sometimes felt like entering graduate school after taking an undergraduate degree: colleagues' conversations in its cafeteria often sounded like an encyclopedia of Afghan politics, peppered with the names of obscure politicians in distant provinces of which I had never heard.<sup>20</sup>

This expertise did not save UNAMA from attracting unprecedented criticism from analysts and independent commentators (and even its own staff) for failing to confront aggressively the widespread fraud that characterized the Afghan presidential election in 2009. The International Crisis Group subsequently reported that its approach to the elections "badly damaged the UN's standing in the country."<sup>21</sup>

The episode well illustrated the limitations of the organization, but also its capacities. Minna Jarvenpaa, also a former UNAMA employee, wrote in an article published by the Afghanistan Analysts Network on February 2, 2010, "During the 2009 elections, UNAMA staff were consistently ahead of their counterparts in the assembled Embassies and international organisations in the speed and accuracy with which they collated and analysed data on ghost polling stations and other forms of fraud. That the advice was not heard or taken is another matter."<sup>22</sup>

UNAMA's current head, Special Representative of the Secretary-General (SRSG) Staffan de Mistura, took a more balanced approach to the Afghan parliamentary elections held in 2010, saying to the International Peace Institute in September, "the [2010] elections were meant for us, at the UN, to recover some of the lost credibility, frankly. We had been identified as being biased, or at least confused, about how to handle the previous elections... it was extremely important to be able to re-conquer the type of moral ground... in helping the Afghans to have a better election." Grant Kippen, who headed the Electoral Complaints Commission during the

19 Personal communication with author, October 2010.

20 The author worked at UNAMA between April and November 2009.

21 International Crisis Group, "Afghanistan: Elections and the Crisis of Governance," *Asia Briefing* no. 96, Washington, DC: November 25, 2009.

22 Minna Jarvenpaa, "A Challenge for the Next Head of UNAMA," Afghanistan Analysts Network, February 2, 2010, available at <http://aan-afghanistan.com/index.asp?id=599>.

2009 election, agreed. His impression was that UNAMA had “understood the implications” of the 2009 crisis and were taking a “more judicious” approach to the 2010 elections.

Even so, the Taliban may not be convinced. The limitations of UNAMA are systemic: it cannot both be an impartial and just mediator on the one hand, and the Afghan government’s main international interlocutor on the other. Former SRSK Kai Eide, in a paper called “Strategy for Transition,” published in March 2010, took pride in the fact that “UNAMA has become the main interlocutor for the international community with the Afghan Government.” This indeed has been a goal for UNAMA since the beginning: each year, the Security Council in renewing its mandate expresses its appreciation for “the United Nations’ long-term commitment to work with the Government and the people of Afghanistan.”

Such a role however makes it difficult for UNAMA to risk alienating the Afghan government by disagreeing with it, especially as UNAMA is a weak partner in the relationship, not having the leverage of the US ambassador or ISAF commander, for example.

UNAMA’s mandate also associates it closely with ISAF,<sup>23</sup> the NATO force in Afghanistan.<sup>24</sup> UNAMA has been able to balance this with outspoken criticism of the accidental killing of civilians by ISAF and US forces, and vocal endorsement of talks with the Taliban. But the nature of the mandate—linking UNAMA and ISAF but not requiring any specific form of coordination between them, let alone giving UNAMA any authority over ISAF—remains problematic.

The Taliban was critical of the UN’s role from 2001 onwards, and its behavior toward the UN has taken a definite turn for the worse in recent years. Insurgents have attacked it numerous times, including an assault on a UNAMA guesthouse in Kabul in October 2009, frequent bomb attacks on the UNAMA compound in Herat (as recent as October 22, 2010), attacks on UN staff in Kandahar

and the closure of the UNAMA office in Kandahar in April 2010, allegedly because of a threat made against it by the Taliban.<sup>25</sup>

Not everyone believes that a mediator has to be seen as neutral by the parties to a negotiation (Touval argues otherwise, for example<sup>26</sup>); but it is certainly an asset. Despite de Mistura’s skilled efforts at achieving neutrality within the framework of the UNAMA mandate, a UN mediator outside the authority of UNAMA might have more credibility with the Taliban.

Since the appointment of a mediator may well be years away, that still leaves plenty of work for UNAMA to do in the meantime: building up the team, the expertise, and the database of information that an envoy will inherit as and when he or she is appointed. It also allows UNAMA, both now and in the event that a mediation process begins, to focus on other peacebuilding activities (which may prove at least as important as the mediation effort).

## POSSIBLE ROLES FOR THE UNITED NATIONS

An organization can help peace come about by other means than mediating; here are some examples, with illustrative references to the Northern Ireland and Middle East peace processes (though there are of course differences between each situation):

1. Hosts, who do not need to be mediators: Terje Rød-Larsen and Mona Juul played such a part in the “Oslo process,” as described below.
2. Experts: providing ideas and information to one or both parties to the talks (or making them public);
3. Parties to the process;
4. Secondary players: not direct parties to the conflict, but whose cooperation is necessary for the peace agreement to succeed. The Northern Ireland peace process eventually brought most relevant parties directly to the table, but a parallel might be the role of the

<sup>23</sup> The United Nations Assistance Mission in Afghanistan (UNAMA) was created in 2002 by UN Security Council Resolution 1401 and headed by the Special Representative of the Secretary-General. The International Security Assistance Force (ISAF) was created in 2001 by UN Security Council Resolution 1386, and led by NATO from August 2003 to present.

<sup>24</sup> See Talatbek Masadykov, Antonio Giustozzi, James Michael Page, “Negotiating with the Taliban: Toward a Solution for the Afghan Conflict,” *LSE Crisis States Working Paper* no. 66, January 2010, p. 5.

<sup>25</sup> See Al Jazeera, “UN Closes Office in Kandahar,” April 27, 2010, available at <http://english.aljazeera.net/news/asia/2010/04/2010427113253231104.html>.

<sup>26</sup> Saadia Touval, *The Peace Brokers: Mediators in the Arab-Israeli Conflict, 1948-1979* (Princeton, NJ: Princeton University Press, 1982).



Saudi Arabian government in the Middle East peace process today, playing a part without participating in talks;

5. Pioneers: those who helped set up preliminary, indirect, or informal contacts that helped the parties decide there was a basis for direct talks. The talks between John Hume and Gerry Adams are perhaps a parallel;
6. Guarantors: those who provided guarantees or incentives that helped clinch the deal, or were regarded as potential arbitrators whose involvement reassured one side or the other. The US government played this role in Northern Ireland to some extent;
7. Advocates: those who helped create a favorable atmosphere for talks by courting public opinion—a role played in Northern Ireland by civil society, as well as the Alliance Party (a centrist political party) and some churches;
8. Conflict resolvers: those who helped resolve the many subsidiary conflicts and disputes that had exacerbated the original conflict. Civil society played this part in Northern Ireland, to some extent.

UNAMA could, in theory at least, act in any of these roles. Some, however, will be easier and more likely to succeed than others, and also play to the organization's unique strengths.

By hosting but not mediating, UNAMA could conceivably adopt the approach taken by Terje Rød-Larsen and Mona Juul in hosting back-channel talks between Palestinians and Israelis, which ultimately evolved into formal negotiations and the *Gaza-Jericho Agreement* of 1993. In their initial phase, the Norwegian hosts “provided ‘good offices’ rather than more advanced forms of mediation... [they] did not actually participate in discussions, nor come up with bridging proposals, nor put pressure on either party to accept the other’s proposals.”<sup>27</sup> A quiet role of this kind would play to UNAMA's strengths, but eventually would need to be bolstered by concrete steps, just as the Oslo talks eventually became more serious as both sides realized the other was genuinely interested.

Norway was not viewed by either Israelis or Palestinians as intrinsically biased towards one side or the other, which is an advantage that UNAMA would lack.

On October 31, 2010, UNAMA announced that it was forming a Salaam Support Group of experts that would provide assistance to the High Peace Council, if asked. This certainly plays to UNAMA's strengths in expertise; it only remains to be seen if the High Peace Council chooses to accept this advice. Such advice however can be offered impartially (for example, information that Talib X or Y wishes to have talks) or partially (advising the Council whether or not to accept offers or engage in peace talks). The latter would preclude UNAMA from any form of impartial mediation and would potentially compromise its relationship with the Afghan government, should its advice conflict with government policy or should it prove mistaken.

UNAMA could, in theory, be a party to the talks. This would preclude the United Nations from acting in any quasi-neutral capacity, either as host or as guarantor. The United Nations could speak up in the negotiations for its red lines, for example on the status of women or principles of international law. It would however have relatively little that it could offer as part of a peace deal: no funds, no troops, and not even the power to remove sanctions imposed on specific members of the Taliban by UN Security Council Resolution 1267—a Taliban demand which would allow those individuals to travel internationally, but which only the Security Council could address.

It could act as a secondary player that is consulted by the Afghan government or the US in between negotiating sessions, and contributes its views on the process via that government. In doing so however it would compromise its neutrality without even gaining a seat at the table.

UNAMA has tried to be a pioneer in initiating contact with Taliban and other insurgents informally. Kai Eide, the former SRSG, apparently met Taliban members in Saudi Arabia in January 2010.<sup>28</sup> His successor, de Mistura, met *Hezb-e-Islami* representatives in March 2010.<sup>29</sup> Giustozzi,

<sup>27</sup> Thomas G. Mitchell, *When Peace Fails: Lessons from Belfast for the Middle East* (Jefferson, NC: McFarland, 2010), pp. 31-32.

<sup>28</sup> Alan Cullison, Jay Solomon, and Matthew Rosenberg, “UN Envoy to Afghanistan Met With Taliban,” *Wall Street Journal*, January 29, 2010.

<sup>29</sup> UNAMA press release, “Top UN Human Rights Official in Afghanistan Calls for Repeal of Amnesty Law,” March 25, 2010.

Masadykov, and Page report that “According to anti-government elements and their representatives, ... UNAMA is the only relatively credible organisation that can be approached by them in Afghanistan.”<sup>30</sup>

By meeting them and relaying their views, UNAMA could play a dual role of showing that a negotiation process is possible, and building some degree of trust on the Taliban side in UNAMA’s good faith. It has the difficulty however that UNAMA cannot deliver on the steps that would build true confidence in such a process. Pioneering contacts between the British government and the IRA, and between the Israeli government and the PLO, needed at some point to be bolstered by confidence-building measures (the release of prisoners, for example, or a temporary cessation of hostilities).

The ICRC brokered an agreement with the Taliban for polio vaccinations to be carried out across the south and east of Afghanistan; this might perhaps serve as a model for UNAMA-coordinated confidence-building measures, although the ICRC is viewed significantly more favorably than the United Nations by the Taliban.<sup>31</sup> In any event it will ultimately be more sensible for initial contacts to give way to more formal negotiations, at which point a new mechanism for engagement would be needed, such as a UN envoy with a clear mandate for the purpose.

The UN would doubtless have a guarantor or arbitrator role, especially in the event of any agreement between Pakistan and Afghanistan. This might be addressed better through the creation of a separate body rather than giving the task to UNAMA—or it would place the organization in the same difficult place it found itself in 2009, if it must adjudicate between the Afghan government and the Taliban while needing primarily to preserve a relationship with the former.

It can be an advocate for talks. It is already doing this: the most senior official in Afghanistan, SRSG de Mistura, said at IPI in September that “there is only one format for the next months. . . . It is

political dialogue, reconciliation, deal.”

Afghans in the north of Afghanistan, and especially those who supported the Northern Alliance of anti-Taliban fighters in that region, clearly need reassurance: former intelligence chief Amrullah Saleh told NPR on September 14, 2010, that “We think if we do not rise today, our rights—our very basic rights—in a deal with the Taliban will be violated fundamentally.”<sup>31</sup>

Luckily, UNAMA has considerable expertise in the north of Afghanistan, where the security threat is smaller. The Coalition and the rest of the international community have, relatively speaking, neglected these areas to focus on the war-torn south. UNAMA is the only international organization that has put full-time staff into Daykundi province, for example, with any kind of political role; in several other provinces of northern and western Afghanistan, its understanding of local politics far exceeds that of other international actors. UNAMA can play a part using its knowledge of these areas to provide a channel of communication for their residents, by which they can be at least partly reassured that their interests will be respected in a reconciliation process.

For example, UNAMA could use its regional offices to host public discussions and debates on reconciliation. Its spokespersons or even the SRSG could engage in discussion fora on Afghan television and radio—the Tolo TV channel broadcasts free over the airwaves to fourteen cities in Afghanistan and many more throughout Central Asia via satellite. UNAMA could also invite those who have participated in peace processes elsewhere in the world, including Northern Ireland, or Mali (whose failed Tamanrasset peace agreement in January 1991 might be an instructive example for Afghanistan<sup>32</sup>) to explain how those peace agreements were reached, and (crucially) how the opposition and fear that those peace processes evoked were ultimately put to rest.

An option that UNAMA itself appears to have neglected, though, is the last one: that it might play a wider role in resolving localized conflicts that

30 Masadykov, Giustozzi, and Page, “Negotiating with the Taliban.”

31 Abdul Salam Zaeef praises the ICRC in his book *My Life with the Taliban* (London: Hurst, 2010). The Taliban have avoided attacking ICRC convoys and staff—in contrast to recent attacks on UNAMA.

32 A description of the Mali peace process can be found on the website of Conciliation Resources, available at [www.c-r.org/our-work/accord/public-participation/malis-peace-process.php](http://www.c-r.org/our-work/accord/public-participation/malis-peace-process.php).



could destabilize any broader agreement. For example, Kuchi/Hazara disputes over land rights have led almost yearly to armed clashes between Pashtuns (allegedly, with Taliban connections); disputes between tribes or individuals in southern Afghanistan over land and water rights have motivated some to join the insurgency; a dispute between Ismail Khan and Amanullah Khan in Herat province in 2002 exacerbated ethnic tensions between Tajiks and Pashtuns in the province, and led Amanullah Khan by some reports to join forces with the Taliban. Again, the geographic focus of UNAMA equips it to play this part, while its limitations in the south and east of Afghanistan make a focus on direct contact with the Taliban and mediation more difficult.

### PROPOSALS FOR A WAY FORWARD

The United Nations should prepare itself, when the moment is ripe, to appoint a figure who can lead a mediation effort between the Afghan government and the Taliban. By appointing a separate envoy with a dedicated mandate, it would preserve UNAMA's existing relationship with the Afghan government and not put it at risk.

Before that moment comes, the UN can prepare for it by expanding the circle of expertise among its own staff on the Taliban, especially in UNAMA (although they can draw to some extent on the expertise of the Al Qaeda/Taliban Sanctions

Committee, based in New York). In order to do so, it will probably need to expand its staffing in Pakistan (where it currently has one international staff member) and in southern Afghanistan (where its office in Kandahar has been greatly reduced). This will require funding, particularly for enhanced security measures.

In the meantime, UNAMA can draw on its underrated strengths as an organization with a presence in the areas of Afghanistan that have been neglected by ISAF and most other international players. If it wishes to build on those strengths, it could do so by continuing its work to rebalance itself politically, and reach out to those political leaders and elements of the public who are most doubtful about reconciliation—some of whom were also on the losing side in the 2009 elections. This does not need to mean ceasing to advocate for reconciliation, but instead engaging in a more active form of public diplomacy to Afghan audiences that are doubtful about the idea. A new strategy of engagement would elicit more credibility for UNAMA, so that it could persuade skeptics to accept an agreement in the event that one is reached. UNAMA would also then be in a better position to engage impartially in localized conflicts where those groups and individuals are involved. These small-scale resolutions will be a less public but essential contribution to lasting peace.

## The Security Council and Peacekeeping in the Balkans, 1992-2010

*Richard Gowan and Daniel Korski\**

### BACKGROUND

#### Why we can still learn from the Balkans

The Security Council has overseen peacekeeping in the Balkans for eighteen years, issuing more than 200 resolutions and roughly 300 presidential statements on the region since 1991.<sup>1</sup> The UN has deployed eight missions in the region, ranging from the UN Protection Force (UNPROFOR), which peaked at 38,600 troops in 1995, to its monitoring mission on the Prevlaka Peninsula (UNMOP), which involved just twenty-eight military observers.

The Council has also approved the deployment of NATO and European Union (EU) soldiers and police officers to Bosnia and Herzegovina (BiH) and Kosovo, while the Organization for Security and Co-operation in Europe (OSCE) has been active across the region. Today, the Council's role is limited to direct responsibility for the UN Interim Administration Mission in Kosovo (UNMIK) and indirect oversight of the NATO, EU, and OSCE operations still in the area.

Nonetheless, the Council's engagement in the Balkans—and the many set-backs the UN experienced there—has clearly been decisive in shaping peacekeeping more broadly. The UN's approach to “protection,” still a source of considerable doctrinal and political debate, is rooted in UNPROFOR's failure to protect civilians in Bosnia in the early 1990s. The organization's attitude to longer-term peacebuilding was heavily influenced by its executive missions in Eastern Slavonia (1996-1998) and Kosovo (1999 onward). Its current emphasis on the utility of “police-keeping”—involving both the deployment of international police officers and Formed Police Units (FPUs) and building up credible local police capacities—can be traced back to its Balkan operations. The Council's decision to mandate the International Criminal Tribunal for

the former Yugoslavia (ICTY) created important precedents for future efforts to pursue justice in regions where UN peacekeepers are deployed, a source of contention in cases like Sudan.

Similarly, the UN's increasing openness to hybrid operations in the last decade was conditioned by NATO-UN-EU cooperation in Bosnia, UN-OSCE collaboration in Croatia and—above all—the complex multiorganizational mission mandated for Kosovo by Security Council Resolution 1244 in 1999. The UN now regularly enters into multidimensional operations in tandem with other international organizations (as with the EU in Chad and NATO in Afghanistan). But it is arguable that only the UN-AU hybrid peacekeeping arrangement in Darfur (UNAMID) has approached the Kosovo model in terms of its institutional complexity—and the Darfur operation lacks the economic, justice, and political capacity-building dimensions that defined the Kosovo operation.

Any discussion of the Security Council's role in overseeing peacekeeping must thus include due reference to its previous engagement in the Balkans. Many ostensibly “new” ideas on the future of UN operations turn out, on closer inspection, to be permutations of options that were tested (and often found wanting) in southeast Europe in the 1990s.

#### What **can't** we learn from the Balkans?

Three basic challenges complicate any effort to draw lessons for the Security Council from the Balkans. The first is that the sheer number and variety of the institutional arrangements, acronyms and interorganizational mechanisms involved can make it difficult to draw any hard and fast proposals for future deployments. The following discussion is selective, citing examples that offer useful lessons to the Council rather than trying to be comprehensive. It inevitably sidesteps some important issues: in focusing on the Council's

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1 Susan Woodward, “The Security Council and the Wars in the Former Yugoslavia,” in *The United Nations Security Council and War*, edited by Vaughn Lowe, Adam Roberts, Jennifer Welsh, and Dominik Zaum (Oxford: Oxford University Press, 2008), p. 407.

management of peace operations, it also does not address the Council's role in sanctions and the creation on the International Criminal Tribunal for the former Yugoslavia, both extremely important aspects of regional conflict management.

The second, more substantial, challenge is that the Balkan missions were arguably “special” or “privileged” operations: the number of troops, police, and civilians devoted to them was unusually high, reflecting the region's great strategic relevance to at least four of the permanent five (P5) members of the Security Council and, outside the UN, to NATO. It is, of course, striking that this level of commitment was still not sufficient to stop the horrors of Sarajevo, Srebrenica, and Račak. But when the NATO powers did bring sufficient resources to bear—as in their deployments to Bosnia in 1995 and Kosovo in 1999—they fielded forces of a strength and size that the UN can rarely call on elsewhere. Policy advice based on these deployments may simply be inapplicable in other theaters as a result.

But the third challenge—and the hardest to resolve—concerns the *limitations* placed on the Security Council by the complex political and institutional context in which it made decisions concerning the Balkans from the early 1990s onward. From the beginning of the break-up of Yugoslavia, the UN has been only one institutional actor among many trying to manage the fall-out—and the Security Council only one of a number of decision-making centers responsible for shaping mandating, and guiding international missions. At times, it has been peripheral to major decisions on the region's future.

The Yugoslav crisis was only placed on the Security Council agenda in 1991 after the European Community (EC, predecessor to the EU) and the Conference on Security and Co-operation in Europe (CSCE, predecessor to the OSCE) had been engaged in efforts to mediate the secession of Croatia and Slovenia for some months.<sup>2</sup> At most crucial political junctures in the wars and peace

processes that followed—be it the negotiation of the *Dayton Agreement*<sup>3</sup> on BiH in 1995, the fruitless Rambouillet talks on Kosovo in 1999, or the negotiations among members of the Contact Group on the Balkans on Kosovo's status in 2007-2008—the primary locus for talks was not the Security Council.

This is significant in so far as recent studies of peacekeeping have persistently argued that successful operations require a strong political strategy to guide them. Policy documents authored in or around the UN tend to imply that the Council should generate such a strategy.<sup>4</sup> The Balkan experience is a reminder that, in spite of its unique legal and political status under the UN Charter, the Council is often a receiver rather than a maker of political strategies: it acts as a forum in which member states search for agreements that reflect positions already negotiated in other fora. Sometimes, it has acted as a legitimizer for agreements made elsewhere. At others, it has been a more proactive adapter of political decisions into peacekeeping mandates and concepts.

At times, decision makers in other fora can underestimate the continuing relevance of the Council. In 2006-2007, for example, the EU undertook significant planning to prepare for a takeover of police and justice responsibilities from UNMIK in Kosovo in the event of the province's independence. As Giovanni Grevi has shown, this planning assumed that the Council would back Kosovo's independence.<sup>5</sup> This proved flawed when a more complex “status neutral” framework had to be negotiated for the EU's deployment in late 2008.

### Balkan lessons: protection, peacebuilding, and operational complexity

This paper does not set out to explore the underlying political dynamics that have meant that, at times, the Security Council has been unable to agree on detailed political strategies for peacekeeping in the Balkans. Instead it focuses on the Council's engagement with the operational

2 See Woodward, “The Security Council and the Wars in the Former Yugoslavia”; and Richard Caplan, *Europe and the Recognition of the New States in Yugoslavia* (Cambridge, UK: Cambridge University Press, 2005).

3 The *General Framework Agreement for Peace in Bosnia and Herzegovina* is variously known as the *Dayton Agreement*, *Dayton Accords*, *Paris Protocol* or *Dayton-Paris Agreement*. In this paper, it will be referred to as the *Dayton Agreement*.

4 See, for example, United Nations Departments of Peacekeeping Operations (UNDPKO) and Field Support (UNDFS), “A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping,” New York, United Nations, July 2009, p. 9ff.

5 Giovanni Grevi, “EULEX Kosovo,” in *European Security and Defence Policy: The First 10 Years (1999-2009)*, edited by Giovanni Grevi, Damien Helly, and Daniel Keohane, 2009, p. 356-359

dimensions of UN and non-UN missions in three thematic areas: (i) protection of civilians in conflict situations; (ii) the Council's engagement with the evolving roles of missions in the years following conflict; and (iii) frameworks for complex transfers of operational responsibility between the UN and other organizations.

The next section of this paper reflects on the **mandates and resource dimensions** of civilian protection and postconflict peacebuilding. It argues that, whereas the Council's mandates for UNPROFOR in the early 1990s often involved detailed and unachievable directions concerning civilian protection, the Council's decision to give NATO and UNMIK broad postconflict mandates in BiH Kosovo also created complications. These cases raise the question of whether the Council can act as a "command post," directing operations in detail through its mandates, or whether it should confine itself to setting broad political parameters for the Secretary-General and his representatives in the field—a problem that was brought into focus once again in late 2008 during Council debates over when and how the UN should use force in the Congo. This section also notes the deterrent role UN forces played in the former Yugoslav Republic of Macedonia (FYROM).

The third section of the paper addresses issues of **adaptation**, reviewing how the Council oversaw and facilitated transitions of responsibility in Eastern Slavonia, BiH and Kosovo. We argue that these raise not only *political* questions about the distribution of decision-making between the Council and other political fora, but also *operational* questions about how to sequence

transitions. Is it preferable to attempt an "on/off" transition, by which one organization (usually the UN) hands over all its duties to another actor on a single date, or are "phased transitions"—by which duties transfer over time—preferable?

The paper concludes with brief recommendations for other missions. It argues that the challenge for the Security Council in all phases of operations is to adopt and adapt a strategic framework that gives senior officials in the field the flexibility to take tactical decisions as necessary—and in turn gives the Council flexibility in terms of how closely it engages with reshaping peacekeeping operations as they evolve over time.

## MANDATES AND RESOURCES: FROM PROTECTION TO PEACEBUILDING

### 1992-1995: an excess of mandates?

From the first years of peacekeeping in the Balkans, the Security Council directed UN forces to help keep civilians alive. Sadly, it struggled to answer the questions of which civilians to protect and how to do so. From the initial deployment of UNPROFOR to Croatia in 1992 (when peacekeepers were directed to ensure that civilians in the Serb-majority UN Protected Areas should be "protected from the fear of armed attack") to the *Dayton Agreement* in 1995, the Council found itself repeatedly drawing up new mandates and giving new instructions to the peacekeepers on their protection duties.<sup>6</sup> A vicious circle resulted by which the UN always reacted to threats to civilians as or after they had emerged, while the Council's thinking on protection came to center on various types of "deterrence" that were either inadequate or

### UNPREDEP

*In spite of the Council's many difficulties with mandates, it did achieve an important innovation in its decision to deploy an element of UNPROFOR to the former Yugoslav Republic of Macedonia (FYROM). In 1995, with the closure of UNPROFOR, this was replaced by an ongoing preventive deployment (UNPREDEP), which operated until 1999. The mission fulfilled its mandate successfully throughout its deployment, but violence between the Albanian and Macedonian communities emerged after its departure—the Kosovo war was an important factor in this destabilization. This underlines the fact that, while a military preventive deployment can ensure short-term stability, it should be accompanied by political efforts to reduce or resolve longer-term sources of tension.*

<sup>6</sup> The phrase "protected from the fear of armed attack" was first used in paragraph 7 of the Vance Plan for a UN peacekeeping force, developed in the last quarter of 1991.



unachievable with the resources the UN had.

The reactive nature of the Security Council's engagement was displayed in its series of decisions to expand UNPROFOR's area of operations from Croatia to BiH in 1992.<sup>7</sup> That June, with the Bosnian crisis gathering pace, the Council directed UNPROFOR to send personnel to Sarajevo airport. In August, it expanded this task to supporting humanitarian convoys. Three months later, it mandated a "no-fly zone" over BiH and directed UNPROFOR to monitor it. In December, it authorized the creation of a "Macedonia Command," requested by FYROM's government to monitor its borders.

While this flurry of new mandates gave UNPROFOR an increasing range of responsibilities—and the force was incrementally expanded during the year—the Council still directed the peacekeepers to use force only in self-defense. The UN's strategy continued to rest on helping humanitarian agencies and keeping a watch on military developments, in addition to the imposition of sanctions on the warring parties. It was only in 1993 that the Council shifted toward approving enforcement and deterrence.

From April, NATO aircraft began implementing the Council's mandate by patrolling BiH's airspace to enforce the no-fly zone—but this did not stop nearly 6,000 unauthorized helicopter flights taking place.<sup>8</sup> In March, the Council passed the first of a series of mandates declaring "safe areas" in BiH, beginning with Srebrenica, then believed to be in danger of imminent collapse following a Bosnian Serb offensive. However, this initial mandate only tasked UNPROFOR with helping demilitarize the town, rather than giving directions or making arrangements to protect it.

In this period, the Council took an astonishingly direct role in devising UNPROFOR's strategy. In April 1993, a Security Council mission visited Srebrenica (which the ambassadors called an "open jail") and returned with highly specific advice on

the need to designate further safe areas, the potential to monitor them with UNPROFOR's current resources and the potential need to expand the force. Although the mission concluded that safe areas, once declared, should be "enforced and defended" it argued that UNPROFOR should not yet be mandated to pursue "military strike enforcement."<sup>9</sup> The ambassadors recognized that they could be accused of "micro-managing" UNPROFOR.<sup>10</sup>

In Resolution 836 of June 4, 1993, the Council further mandated UNPROFOR to "deter attacks" on the safe areas. While the Force Commander duly reported that he would require an extra 34,000 troops to fulfill this mandate reliably, the Secretary-General also suggested an additional 7,600 could provide "light-weight" deterrence.<sup>11</sup> The Council accepted the latter option. UNPROFOR lacked the number of soldiers required to project strength around all the safe areas, and while the Council asked it to "deter" the forces surrounding them, it explicitly avoided using the words "defend" and even "protect."<sup>12</sup> The disastrous consequences of these equivocations for Srebrenica in 1995 are well known.

In retrospect, it is striking that the Council not only calibrated its language so disastrously, but also followed a mandating process that demonstrated its lack of strategic vision. To declare the "safe areas" before mandating UNPROFOR to "deter attacks" and only then to decide on the force numbers necessary to provide deterrence was arguably precisely the wrong order in which to act: the Council should have identified the necessary forces and determined their responsibilities before calling anywhere "safe."

This is, of course, an easy argument in retrospect: the Council was driven by a real and understandable fear of Srebrenica's fall in 1993. Its resolutions bought time. But, because of their sequencing, they appeared hollow from the get-go, and undoubtedly played a role in encouraging the antagonists.

<sup>7</sup> This account draws on the history of UNPROFOR, available at [www.un.org](http://www.un.org).

<sup>8</sup> 5,711 such flights were recorded between November 1992 and July 1995. See Michael O. Beale, *Bombs over Bosnia: The Role of Airpower in Bosnia-Herzegovina* (Maxwell AFB, AL: Air University Press, 1997), p. 21.

<sup>9</sup> United Nations, *Report of the Security Council Mission Established Pursuant to Resolution 819 (1993)*, UN Doc. S/25700, April 30, 1993, pp. 6, 9, 11-12.

<sup>10</sup> *Ibid.*, p. 8.

<sup>11</sup> See source at n.7 above.

<sup>12</sup> Shashi Tharoor, as quoted by Rupert Smith, "The Security Council and the Bosnian Conflict: A Practitioner's View," in *The United Nations Security Council and War*, edited by Lowe, Roberts, Welsh, and Zaum, p. 448.

Moreover, the Council at no point reviewed UNPROFOR's existing responsibilities in BiH, meaning that the force was increasingly overstretched. The Council was thus guilty of (i) giving dangerously detailed mandates; (ii) calling for deterrence by the UN without grasping how it might (not) work and without choosing to authorize more than a minimum of forces to implement it; and (iii) not pausing for a strategic review of the situation. After the capture of Srebrenica in 1995, as General Sir Rupert Smith has noted, "the Security Council was effectively prevented from taking any further strategic decisions," as Britain and France insisted that their commanders on the ground should have de facto autonomy on when to use force (we note the implications of this for the transition to a NATO force in Section 3 below).<sup>13</sup>

This was a decisive moment not only for UNPROFOR—which proceeded to assert itself far more aggressively than before—but also for the Council as a decision maker. Council ambassadors would not repeat the experiment of the 1993 mission to Bosnia, by which they inserted themselves directly into operational decision making. Indeed, from 1995 onward, the Council became extremely detached from the military details of operations.

### 1995-1999: a shortage of political oversight?

From Srebrenica onward, the Council's approach to mandate making was transformed, with UN resolutions only giving the broadest outlines of how troops should act. In the case of the *Dayton Agreement* which ended the war in BiH, the Council's role was confined to signing off on the agreement already negotiated by the warring parties—although this agreement had been reached with the assistance of four of the P5. In Resolution 1301 of December 15, 1995, the Council welcomed Dayton's proposals for a NATO-led Implementation Force (IFOR) and authorized member states to either contribute to the force or "to take all necessary measures, at the request of

IFOR, either in defense of IFOR or to assist the force in carrying out its mission." It was, however, explicit that IFOR would act on the direction of the North Atlantic Council and NATO Secretary-General, not the UN.

While IFOR was authorized under Dayton to enforce compliance with the agreement, it has been criticized for its minimalist interpretation of this task. NATO commanders on the ground, for example, focused on a (successful) separation of forces within BiH and creating an "absence of war," rather than laying the groundwork for enduring peace.<sup>14</sup> As Elizabeth Cousens and Charles Cater noted, IFOR and its successor SFOR initially followed a "force separation strategy" and did not fulfill secondary aspects of their Dayton powers, significantly reducing their leverage over political parties and paramilitaries.<sup>15</sup> It is arguable that this approach was exacerbated by insufficient political pressure on the NATO commanders from above to fulfill all aspects of their mandate. The Council did not, and politically speaking probably could not, take steps to change this.

While IFOR's performance was largely NATO's business, the Security Council had direct authority over the UN Transitional Authority in Eastern Slavonia, launched in 1996 to manage the region for two years prior to its return to Croatia. The Council mandated a military force of 5,000 personnel to facilitate demilitarization "to contribute, by its presence, to the maintenance of peace and security in the region." This phrase gave considerable leeway to the first Transitional Administrator, Jacques Klein, who used force against paramilitaries early in the operation.<sup>16</sup> Although the Council was briefed on developments regularly, military decision-making was once again devolved to the field.

The Council would give a similarly broad security mandate to NATO's Kosovo Force and UNMIK in Resolution 1244 in 1999. This included "detering renewed hostilities" and ensuring the departure of Yugoslav forces from Kosovo, as well as "establishing a secure environment" and "ensuring public safety and order" until the UN

<sup>13</sup> Ibid., p. 449.

<sup>14</sup> The phrase was used by Admiral Leighton Smith, IFOR's commander, in an interview with PBS, broadcast on December 20, 2006.

<sup>15</sup> Elizabeth M. Cousens and Charles K. Cater, *Towards Peace in Bosnia: Implementing the Dayton Accords* (Boulder, CO: Lynne Rienner, 2001), p. 37ff.

<sup>16</sup> See Lise Morjé Howard, *UN Peacekeeping in Civil Wars* (Cambridge, UK: Cambridge University Press, 2008), p. 225ff. Klein's freedom of maneuver was also rooted in the vague language of the *Erduť Agreement* on Eastern Slavonia's future.



could do so.

Problems arose from this mandate during KFOR's deployment, as a number of NATO contingents initially focused on ensuring the departure of Yugoslav forces, to the exclusion of broader aspects of public order. As a result, KFOR failed to act decisively against a wave of attacks on Serbs and other minorities in the immediate aftermath of its deployment; and this effectively ruled out what little chance existed of rapid progress toward a peaceful, multiethnic Kosovo. The UN could not deploy Formed Police Units to handle the violence quickly. KFOR eventually resolved this dilemma by deploying military police of its own. But the remaining Serb minority was now firmly entrenched in its view that KFOR was the enemy. It took some time for many Serbs to recognize that NATO troops also potentially guaranteed their security.

Nonetheless, the main difficulties inherent in Resolution 1244 related to political rather than security issues. The resolution foresaw a "final settlement" on the province's status, but neither outlined a mechanism for negotiating this nor set any deadline for it. In the short term, this was a matter of political necessity. But as the resolution was, unusually, open-ended this permitted the Secretariat and Council to let the search for a political outcome to remain unresolved. In the years following 1244's approval, international attention was inevitably drawn to Afghanistan and Iraq, while UNMIK settled on a formula of "standards before status"—which the Security Council approved—meaning Kosovo was expected to achieve a high level of good governance.<sup>17</sup> This process proved unsustainable after large-scale Albanian rioting in March 2004 took UNMIK and KFOR by surprise, damaging interethnic tensions further.

After the riots, it was recognized that UNMIK had frequently fallen into the trap of "happy reporting": telling the Secretary-General and Security Council what the mission thought they wanted to hear.<sup>18</sup> While Security Council ambassadors undertook one mission to Kosovo and Serbia in December 2002, there was a significant discon-

nect with the field. As in BiH, therefore, the immediate postconflict settlement was followed by a damaging period of drift. The Council granted broad mandates to international forces but, perhaps as a result, did not pursue the political dimensions of the postagreement peace settlement—in sharp contrast to UNPROFOR's numerous over-specific mandates.

### Mandating processes: what works when?

Our analysis suggests that the Security Council's approach to mandating and reviewing its missions in the Balkans was counterproductive at different times for different reasons. During the Bosnian war, the Council was trapped in a self-defeating cycle of giving UNPROFOR new, detailed mandates very frequently in reaction to events. It showed (i) lack of strategic vision; (ii) poor sequencing of its decisions; and (iii) weaknesses in UNPROFOR's deliberations. During periods of violence where protecting civilians should be a priority, the Council can weaken the UN's leaders in the field if it tries to act as a "command post" directing operations. The "safe areas" story also highlights the need to match mandates and resources effectively even where, as in BiH, a mission is relatively well-equipped and well-resourced overall. In such circumstances, we conclude, the Council should lay out a vision for the peacekeepers to follow—but not second-guess their decisions about tactical priorities.

By contrast, the BiH and Kosovo cases suggest that the Council should beware giving too little attention to peacekeeping operations once violence has passed (or paused). The Council might not have helped either case by generating a stream of new mandates. Given the political circumstances in both cases, this was not an option. But greater Council attention to (i) political developments on the ground, (ii) the quality of the reporting from the field, and (iii) the opportunities for creating dialogue would have been useful. This leads us back to the obstacles to creating any single UN "political strategy" in the Balkans that we have already noted—but BiH and Kosovo show the difficulties that arise when there is a loss of political attention to a mission. As our next section shows, they also

<sup>17</sup> See UNMIK, "Standards for Kosovo," 2005, available at [www.unmikonline.org/standards/](http://www.unmikonline.org/standards/).

<sup>18</sup> See Richard Gowan, "Kosovo: In Search of a Public Order Strategy," in *Annual Review of Global Peace Operations 2006*, edited by Ian Johnstone (Boulder, CO: Lynne Rienner, 2006).

point to the complexities of interinstitutional cooperation.

## INTERINSTITUTIONAL COOPERATION AND ADAPTATION

As we have noted, multiple organizations—including the EC and CSCE—were involved in efforts to manage the collapse of Yugoslavia even before the UN became engaged. They even had small monitoring presences in the region before UNPROFOR deployed. Nonetheless, during the UNPROFOR era the UN and NATO emerged as the primary institutional players in the Balkans—the former on the ground, the latter with air power. The *Dayton Agreement* altered the balance in the region in favor of NATO, while also opening the way for a series of large-scale governance support missions from the OSCE and eventually the EU.

Resolution 1244 established a UN-EU-NATO-OSCE condominium in Kosovo, while the last decade has seen the EU take on responsibilities from the UN and NATO in BiH and—in part—from UNMIK in Kosovo. A detailed history of institutional cooperation in the region would also have to take into account a number of non-institutionally specific multilateral groups that have emerged to manage parts of the international presence, such as the Peace Implementation Council that oversees the High Representative in BiH, and the International Steering Group that has taken a similar role for Kosovo.

### Phased transitions vs. on/off transitions

In this section, we focus on just one important aspect of interinstitutional cooperation in the Balkans: how the Security Council and other international fora have engaged in adapting their operations and orchestrating transitions between organizations. In this context, there have been four notable phases of “institutional transition” in the Balkans:

- **1995:** the transition from UNPROFOR to the post-Dayton international presence, centering on IFOR and a UN police and civilian presence in BiH.
- **1998:** the transition from UNTAES to OSCE police and civilian monitoring in Eastern Slavonia.
- **2002-2004:** the replacement of the UN police presence and IFOR’s successor, SFOR, in

Bosnia by an EU Police Mission and an EU Force (*Althea*).

- **2008:** the reconfiguration of UNMIK and deployment of an EU Rule of Law Mission (EULEX) and EU Special Representative in Kosovo.

Although all peacekeeping transitions between international organizations involve different modalities, they can roughly be divided into two groups: (i) “phased transitions,” in which the international presence is adapted over time and (ii) “on-off transitions,” in which the institutions transfer their responsibilities in full on a given date. This distinction is, of course, mildly misleading: an “on-off” transition requires preparation and planning, while a phased transition requires hard deadlines. Nonetheless, we can identify a clear split between these two models in the Balkan cases listed above.

The transition from UNPROFOR to IFOR and the UN police/civilian presence in BiH in 1995 is a good example of a phased transition. In the second half of 1995, UNPROFOR took an assertive posture, using force more readily than previously. From October to December 1995, it monitored a ceasefire across BiH in anticipation of a transition to IFOR. UNPROFOR thus managed the security situation while the *Dayton Agreement* was hammered out; but, as we have noted, the Security Council’s role was reduced to a formal one in this period, with UNPROFOR’s commanders enjoying broad freedom of action. The UN did, however, play a helpful secondary role by deploying an International Police Task Force (IPTF) as part of the residual UN Mission in Bosnia and Herzegovina (UNMIBH) that partially addressed the “policing gap” created by IFOR’s military posture.

By contrast, the Council and Secretary-General took a more active role in shaping the international presence in Eastern Slavonia after the closure of UNTAES in January 1998. A month before the end of the UNTAES mandate, the Council approved a follow-on UN Civilian Police Support Group (UNPSG) to monitor the region for nine months after the main peacekeeping force departed. In February 1998, the Council issued a presidential statement encouraging the police monitors to work closely with the OSCE, which began to plan to take

over policing responsibilities that October.<sup>19</sup> The details of this transition were worked out through a joint steering group in the field, and the transfer went smoothly, with the OSCE Mission initially carrying on all tasks that the UNPSG had undertaken. Sixty UN personnel switched to the OSCE—a successful phased transition.

This case compares positively with the transfer of police responsibilities from the UN to the EU at the end of 2002. This was intended to be an on/off transition, with the EU replacing the UN's IPTF on January 1, 2003. This switch was stipulated in a Security Council mandate of April 2002, and the UN appointed a Police Commissioner for IPTF who was also designated as the first EU Commissioner—he also oversaw a pre-deployment EU planning cell in Sarajevo from July 2002, a significant additional burden.

The transition was complicated by the fact that the EU wanted a much more limited role than the UN, with no residual executive mandate. Although 120 UN personnel were re-hatted as EU staff, there was no system for transmitting documents on ongoing issues between the two missions. Many of IPTF's programs were wound up in short order—often being declared “successful” for the sake of convenience—while the EU's own plans were still incomplete on the transition date. Although the on/off transition went ahead, the EU Police Mission (EUPM) stumbled, receiving widespread criticism.<sup>20</sup>

Much of the blame for this mishandled transition attaches to those who managed it in the field, but the Security Council and EU Council were arguably at fault for approving it in advance and failing to monitor operational progress in the second half of 2002. Whereas the creation of the UNPSG created a successful bridge between UNTAES and the OSCE in Eastern Slavonia, allowing operational experience and knowledge to pass between the two organizations, the on/off switch in Bosnia proved an operational error.

When planning for a transition from UNMIK to the EU in Kosovo in 2006-2007, UN and EU planners projected a four-month period during which EU police would deploy while UNMIK

remained in place—followed by an on/off switch to European responsibility. This was deliberately designed to avoid the mistakes made in BiH, but was worked out in the field without strategic guidance from the Security Council. After Kosovo's unilateral declaration of independence in February 2008, there was a period of uncertainty during which an initial batch of EU personnel worked with UNMIK while waiting to see what terms the main European police presence could deploy under. In late 2008 and early 2009, the EU deployed alongside a much-reduced UNMIK. Although the transition took much longer than expected, it is arguable that this had significant operational benefits. The EU had time to iron significant gaps in its pre-deployment planning and cooperated with the UN in gaining access to Serb-ethnicity areas. Rather than a relatively rapid on/off transition, the uncertainty over Kosovo permitted a more gradual phased approach.

### Managing transitions

The Balkans thus provides examples of a variety of interinstitutional transitions, typically associated with different regions' progress toward sustainable peace. These examples suggest that, where possible, phased transitions are considerably more effective than on/off switches of authority. As the Eastern Slavonia case shows, the Council can create the political and operational framework for a phased approach through mandating short-term “bridging” missions to manage the transitional phase. This does not mean that the Council should take on “command post” responsibilities for the details of a transition—it can, however, ensure that there are enough opportunities for joint transition planning.

### RECOMMENDATIONS

As we noted at the outset, the political and operational conditions that prevailed in the Balkans over the last eighteen years are unlikely to apply in many future cases facing the Council. The UN's experiences in the region do not provide simple models for future deployments. But generic lessons can be derived from the missions we have described:

<sup>19</sup> This account draws on the accounts of UNPSG, available at [www.un.org](http://www.un.org), and the OSCE Mission to Croatia, available at [www.osce.org](http://www.osce.org).

<sup>20</sup> See Michael Merlinger, “EUPM (Bosnia and Herzegovina),” in *European Security and Defence Policy: The First 10 Years (1999-2009)*, edited by Grevi, Helly, and Keohane, pp. 161-171.

- The Council must avoid reactive mandating in cases where missions face significant violence. Rather than trying to micro-manage operations by giving them new mandates in response to events—as in BiH—the Council should ensure that initial mandates contain clear political direction for UN officials in the field on the use of military and police. Where necessary, the Council should back up the broad language in its mandates with exchanges of letters with the Secretary-General or presidential statements giving guidance on these issues. These communications naturally need to be developed with troop contributors.
- Specifically, the Council must ensure that it has reliable military advice prior to directing missions to “deter” or “protect”—rather than setting these goals and then asking what is required, as it did in BiH. While the UN’s military planning staff has been expanded significantly, the Council should ensure that the Secretariat can provide emergency contingency planning at short notice in crises.
- While the Council should recall that preventive deployments—such as that to FYROM—are a tool in its arsenal, it must note that a military deployment in these cases is not sufficient to ensure peace. Political engagement with potential sources of conflict is also required. The Council should investigate the range of preventive-mission models—including political, military, and police options.
- The Council should recognize the need for close political engagement in the development of missions in immediate postconflict environments—a problem in both BiH and Kosovo. It is important that the Council ensure that the political reporting it is receiving is not misleadingly optimistic, and that it is informed of political openings as they arise. Council missions should visit countries emerging from conflict early during a peacekeeping operation—within six to twelve months of its deployment, security conditions permitting. The Council should commission independent analyses of political trends in mission areas to compare with reporting from operations, to ensure it is accurately and fully informed.
- The Council—which has made considerable progress in recent years in mandating peacebuilding offices to manage the drawdown of large peace operations—should investigate potential transitional support missions to manage transfers of responsibility to other international and regional organizations. The model of UNPSG in Eastern Slavonia—a mission charged with bridging from a large UN peacekeeping force to another organization’s presence—is a useful one for planning future phased transitions of responsibility elsewhere.



## The Great Lakes of Africa (Burundi, the DRC, and the LRA-affected Areas)

*François Grignon\**

### INTRODUCTION

The interconnections among peacemaking, peacekeeping, and peacebuilding have been recognized as one of the key aspects of the successful return to stability in the Great Lakes of Africa by both the parties to conflicts and those international partners supporting peace processes. This was clearly illustrated by the agreements negotiated and signed respectively in Arusha (Burundi, 2001), Lusaka and Pretoria (the Democratic Republic of the Congo, 1998, 2003), and Juba (the Lord's Resistance Army, not signed, 2008), which covered a whole range of peacekeeping and peacebuilding issues. These included ceasefire agreements, foreign-troop withdrawal, army integration, militia disarmament, and power-sharing, as well as radical changes in economic and political governance, security-sector reform, reparations for victims, justice and reconciliation, inter alia. The agreements showed a willingness to address both the short-term requirements of putting an end to violence, as well as medium- and long-term structural institutional reforms to effectively deal with root causes of conflict.

Similarly, the establishment of integrated missions in Burundi and the Congo—which have brought together the leadership of peacekeeping operations and UN agencies, and are mandated by the Security Council to fulfill what would traditionally be considered as both peacekeeping and peacebuilding mandates—is another acknowledgement of this strong interconnection. The recognition of this interconnection is thus less a problem than drawing the related consequences in operational terms, producing the required political strategies (which should be setting the priorities and the sequencing of activities on multiple peacebuilding fronts) and establishing adequate planning processes. Thereafter, implementing such

strategies and laying sustainable foundations for protection of civilians, governance reforms, and early economic recovery become the most important challenges.

Implementing a peace agreement is an arduous political process that requires leadership, coherence, and efficiency from the international partners involved, and above all, the appropriate mobilization of political leverage when needed. By supporting governance reforms, identifying those who are responsible for ceasefire violations, or contributing to the building of new institutions, the UN and other actors influence power dynamics and power relations and thus necessarily meet resistance. Their intentions are questioned, and they are accused of partisanship, regardless of the national actors' early commitments to peace, which they often made under short-term pressure.

The fundamentally political nature of peacekeeping and peacebuilding thus makes these processes vulnerable to shifts in power dynamics, the changing strategies of national actors, and a lack of commitment to move forward. Peacekeeping and peacebuilding therefore also demand political and sometimes operational military risk-taking, a requirement for which the UN system is probably the least prepared and to which it is the most instinctively averse. Peacebuilding is hence often a messy and confused process, necessitating flexibility and a degree of ad hoc political management. The imperative of protecting civilians and avoiding the perpetrating or repetition of atrocity crimes, will often require robust political or military engagement at times of crises, and will command that the military means immediately available, and effective political initiatives, be given priority over an established division of labor between UN institutions and/or regional organizations dedicated to peacekeeping and peacebuilding.<sup>1</sup>

\* François Grignon was until June 15, 2010, the International Crisis Group's Africa Program Director.

<sup>1</sup> Hence, when the UN Mission in the Congo (MONUC) lost credibility or leverage, or simply did not have the means and ability to successfully manage a crisis situation, other actors with the required leverage had to be called in. This occurred with the European Artemis operation deployment in northeastern Congo, a bridging facility deployed in Bunia from June to September 2003, to give the UN time to generate and deploy additional troops and to manage a situation which had become catastrophic. The appointment in November 2008 of President Olusegun Obasanjo and President Benjamin Mkapa as joint UN/regional envoys for Eastern DRC also followed the same logic, and contributed to bringing the North Kivu crisis under control.

In the end, these processes are therefore neither linear nor easily subjected to a discrete division of labor among UN institutions, or between the UN and regional organizations. What might work in one country will probably not be easily replicated in another, each having its own specific conflict configuration, history, and political dynamics. The objective of this paper is nevertheless to offer some reflections on the challenges of implementing peace agreements in the Great Lakes of Africa, and lessons learned for the UN Security Council to better plan, prepare, and coordinate its activities with the other peacekeeping and peacebuilding actors, notwithstanding that ad hoc high-level political engagement often remains necessary for successful implementations of peace agreements, both in routine situations and at times of crisis.<sup>2</sup>

The Great Lakes peacebuilding experience shows that the peace-process political calendar largely determines the ability of international and regional actors to play a peacebuilding role. Within that calendar, the signature of peace agreements and the holding of national general elections represent turning points. Before elections and during the “transition” periods after the signing of peace agreements, the UN and other international and regional actors will often have the authority and legitimacy to set the peacebuilding agenda in an unprecedented way. After national elections, when a national government has been elected and is often eager to regain the full extent of its sovereignty, this ability shrinks dramatically, requiring a renegotiation of the international intervention’s actual terms, around the drawdown of a peace operation. This paper will present insights on the interconnections among peacemaking, peacekeeping, and peacebuilding during these three phases of peace processes.

## PEACE NEGOTIATIONS: PLANNING AND PREPARING TRANSITIONS

Peace negotiations are the stage when all parties to a conflict usually agree to extensively review their interpretations of the root causes and history of the conflict, and what is required to provide for short-, mid-, and long-term solutions. This is also the opportunity not just to involve the actual parties to

a conflict, but also civil-society representatives and other political and socioeconomic actors, whose involvement might not have an immediate effect on ending the violence, but are critical for sustainable peacebuilding and early recovery.

## Evaluating Peace-Agreement Strengths and Weaknesses

### *Inclusivity*

In this respect, the three Great Lakes peace processes did provide various degrees of consultation with civil-society representatives and economic actors, whose role in the postconflict early recovery and peacebuilding strategies is acknowledged. Peace negotiations are hence a critical moment to reflect on the interconnections among peacemaking, peacekeeping, and peacebuilding and should ideally provide baseline documents evaluating the characteristics of successful peace processes.

The Arusha, Lusaka, and Juba processes provided such opportunities. The Arusha peace negotiations on Burundi provided a thorough review of the country’s crisis of governance and the trauma that started to develop in the immediate postindependence period. The negotiations dealt with political and security issues, socioeconomic grievances, the requirements of reconciliation, and the resettlement of refugees mostly from Tanzania.

The Lusaka negotiations, for their part, produced both a ceasefire agreement and a framework for the resolution of two of the three intertwined dimensions of the Congo conflict—i.e., (1) the presence of foreign armed groups in eastern DRC and occupation of the eastern part of the country by Rwandan and Ugandan troops; and (2) the crisis of governance that led to state collapse in the Congo. Destined to produce a new political dispensation for the country, the 2002 Sun City negotiations gave a unique opportunity to Congolese civil society and others to air their views on key aspects of the Congo’s governance crisis, and revive in particular some of the recommendations of the National Conference of the early 1990s, which were ultimately included in the 2005 constitution.

The Juba talks, which lasted almost two years,

<sup>2</sup> Political engagement is often necessary by Council members and regional power-brokers, but also by the UN leadership on the ground. SRSGs without strategic political understanding of their mandates, and who see their role as servicing host governments rather than the fulfilling peacemaking, peacekeeping, or peacebuilding requirements of the situations they have to work in, are unlikely to succeed in implementing their mandates.



also produced a fairly comprehensive review of the environment that had led to the Lord's Resistance Army (LRA) insurgency, and gave multiple opportunities to Acholi delegations to raise issues of concern, even though the LRA cannot be credited at any moment of its history with being a champion of Acholi rights in Northern Uganda.

### *Core Deficiencies*

Yet peace agreements may also have some structural weaknesses that reduce their ability to provide the required solutions and processes for successful peacemaking and peacebuilding. The Lusaka peace process, for instance, and the negotiations that took place successively in Addis Ababa, Gaborone, Sun City, and Pretoria between 2001 and 2003 never successfully addressed the political and operational requirements of proper security-sector reform in the Congo, which was central to the sustainable stabilization of the country, having been a source of conflict since the early 1960s. The third dimension of the Congo war—intercommunal conflict dynamics in the Kivus—did not benefit from sufficient attention from negotiators or international partners, and was largely ignored.

Unsurprisingly, the shortcomings of the Sun City agreements on both SSR and the resolution of local conflicts started to haunt the Congolese transition as early as October 2003. At that time, Laurent Nkunda and Jules Mutebutsi from the then *Rassemblement Congolais pour la Démocratie-Goma* (RCD Goma) rejected the transitional authority in Kinshasa as well as the newly appointed representatives of the transitional institutions in the Kivus and the army. The effect of all of this was to realize the fears of the North and South Kivu Tutsi minorities and legitimize a new insurrection. These core shortcomings of the Pretoria negotiations still undermine the Congo peace process today and have contributed to multiple crises: February 2004, June 2004, September-October 2004, February 2007, June 2007, and September-October 2009, inter alia.

Lastly, although the Juba talks did represent one of the most significant attempts to settle the LRA conflict through detailed negotiations, a review of the agreements reveals that insufficient attention was paid to the operationalization of the LRA disarmament strategy and guarantees for Kony and his men. Legitimate doubts have always existed

about Kony's commitment to the talks, but a process which did not address, for instance, the requirements of Sudanese-combatant disarmament, or guarantee the presence of a third-party independent force to supervise the disarmament operations had little chance to succeed. These shortcomings contributed to the collapse of the process when Kony refused to sign the Juba agreements.

Such shortcomings are often linked to the balance or imbalance of political and military forces between opposing parties, specific vested interests by the facilitators, or the perception that one party or another has succeeded in imposing its own interests on the direction of the talks. In Sun City, the DRC government and Joseph Kabila vehemently rejected any genuine negotiations on SSR, hoping to just absorb rebel groups within their own military structures. The attempt to resolve local conflicts in the Kivus was also perceived as a Tutsi ploy to get special treatment and thus was rejected. In Juba, Government of Southern Sudan Vice President Dr. Riek Machar, was uncomfortable bringing to light the Sudanese chapter of the LRA history, in which he had been personally involved. Yet, when such core issues remain unaddressed, these gaps end up undermining the entire peacemaking effort.

### *The Need for Early Comprehensive Political Strategies*

In part, the solution to these problems lies in the early formulation of political strategies for peace-agreement implementation by DPA and DPKO and the definition of the overarching political objectives in this context. Such strategies would need to review the strengths and weaknesses of peace agreements, clarify their end-states, and suggest appropriate complementary mechanisms to reinforce peace processes, where these are critically lacking.

If a political strategy can be produced within three months of the signature of peace agreements and presented to the UN Security Council so that an adequate mandate is developed for the deployment or expansion of a peace operation, the mission itself will be able to use such a strategy as a roadmap to determine its priorities and action plans, and compensate for the weaknesses of the negotiated frameworks. With a political strategy

defined early on, the mission will also be at reduced risk of being permanently reactive, in crisis-management mode, and behind the curve of events.

The signing of peace agreements represents a key strategic moment for the production of such overarching peacebuilding political strategies, defining the commonly agreed end-state of a peace process and its key stages. The mandates given by the Council to peace operations are tools critical to supporting the implementation of such comprehensive approaches to peacebuilding, taking into consideration the possible limitations of peace agreements. Whereas it had been left aside by the Sun City and Pretoria agreements, coordination of SSR should have been at the center of MONUC's mandate, and political pressure should have been applied on the parties by the Security Council to accept a fundamental compromise for the reconstruction of the Congolese army from the early days of the transition.

Such political strategies can similarly help determine which tool should be used to reach each peacebuilding objective, define the priorities, and articulate the adequate sequencing in view of the negotiated calendar of peace-agreement implementation and related institutional reforms during the transition. Adequate funding and resourcing can then be found for the different institutions involved in peacebuilding tasks, thus avoiding glaring shortcomings.

Such strategies should be discussed with the parties to obtain their buy-in, but the finalization of the strategy should not hinge on the parties' endorsement. Synergies would also need to be found among donors, IFIs, and other UN agencies, since early recovery activities often have to start immediately after a peace agreement has been signed. Peacebuilding efforts in Ituri have shown that success is often driven by the hope provided to a traumatized population by the rehabilitation of basic infrastructures—including educational facilities and health centers—and the investment in labor-intensive projects leading to large-scale job creation.

Sustainable rebel demobilization both in Burundi and northeastern Congo have also shown that the challenges of implementing disarmament, demobilization, and reintegration (DDR) strategies are much greater with the rehabilitation/reintegration

phase of the process, than with the demobilization and disarmament stages, once political agreement has been obtained. Delays in the mobilization and disbursement of financial resources for reintegration of former combatants or the rehabilitation of basic infrastructure and facilities in the areas they operate in can become a cause for rapid remobilization and rearmament and should therefore be avoided by early planning and consultations on early-recovery priorities with bilateral and multilateral donors.

Finally, such plans/strategies would have to be considered as a live document benefitting from annual review ahead of mandate renewal, so as to take into account progress on implementation or lack thereof. They could also address the complementary dynamics at national, local, and regional levels of the conflicts, and include a division of labor between UN and regional actors based on each other's respective comparative advantages.

#### DURING TRANSITIONS: POWER-SHARING AGREEMENTS AND THEIR CONSEQUENCES

Both the DRC and Burundi saw similar patterns during their respective transitions: power-sharing agreements led to increased corruption and frenetic financial accumulation from the parties, since stealing government resources could be done with impunity and was perceived as both a peace dividend and a requirement for winning elections. Similarly, beneficiaries of the power-sharing agreements started to renege on key reforms agreed to during the talks, both to sustain their impunity after the transition and to prevent institutional changes that might shift the newly found balance of political and security forces.

#### Entrenched Impunity

Both the DRC and Burundi transitions suffered from the entrenched impunity of the beneficiaries of the power-sharing agreements. Because neither the Lusaka nor Arusha negotiations succeeded in properly addressing issues related to justice and reconciliation, illegal exploitation of natural resources, and more general economic-governance issues (signatories of the peace agreements succeeded in paying only lip service to these issues, and often only agreed to provisions under international and national civil-society pressure), they both largely undermined any genuine effort to see

these issues addressed during their respective transitions.

The truth, justice, and reconciliation commission was made irrelevant from the beginning of the DRC transition by the appointment of likely targets of prosecutions within its ranks. The anticorruption commission was never given the legal authority or resources needed to fulfill its mandate. In Burundi, the issue of justice and reparations for the crimes committed since independence was consistently and systematically ignored by the political establishment, which had everything to lose in engaging on these issues. Some members of the international community (EU Commissioner Louis Michel, for instance) even openly campaigned against the establishment of any accountability mechanism during and even after the transition, in the name of stability, and so as to preserve the parties political goodwill in support of the organization of national elections.

Regardless of successes with the establishment of transitional-justice mechanisms in other parts of the world, there was no international support for those in the Great Lakes region, and impunity remained largely entrenched for all the crimes committed during both the conflicts and the transitions. In the Congo, the intervention of the International Criminal Court was welcome to address the crimes committed in Ituri. But this happened only because the Ituri armed-group leaders were not party to the national power-sharing agreement and represented political constituencies at the periphery of the Congo peace process.<sup>3</sup>

Lastly, the UN panel reports on the illegal exploitation of national resources in the DRC also represented missed opportunities to strengthen national and regional accountability mechanisms. Whereas the establishment of the panels of experts contributed positively to balance the regional political environment, documenting and illustrating convincingly the economic stakes Zimbabwe, Rwanda, or Uganda had in the Congo conflict, and the negative impact these interests had on the progress of the peace process, panel recommendations—including sanctions regimes—

were hardly ever endorsed or supported by Council and other UN member states, and did not lead to the establishment of the adequate accountability mechanisms against the national, regional, or international culprits of the illegal exploitation of national resources, except for a sanctions regime against Rwanda's Hutu rebels, or the LRA leadership.

#### DDRRR<sup>4</sup>, Elections, and Protection of Civilians: Unclear End-States

Peacebuilding during and after transitions has similarly faced difficulties because of unclear end-states contained in peace agreements, and an international lack of political will to address the end-states afterward. The disarmament of foreign armed groups—Rwandan Hutu rebels and combatants of the Lord's Resistance Army, for example—had been used by Rwanda and Uganda to legitimize military interventions in the Congo since 1996. While this aim was legitimate both in political and security terms in the early stages of the conflict, it was less legitimate when used later on to provide a useful cover for occupying and sometimes illegally exploiting mineral resources in the Congo, or propping-up rebel groups actively involved in the illegal exploitation of natural resources in partnership with members of the political and military establishments in these neighboring countries. This pattern did not stop during the Congolese transition.

Despite the repeated negotiations and talks between the Congolese government and its neighbors over the past ten years, there is still no clear agreed definition of an end-state for the disarmament of foreign armed groups present in the Congo or any joint agreement stating clearly when and how this task will be considered, even though neither the Rwandan Hutu rebels nor the LRA have actually presented a security threat to these countries in the past several years (since 2003 for the Rwandan Hutu rebels, and 2005 for the LRA). The lack of a clear definition of the end-states and objectives pursued by the actors of the Great Lakes peace processes, though, was not a problem limited to regional actors.

Members of the International Committee for the

<sup>3</sup> Having welcomed the ICC to investigate the crimes committed by the LRA in northern Uganda, the government of Uganda did not have to fear the possible judicial consequences of its implications in the Ituri conflict.

<sup>4</sup> Demobilization, disarmament, repatriation, resettlement, and reintegration.

Support of the DRC Transition (ICST, better known by its French acronym, CIAT) often seemed to pursue their own bilateral political agendas during the transition, regardless of the consequences for the peace process. The election of Joseph Kabila, and the protection of his interests against those of the former rebel groups or unarmed political parties, became one of their key priorities at the expense of a more balanced political approach that would have helped lay an early ground for SSR, transitional justice, or an improvement in economic governance. International support to the Congo transition was in the end marked by two political goals: (1) political appeasement in the Kivus and between the Congo and Rwanda (June 2003–December 2004); and (2) the election of Joseph Kabila under a new constitution (January 2005–December 2007). Rarely were these two goals clearly articulated with the requirements of successful and long-term peacebuilding in the region, with unfortunate, dramatic consequences for Congolese civilians.

The peacebuilding environment in the Congo also suffered from contradictions and conflicting priorities in the modus operandi for protection of civilians. Throughout the Congolese transition and afterward, there was an overreliance on military and humanitarian strategies, and a deficiency of political engagement to support accountability for the crimes committed. Whereas the Congolese army in its different manifestations has been identified as the worst human-rights abuser in eastern Congo since the withdrawal of foreign troops in 2002 and 2003, the same largely unreformed and unaccountable Congolese army has remained the key partner of protection-of-civilian strategies and the recipient of training and financial aid, regardless of its performance, or of the implementation of any reforms.

MONUC was even encouraged by Security Council members in 2009 to engage in joint operations against Rwandan Hutu rebels with the Congolese army, regardless of both the chances of success of these joint operations or their modus operandi. This, de facto, made the UN mission an accomplice to the crimes committed by the *Forces Armées de la République Démocratique du Congo* (FARDC). The military component of the mission was put between a rock and a hard place. Whereas it was primarily given the responsibility for protec-

tion of civilians, it was similarly asked to be the main actor of SSR, supporting and training the Congolese armed forces, who committed atrocity crimes during successive military campaigns.

The exact protection-of-civilian operational aim and modus operandi were never clarified, and their political and judicial aspects never emphasized—all while dangerously shifting the responsibility of protection tasks from national governments to the peacekeeping operation without necessarily the consent/support of troop contributing countries, or proper revisions of their rules of engagement.

### Supporting Accountability Through International Consistency

Transitions represent the only real moment when actors in a conflict and international partners are bound together to support the reforms and strategies for recovery from war. Since the national parties to a peace agreement are usually inclined to default on their commitments and to try to gain everything they can from the balance of political and security forces established by the transition, international partners—who often invest considerable resources in peace processes—need to be the guarantors of peacebuilding strategies. This implies first that member states of the Council who pass resolutions remain committed to the spirit and letter of these resolutions as bilateral interlocutors of the transitional governments concerned. Goals of improved accountability and institutional reforms contained in Security Council resolutions must be strongly supported politically by member states in the countries themselves.

This is all the more important when it conditions the efficiency of a protection-of-civilian strategy. Unless the Council and its members put pressure on national governments to guarantee the protection of civilians, no military or humanitarian strategy can succeed. Perpetrators of mass atrocities have to be prosecuted or at least suspended from their positions regardless of their political ranking during transitions, as it will be even more difficult to obtain basic measures of transitional justice once a government has been elected. The Council should consider accountability and transitional-justice mechanisms as core elements of peacebuilding and impose them if necessary through both bilateral and multilateral pressure.

Similarly, when national and regional actors in a



conflict are unwilling or unable to define clear end-states for a transition, the Council should take the initiative to do so. A discussion should have been opened by the Council with the DRC, Uganda, and Rwanda to determine clear end-states to the disarmament of foreign armed groups in the Congo, and clear benchmarks allowing a joint and uncontroversial assessment of the progress made in doing so. Since democratization via national elections represents an end-state for most transitions, such elections should also become a key benchmark for peacebuilding objectives such as SSR, vetting processes, and local reconciliation mechanisms. The establishment of sound reform processes should be negotiated as a requirement for the establishment of credible electoral environments, at a time when peace agreements and international engagement still provide sufficient leverage on the parties.

## POSTELECTORAL ENVIRONMENTS

Postelectoral environments in the Congo and Burundi have not been conducive to maintaining large foreign-military contingents. While elections provided both countries with legitimate governments, both viewed the departure of peacekeeping operations as a necessary step toward the full restoration of national sovereignty. Hence, the Burundian government demanded the downsizing of the UN mission in Burundi soon after its 2005 elections, and the DRC government took the first opportunity to do the same once the National Congress for the Defense of the People (CNDP) insurgency in the east appeared to have been put under control, and most importantly, ahead of new polls scheduled for 2011. A mission drawdown should in any case be seen as an opportunity to review international engagement to make it more strategic and more effective, and to serve as a moment of political reengagement in pursuing difficult reforms.

### Societal Challenges to the Building of State Authority and Capacity

The rebuilding of state capacity and authority is a long-term process that always includes both the physical process of state reconstruction or even first construction—as in some areas in the Congo for instance, where it was probably never built—and the social process of state formation. This would include the creation of specific categories of state

employees who would embrace bureaucratic norms, rules, management procedures, and knowledge as their guiding work principles and ethics, and the cultivation of a recognition by the beneficiaries of state services that the creation and delivery of public goods should follow normative rules and procedures and should not be privatized.

This dual process is usually difficult in agrarian economies dominated by barter and the personalization of all social relations, and made even more challenging in conflict or postconflict environments where the acute needs for basic services and commodities transform state positions as a means of resource extraction, encouraged by families and other social networks.

The rebuilding of state authority and legitimacy is also challenged by the specific history of state-citizen relations in a specific country, and/or the legacy of conflict. For instance, after independence in the Congo, state administration and the security apparatus slowly became tools of predation for those holding office who started to use violence with systemic and systematic impunity.

This trend was reinforced during the war as new administrators drawn from rebel groups exacted retribution against communities or individuals they assumed to be supporting Kinshasa, and vice versa, as civil servants in government-dominated areas used the war effort as justification for additional violence and resource extraction from the population. As a result, for the past sixty years, Congolese citizens have invested all their energies and ingenuity in avoiding, escaping from, diluting, or opposing any kind of state authority, in all aspects of their daily lives. In the Congo, state agents are generally considered to be at best a necessary nuisance and at worst a life-threatening curse.

This history, socioeconomic environment, and enduring set of practices make it particularly difficult for UN and other actors to help restore state authority. Not only are state agents—civilian or military—as well as elected officials psychologically unprepared for the transformation required to establish bureaucracies oriented toward public service, but neither is the population itself. And when social networks can benefit from the official positions of some of their members, they will pressure them to use those positions to extract the maximum benefits.



There are, nevertheless, successful cases of reform both in the security sector and in the civilian administration which illustrate that rebuilding institutions and changing state agents' practices is possible. The first Belgian-trained integrated brigade of the FARDC is an example of such success. Not only did the brigade succeed in reestablishing state authority against Ituri militias in 2004-2005, but the process that led to its creation could have been repeated later as a model for other integration efforts, to create at least a nucleus of a Congolese army. Yet the initial success of the brigade in Ituri was short-lived, as its operations were not supported, salaries were not paid, and senior commanders resorted to the same practices that led to the Congolese state's collapse—looting the resources allocated to its operations, for example.

Similar examples can be provided from the customs administration in Kinshasa, or the air-traffic administration. As long as impunity is maintained at the senior levels of the state, political leaders of the country will not be held accountable for squandering and stealing its resources, and no genuine progress can be made on the restoration of state authority in the Congo. Further, all efforts at training, increasing transparency, and improving management systems will deliver only very short-lived results.

The TPA—"training, pay, and accountability"—doctrine proposed by former USAID Congo Director Tony Gambino is providing useful guiding principles for rebuilding state capacity and authority in the provinces. Yet, unless it is supported with very significant political pressure and international commitment to fight impunity at the top level of government, even these practical and sensible steps to recreate the nucleus of a civilian and military administration in environments devastated by civil war will not deliver significant results. Technical support cannot produce sustainable change without increased accountability.

### Creating New Leverage, Sharing the Burden of Peace Consolidation

The transition from a peace operation to the use of less-intrusive and less-visible peacebuilding instru-

ments is an opportunity to redesign the roadmap guiding international engagement with a government in a postconflict situation, with the aim of consolidating the gains and addressing the gaps created by the peace process during its political transition. This roadmap should be clear in outlining short- to medium- and long-term objectives, defining the respective roles and responsibilities of the government, the peace operation, the UN Security Council, and bilateral donors, IFIs, and other UN agencies, and realistic in its approach in light of current and expected resources and capacities.

Distinctions should be made among the necessary conditions for drawdown; the overall objectives of the government and international partners in building sustainable peace; and the critical tasks required to achieve those objectives. Some of these tasks should remain the responsibility of the peacekeeping operation until the security environment has sufficiently improved to allow the operation's full withdrawal, while many others should be taken on by bilateral donors, IFIs, or other UN agencies. A peace operation cannot usually achieve the key objectives and necessary conditions for its drawdown alone. In addition to the government of DRC, the rest of the international community has an important role to play in meeting key objectives for drawdown—improved and sustainable security—and in sustaining engagement over the long-term peacebuilding process through the Security Council, UN agencies, and bilateral partnerships.

When a country reaches that phase, bilateral and multilateral donors need to agree to use their leverage on the host government, and to step up their role through a new and coordinated division of labor. For example, donors must rally their own political will to collectively and individually engage the government of Congo on key reforms, including considering how to leverage both debt relief and investment. The Security Council should hence take the lead in formulating a common peacebuilding agenda around the continuation of efforts toward sustainable protection of civilians, key institutional and governance reforms (SSR, judiciary, exploitation of national resources), and the continuation of the democratization agenda.<sup>5</sup>

<sup>5</sup> One might argue that the Great Lakes contact group is a more appropriate forum to take the lead on this issue, but it has not succeeded in the past as anything other than an information-exchange mechanism, with no real policy coordination or policymaking ability.

## CONCLUSION: REGIONAL PEACEMAKING, INTERNATIONAL PEACEKEEPING

The “African solutions for African problems” mantra supported by the African Union and its member states recommends a primarily continental/regional engagement in peacemaking and peacebuilding, before considering the intervention or involvement of any other actor.

The Great Lakes peace processes have to a large extent shown the merits of this approach. The Burundi peace process in particular was largely driven by a regional initiative, and no actors other than the countries of the region (Uganda, Rwanda, Tanzania, and South Africa in particular) would have been able to deliver similar results. It is the constant pressure and support of the region for the Burundi peace process during and after the Arusha negotiations that, until today, have allowed its success. Rwanda and Uganda’s engagement with the Tutsi establishment in particular helped them accept political compromise. South Africa and Tanzania’s tireless efforts to bring the Hutu-dominated rebel groups on board with the Arusha framework were also key to its success. Had South Africa not decided to take the risk and bear the cost of deploying one battalion to Bujumbura immediately after the signature of the Arusha agreement, the momentum for peace might have then been derailed with catastrophic consequences for the country.

Yet, regional engagement is not always the solution, either because of a lack of capacity, or because of the region’s own involvement in the conflict. Chaos unfolded in Ituri in March 2003 after the withdrawal of Ugandan troops from the region. Additional UN forces were required to

control the situation but could not be generated and deployed in time to prevent mass atrocities. The EU then stepped in to control Bunia’s airport and put the militias on the defensive. The Ugandan army, which had been associated with the same militias that ransacked Bunia in April 2003, would have been ill-suited to intervene. Still in Congo, following Zambia’s initial facilitation of the peace process, President Thabo Mbeki of South Africa took the lead in finalizing the inter-Congolese dialogue negotiations started by former President of Botswana, Ketumile Masire.

The region took the lead in the mediation, but had to work hand in hand with the UN for the execution of peacekeeping and peacebuilding tasks. The division of labor between regional and international actors should be guided by prospects for success, based on existing political leverage, capacities, technical expertise, and the ability to deliver quick results. This is generally guided by the specific characteristics of each peacekeeping/peacebuilding situation and cannot be predetermined. The Great Lakes experience has shown that regional engagement was often best suited to peacemaking, but often lacked the capacity and resources for peacekeeping and peacebuilding. Even in Burundi, South Africa had considerable problems sustaining its battalion in Bujumbura, and had to hand over to the UN when the mission needed to support the organization of elections. In the case of ending the LRA insurgency, there is little doubt that part of the solution will come from a mobilization of efforts from the DRC, the Central African Republic, Southern Sudan, and Uganda around a joint strategy, with the technical and financial support of international partners on key aspects of a tailor-made regional disarmament strategy.

## Composite Paper on Cross-Cutting Themes<sup>1</sup>

*International Peace Institute*

The main objectives of the Istanbul Retreat are (1) to advance the Security Council's continuing consideration of the linkages among peacemaking, peacekeeping, and peacebuilding and, thus, (2) to facilitate the formulation and implementation of coherent and integrated strategies for addressing situations in flux. To kick off the discussion, lessons-learned papers will be presented on the experiences of UN operations in Afghanistan, the Balkans, and the Great Lakes region of Africa. This paper highlights the following themes drawn from these distinct regional experiences:

1. **Mandates:** the process of mandate-making, consultations among partners, and the devising of strategies;
2. **Capacities:** developing host-state capacities and properly resourcing missions (force-generation, police, and civilian capacity) as a result of calculated, conservative, and integrated needs assessments; and
3. **Adaptation:** how the Council adjusts mandates and strategy to meet changing conditions, how missions and the Council can better use benchmarks to mark progress and refine strategy, and how the UN can be more proactive on the ground and the Council more agile and inclusive in its consultations and deliberations in New York.

Following the presentation of the regional papers, these themes will be addressed in succession at the retreat. To help focus the discussion, this composite paper poses possible questions for each theme.

### INTRODUCTION

The representation of conflict as a linear phenomenon that moves from crisis to violence to peace rarely conforms to reality.<sup>2</sup> Similarly, peacemaking, peacekeeping, and peacebuilding do not necessarily unfold as a linear progression from one "phase" of activities to another. Responses to armed conflict

often involve, as in Sudan today, the simultaneous engagement of diplomatic efforts to implement peace agreements, robust peacekeeping to protect civilians, and early-recovery activities to address the needs of devastated postconflict communities. Peace operations frequently have significant peacebuilding components, while peacemaking often proceeds concurrently with peacekeeping and peacebuilding. Such complexity calls for an overarching strategy behind which the international community's political, security, and development efforts can align.

At the same time, UN peacekeeping operations may have to perform as many as 300 individual functions that fall under more than twenty broad categories, such as disarmament, demobilization, and reintegration (DDR), electoral assistance, peace-process management, human rights monitoring, security-sector reform, justice reform, and rule of law, among others.<sup>3</sup> In the face of so many competing demands for time, attention, and resources, success depends on the articulation of an integrated political strategy supported by the diverse tools of peacemaking, peacekeeping, and peacebuilding, as well as on high degrees of coherence, coordination, capacity, and adaptability during the implementation of the strategy. The goal should be the development of a comprehensive strategy that can be pursued with agility not only by UN member states, departments, and agencies, but also by regional and subregional organizations, civil society, and the private sector. A sound common strategy should recognize both that security provides the foundation for development and that development sustains security.

### MANDATES

The Security Council bears a dual responsibility: (1) to define clear and achievable mandates; and (2) to oversee their implementation. As the three regional cases demonstrate, neither the negotiation

<sup>1</sup> This paper was circulated prior to the Security Council Istanbul retreat, June 25-26, 2010, in preparation for the discussion that followed.

<sup>2</sup> For a recent description of the complex peacebuilding environment, see Mats Berdal, *Building Peace After War* (London: IISS, 2009), pp. 29-94; and, for an outdated linear representation of the life of a conflict, see Michael Lund, *Preventing Violent Conflict* (Washington, DC: USIP, 1996), p. 38.

<sup>3</sup> See Jake Sherman and Benjamin Tortolani, "Implications of Peacebuilding and Statebuilding in United Nations Mandates," in *Robust Peacekeeping: The Politics of Force*, edited by J. Nealin Parker (New York: CIC, 2009), p. 15.

of sensible mandates with mutually supportive connections among peacemaking, peacekeeping, and peacebuilding components nor the sustained oversight of their implementation in the face of uncertainty and changing conditions is an easy task, especially for a collective political body.

Mandates, it is suggested, should reflect a well-articulated and broadly accepted understanding both of the desired *end state* of a planned intervention and of the means and steps by which those goals can be achieved. They embody, therefore, aspirational and strategic elements, as well as operational and tactical ones. When the mismatch between those two sets of elements is too large, problems in implementation are likely to ensue. Mandates that set overly ambitious goals or that generate strategies and plans that are unrealistic can undermine the credibility of the mission and the UN, including the Council itself. Realistic end-state goals, particularly if they are locally owned, offer the prospect of a steady diminution of local dependency on the UN's blue helmets and on the larger international presence. There is a premium, therefore, on finding ways of incorporating wider consultations with the Secretariat, with key partners, and with the host government in the process of crafting and adjusting mandates. Among those that could usefully be consulted, depending on the circumstances of each case, are troop- and police-contributing countries (TCCs and PCCs), the Peacebuilding Commission (PBC), regional and subregional players, donors, and international financial institutions (IFIs).

As the three regional papers illustrate, the UN relies on a distinct set of partners for the implementation of each mandate; identifying them is an early step toward shaping a successful consultation and implementation strategy. Buy-in may be required from security partners, such as the North Atlantic Treaty Organization (NATO) in Afghanistan and the Balkans, and/or multilateral and bilateral development actors, such the European Union in the Balkans or the World Bank in the African Great Lakes. Peacebuilding efforts in Ituri, Democratic Republic of the Congo (DRC), demonstrated the importance of more traditional development activities—such as rehabilitation of essential infrastructure, service provision, and the creation of job opportunities—to the overall success of the mission. And as the case of the Great Lakes region

also illustrates, mandates should be drafted with due consideration of the strengths and weaknesses of preexisting peace agreements in the region.

Tasks once associated with longer-term peacebuilding efforts, such as security-sector reform and strengthening the rule of law, have emerged as core peacekeeping activities, closely tied to the eventual withdrawal of a mission. This has been the case in the DRC and Kosovo, while NATO-led stabilization activities in Afghanistan appear to have embarked on a similar path. As such efforts have become both more central and more commonplace, mandates have become more complex and more nuanced. This, in turn, has underscored the value of setting clear priorities and devising effective and realistic plans for implementation. A number of observers have suggested that the growing length of mandates—in number of words and tasks—serves to *limit*, rather than *expand*, the initiative of mission personnel, as mission leaders increasingly view these mandates as “ceilings,” rather than “floors.”

Mandates, of course, usually address both what needs to be done and which entities are responsible for carrying out each task. Without this step, accountability is bound to suffer. This necessitates a common understanding of institutional comparative advantages and of the appropriate division of labor, at each step of the conflict, between the UN and other influential actors in the region. Making such a differentiated strategy work requires the sustained political support of the Security Council, the host country, and other important players. Again, the importance of these dynamics is highlighted in all three regional cases.

The discussion of mandates in Istanbul might consider the following questions, among others:

1. How can mandates facilitate the integration of peacemaking, peacekeeping, and peacebuilding tools?
2. What do the case studies tell us about how the provisions of Chapter VIII of the Charter have been implemented in each situation? In particular, how have the provisions of Articles 52(2), 52(3), 53(1), and 54 fared in these situations?
3. How can the Security Council ensure that the end-state goals are realistic, locally owned, and sustainable politically? What kinds of



provisions could help to discourage local dependency on the UN's blue helmets and the wider international presence?

4. How can the Security Council, the Peacebuilding Commission, regional arrangements, and the host government enhance their cooperation in this regard?
5. How can peacebuilding strategies for a country or region best be developed and coordinated among the UN, regional actors, IFIs, and the host country?

## CAPACITIES

How to properly resource missions is a subject of perennial debate at the UN. The General Assembly has broad budgetary authority under Article 17(1) of the Charter, and the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Fifth Committee play critical roles in such matters. Sometimes, however, there is a disconnect between policy decisions in the Security Council and financial decisions in the General Assembly. Different arrangements govern budgeting for peacekeeping missions versus special political missions, which can pose additional difficulties in planning transitions. Such disconnects make it difficult to generate a shared understanding of what capacities are needed or to conduct a careful, conservative, and sober assessment of these needs. Yet, as these cases show once again, the absence of adequate resources—be they troops, police, civilian capacity, or assets and equipment—can frustrate the attainment of important Council mandates. Lack of capable and readily deployable civilian staff, reflected in dangerously high vacancy rates in many places, is a particularly glaring problem in today's missions. As noted in the Secretary-General's 2009 report on peacebuilding in the immediate aftermath of conflict, there is a pressing need for a more coherent response by the UN system to providing knowledge, expertise, and experienced personnel where and when they are most needed.<sup>4</sup>

When resources are not available, mission managers have no choice but to adapt to limitations in capacity on the ground. Inevitably, they have to make decisions about how to utilize scarce resources. These decisions may involve trade-offs

among the multiple tasks they have been assigned by the Security Council, in essence amending the mandate in practice if not in fact. As the case of Afghanistan shows, mandates may need to be adjusted to reflect the lack of personnel and the changing security context in which staff operate. Should capacity gaps persist, the Council—like managers in the field—may want to consider how best to deploy or redeploy existing capacities. This might or might not entail a modification of the original mandate. How such collective assessments are made, and on the basis of what information, is less clear.

In many situations, a prime determinant of the level, character, and duration of the international resources needed to achieve end-state goals is the capacity—including, importantly, its legal and political authority—of the host state. Governance and institutional capacity are recognized drivers of sustainable peace. In each of the three cases addressed in the papers, the host state has been far from being able to exercise effective control over its entire territory. In some cases, the mission becomes the extension of state authority and capacity, such as in Kosovo. In other cases, the UN's legitimacy is challenged, as in the DRC and Afghanistan, where the UN has been linked to government policies and actions over which it has little control.

To achieve maximal results in terms of advancing mission goals, the comparative advantages of the UN and its partners need to be both understood and effectively leveraged. The mix is likely to vary from case to case, as the three lessons-learned papers suggest. Indeed, the case of the Great Lakes region of Africa highlights the importance of a division of labor among regional, subregional, and international actors, guided by the political context, by each organization's available technical expertise, and by developments on the ground. The Burundi peace process, in particular, was largely driven by regional initiative, as few other actors could have delivered similar results. At the same time, regional engagement is not always the solution, due to lack of capacity or political will. The example of Ituri in 2003 showed the limits of regional intervention, as the UN, and later, the EU, had to step in after the withdrawal of Ugandan troops. In every case, however, neighbors do matter, for good or ill.

<sup>4</sup> United Nations General Assembly, *Peacebuilding in the Immediate Aftermath of Conflict*, UN Doc. A/63/881-S/2009/304 (June 11, 2009), para. 51-59.



Although partnerships are essential, a frank assessment of the capacity of regional and subregional organizations is required. The Great Lakes experience has shown that regional engagement was often best suited to peacemaking, rather than peacekeeping or peacebuilding. In the Balkans, sustained regional engagement, for both resource and political reasons, has been an important factor, especially in peacebuilding efforts. But an extra political-security push by global actors was required to end the conflict. In each case, the actual division of labor should be determined by circumstances, which will evolve over time, not by predetermined templates.

Possible discussion questions include the following:

1. How can the Council assess needs and existing capacity in a careful, conservative, and sober way when first crafting mandates? How might it go about considering adjustments over time as needed?
2. What can be done to ensure that missions receive adequate resources—including personnel and equipment—from the outset of a mission and as the situation on the ground evolves?
3. What financial mechanisms are at the disposal of policymakers in transition phases (such as when transitioning from a peacekeeping mission to a special political mission) or when adjustments to a mandate are required?
4. Which tasks are considered under the umbrella of assessed contributions and which as voluntary contributions?
5. How can the Council (and its members) use the tools at its (their) disposal to develop host-state capacity? How can an overdependency on the international community be avoided?
6. How can the Council identify and leverage each partner organization's comparative advantage to accomplish mission goals?

## ADAPTATION

The discussions above on mandates and capacities, as well as the analyses presented in the three case studies, underscore two points. One, the links and overlap among peacemaking, peacekeeping, and

peacebuilding add difficult layers of complexity to decision making and policymaking in the Council. Two, changing conditions on the ground and in the geopolitical environment often demand that the Council be as agile as it is authoritative. All three regional cases paint a picture of a Council that struggles to adapt to dynamic, evolving conditions on the ground, shifting host-country attitudes and capacities, and an evolving mix of strategic and political considerations. They also suggest recurring weaknesses in the process of reassessing and adjusting strategy—and therefore mandates—when needed. While the Council usually seeks to influence both conditions on the ground and the attitudes of key players, its choices are shaped by those factors as well. The result is an interactive process of adaptation.

Transitions from peacekeeping to peacebuilding missions, as well as mandate renewals, often offer a short window of opportunity to redesign the roadmap for international engagement in a country. Yet, the process of reconfiguring the UN presence from one largely featuring peacekeeping into one in which peacebuilding dimensions move to the forefront still poses significant challenges. Lessons from the Balkans and Afghanistan suggest that periods of transition may offer the Council opportunities to consolidate gains and address gaps. The timing of mandate renewals and of periods of transition, however, do not always coincide. Nor is it evident that mandate renewals are always treated as opportunities for sober and frank assessments of the progress toward the end-state goals or for adjusting strategies and mandates accordingly.

Because peace operations often undertake a range of peacebuilding tasks, adaptation implies an ongoing dialogue between the Security Council and the PBC, the Secretariat, and engaged member states that are not on the Council. Moreover, because the UN is never the sole player and often not the primary one, improved means of communication, consultation, and exchange of information on specific cases need to be found with a range of external actors, including civil society, as well. In the case of Afghanistan, for example, thorough and regular consultations between the Security Council and NATO leadership could be considered in addition to the in-the-field coordination between the UN mission there (UNAMA) and the NATO-

led International Security Assistance Force (ISAF).

Adaptation also means improving the flexibility of the mechanisms used to finance UN responses to armed conflict. Designating an operation, a peacekeeping mission, a special political mission, or a peacebuilding mission has distinct financing implications, even though the tasks and functions of the different types of missions are often similar. Decisions on the form or title a mission takes should be based on a comprehensive needs assessment, not on quirks in the UN's financial rules and procedures.

Possible discussion questions include the following:

1. How can the Council monitor and assess developments on the ground and make timely adjustments as conditions change? To what extent can the UN Secretariat be helpful in making such assessments and in considering mid-course corrections?
2. How can mandate renewals and transitions be used as windows of opportunity to reassess and adjust strategy—and therefore mandates—based on evolving conditions on the ground, shifting host-country attitudes, and other changes in the broader strategic/political environment?
2. Is the Security Council kept sufficiently informed of the capacities, plans, and decisions of other actors in a given situation? Do Council members share information and assessments among themselves in a sufficiently timely and candid manner?
4. How can communication, consultation, and exchange of information on specific situations be enhanced among the Council and other UN bodies, such as key Secretariat

departments and offices (e.g., DPKO, DFS, the Department of Political Affairs [DPA], the Office for the Coordination of Humanitarian Affairs [OCHA], the Peacebuilding Support Office [PBSO], etc.) and the offices of the two High Commissioners?

5. How can the Security Council work with non-UN entities to develop regional and subregional conflict management strategies?
6. Have reforms in the Council's working methods already provided sufficient opportunities for such inputs? Are additional steps needed to enhance the Council's agility and adaptability in addressing highly dynamic situations over time?

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Neither this composite paper nor any of the three case studies offers an assessment of how the Council is doing or of its efforts to improve its working methods over the past decade and a half. As independent observers tend to, they offer commentary, with the benefit of hindsight, on where the Council could have done better in the past, as well as suggestions about how it could better prepare to face future crises. In voicing their constructive criticism, the papers also serve to sharpen our understanding of how complex and demanding the work of the Council has become. Expectations have risen, even as the Council and its mandated missions have taken on increasingly differentiated and varied tasks. Of the many dynamic elements noted in these papers, this is one that surely should not be overlooked.

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## ANNEX

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### Statement by the President of the Security Council

UN Doc. S/PRST/2010/18, September 23, 2010

At the 6389th meeting of the Security Council, held on 23 September 2010, in connection with the Council's consideration of the item entitled "Maintenance of international peace and security", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council *reaffirms* its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. The Council in this regard *recalls* its resolutions and statements of its President in relation to preventive diplomacy, peacemaking, peacekeeping and peacebuilding.

"The Security Council *recognizes* the progress made in many regions of the world towards building a more peaceful and stable environment. The Council, however, *acknowledges* the evolving challenges and threats to international peace and security including armed conflicts, terrorism, proliferation of weapons of mass destruction and small arms and light weapons, transnational organized crime, piracy, drug and human trafficking.

"The Security Council thus *reaffirms* that international peace and security now requires a more comprehensive and concerted approach. The Council also *underlines* the necessity to address the root causes of conflicts, taking into account that development, peace and security and human rights are interlinked and mutually reinforcing. To this end, the Council *expresses* its firm commitment to contribute to the enhancement of the effectiveness of the United Nations throughout the conflict cycle.

"The Security Council *welcomes* the considerable progress made in refining and strengthening the United Nations preventive diplomacy, peacemaking, peacekeeping and peacebuilding capabilities in recent years, and *pledges* to continue to contribute to the adaptation of these tools to changing circumstances. The Council also *underlines* that the relationship between these tools is not always sequential and that it is necessary to use them in a comprehensive, integrated and flexible manner.

"The Security Council *stresses* that the comprehensive and coherent use of preventive diplomacy, peacemaking, peacekeeping and peacebuilding tools is important in creating the conditions for sustainable peace. The Council *undertakes* to provide the necessary political support to ensure this overarching objective.

"The Council also *reiterates* its strong support for the protection of civilians and *reaffirms* its conviction that the protection of civilians in armed conflicts, particularly women and children, should be an important aspect of any comprehensive strategy to resolve conflicts. The Council *further reiterates* its opposition to impunity for serious violations of international humanitarian law and human rights law.

“The Security Council *calls upon* Member States to resolve differences peacefully and *draws* particular attention to the importance of preventive diplomacy as a cost-effective and efficient way of crisis management and conflict resolution. The Council *encourages* and *reaffirms* its support for endeavours aimed at enhancing the preventive capacities of the Member States, United Nations, regional and subregional organizations. The Council *stresses*, in particular, the importance of developing early warning, assessment, mediation and response capabilities of these actors, as well as ensuring a sound coordination among them.

“The Security Council *pays tribute* to the efforts undertaken by the Secretary-General in using his good offices, his Representatives, Special Envoys, mediators, as well as by regional and subregional organizations to help facilitate durable and comprehensive settlements, and *undertakes* to continue to support their work.

“The Security Council further *commits* to following closely existing and potential conflict situations that may affect international peace and security, engaging with parties undertaking preventive efforts, encouraging the steps taken to de-escalate tension and build confidence, supporting efforts aimed at mobilizing the necessary expertise and capabilities available in and to the United Nations. The Council also *recognizes* the importance of enhancing efforts, including coordination among bilateral and multilateral donors, to ensure predictable, coherent and timely financial support to optimize the use of preventive diplomacy tools.

“The Security Council *underscores* its commitment to continue to enhance the overall effectiveness of United Nations peacekeeping. In this regard, the Council *reiterates* its support to ongoing efforts such as those of the General Assembly and the UN Secretariat to bolster the effectiveness and efficiency of UN peacekeeping and to upgrade the United Nations capacity for successful planning, establishment, deployment, conduct, monitoring and evaluation, as well as transition and completion of peacekeeping operations, including those steps taken to speed the deployment of experts in policing and rule of law. The Council in this *regard* welcomes efforts by the UN Secretariat to advocate the development of partnerships among all stakeholders.

“The Security Council *recognizes* that peacekeeping operations have become an increasingly complex undertaking, requiring an overarching political strategy for each mission, a deterrent posture consistent with their mandate, strong civilian and military leadership, adequate resourcing, as well as experienced, trained and equipped military, police and civilian personnel, with the ability to communicate effectively with local populations. The Council also *acknowledges* the need for improved military expertise and expresses in that context its intention to continue to look into the role of the Military Staff Committee.

“The Security Council *pays tribute* to the invaluable role played by the troop and police contributing countries in keeping and building a sustainable peace in many volatile parts of the world and *reiterates* its commitment to strengthen consultations with them, while encouraging Member States with the necessary capabilities to contribute more police, military and civilian personnel, including female personnel to UN peacekeeping and political missions.

“The Security Council *emphasizes* that effective peacebuilding requires an integrated and comprehensive approach based on coherence among political, security, development, human rights, humanitarian and rule of law objectives and that peacebuilding perspectives need to be considered starting from the first stages of planning and implementation of peacekeeping operations.

“The Security Council *underlines* that sustainable peacebuilding also requires national ownership, the development of national capacities and empowerment of people affected by conflict. The Council *stresses* the need for continued progress by the Secretary-General in fulfilling his agenda for action to improve UN peacebuilding efforts in order to better respond to the core needs and priorities identified by the countries concerned. The Council *looks forward*, in particular, to the outcome of the civilian capacity review.

“The Security Council also *stresses* the importance of progress in refining roles and responsibilities for the key peacebuilding actors, and welcomes in particular the important role of the Peacebuilding Commission in promoting and supporting an integrated and coherent approach to peacebuilding. The Council *reiterates* its support for the work of the Commission and expresses its willingness to make greater use of its advisory role. The Council *looks forward* to considering the facilitators’ report of the 2010 Review of the PBC.

“The Security Council *recognizes* that a comprehensive and integrated strategy to peacemaking, peacekeeping and peacebuilding should involve all relevant actors taking into account the unique circumstances of each conflict situation. The Council *further acknowledges* that sustainable peace and security can best be achieved through effective collaboration among all concerned parties on the basis of their expertise.

“The Security Council *reiterates* its commitment to strengthening its strategic partnerships with and support to regional and subregional organizations consistent with Chapter VIII of the Charter, in conflict prevention, peacemaking, peacekeeping and peacebuilding. The Council also *underlines* that it should continue to strengthen its partnerships with all other relevant players at both the strategic level and on the ground, in particular the General Assembly, ECOSOC, PBC, international financial institutions, such as World Bank, and civil society.

“The Security Council also *reaffirms* the important role of women in all aspects of the prevention and resolution of conflicts, as well as in peacekeeping and peacebuilding and *recognizes* that a concerted and determined approach that addresses the root causes of conflicts also requires a systematic and comprehensive approach to women and peace and security issues. The Council in this regard *looks forward* to marking the 10th Anniversary of Resolution 1325 by taking action on a comprehensive set of indicators on the basis of recommendations of the Secretary-General.

“The Security Council *is fully aware* of the responsibilities bestowed upon it by the Charter of the United Nations, and of the collective aspirations of the peoples of the world, which impel it to take effective action to maintain international peace and security and eradicate the scourge of war. The Council expresses its commitment to continue to fulfil its responsibilities in the most effective manner and in full cooperation with its partners. It further *recognizes* that successful accomplishment of this task requires a continuous process of reflection and adaptation of its practices in preventive diplomacy, peacemaking, peacekeeping, and peacebuilding.”











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