



# Implications of Peacebuilding and Statebuilding in United Nations Mandates<sup>1</sup>

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## I. Executive Summary

1. Over the past decade, the effectiveness of UN peacekeeping has been predicated on broad political support among key groups of Member States: the Security Council, major troop and police contributing countries (T/PCCs), and leading financial contributors. Shared political vision among members of the Security Council enabled it to authorize ambitious multidimensional and, of late, robust operations. T/PCCs were largely willing to deploy the troops and police to implement increasingly complex and high-risk mandates. Financial contributors, with few exceptions, were willing to pay the rising costs necessary to sustain these operations.

2. Today, however, the broad coalition of support is deteriorating, threatening both individual peace operations and the effectiveness of peacekeeping as a tool for maintaining international peace and security. The practice of the Security Council of increasingly mandating peacekeeping operations where there is no accepted peace agreement, or where “robust” tasks like protection of civilians and supporting government forces are central to the mission, is a principal cause of this breakdown. In *A New Partnership Agenda*, the UN Department of Peacekeeping Operations and Department of Field Support call for revitalizing the reforms, and reemphasizing the principles, identified by the “Brahimi” Report, as well as for a long-term effort to build a new coalition of support among Member States and the Secretariat to ensure the success of future missions.

3. Acknowledging this need, the Security Council has taken a number of steps during the latter half of 2009 to strengthen consultation with T/PCCs on mandate renewals. (*These initiatives are the subject of a separate Challenges Forum background paper*).

4. Considerable – and necessary – attention has been placed on achieving greater clarity and consensus on robust peacekeeping, conceptually and operationally.

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<sup>1</sup> A Commissioned Background Study by Jake Sherman, Associate Director for Peacekeeping and Security Sector Reform at the Center on International Cooperation (CIC) and Benjamin Tortolani, Research Associate at CIC and Series Coordinator for the *Annual Review of Global Peace Operations*. The authors would like to thank Jean-Marie Guéhenno for his comments. The overall topic of the Forum is “A New Horizon for Peace Operations Partnerships – What are the next steps?”

At issue among major T/PCCs is the equity of participation in high-risk environments – like Darfur and the Democratic Republic of Congo – and the opportunity to influence dimensions of mandates concerning application of force. In other words, it is about whose troops are on the ground, reaching consensus on what they are being asked to do, and the means in which they do it.

5. There is another dimension of contemporary, multidimensional mandates where further political consensus and institutional alignment is also needed, however: peacebuilding and statebuilding activities. Both are increasingly frequent and central elements of mission tasks. As the UN struggles to deliver in high-profile peacekeeping environments like Darfur and the DR Congo, it is encountering pressure where it has established stability, as in Haiti and Liberia, to transition from heavy and costly security-oriented peacekeeping operations to lighter, peacebuilding-oriented missions. But, for many Member States, peace-building and state-building activities – particularly security and justice sector reform – are controversial ones. Moreover, the expansion of peacekeeping into these areas has de facto extended the authority of the Security Council, with political, financial, institutional, and bureaucratic implications that have yet to be fully addressed.

## II. Multidimensional Mandates

6. Between 1945 and 1990, the Security Council mandated just 18 missions. With the exception of the UN Operation in Congo (ONUC), mandating peacekeeping operations prior to 1990 was a relatively straightforward exercise. During this era of “traditional peacekeeping,” UN missions were mostly unintrusive operations, deployed to monitor cease-fires and peace agreements and rarely straying from the core peacekeeping principles of consent, impartiality, and non-use of force. As William Durch notes, these missions were mandated by the Security Council to serve three sets of functions:

- a. As *fair witnesses* to peace accords, observing and reporting on compliance, but with no ability to impact events on the ground;
- b. As *referees* to a peace accord, overseeing compliance with some nominal authority to enforce it, and;
- c. As *police* to a peace agreement, endowed with the power to impartially implement the agreement with the option of using force in the short term, but leaving-long term political decisions to other actors.<sup>2</sup>

7. The era of traditional peacekeeping is over, however. Of the 17 UN peace operations<sup>3</sup> currently deployed, only five (UNFICYP, UNIFIL, UNDOF, UNTSO, UNMOGIP) can be considered “traditional” operations. All six predate the end of the Cold War. Of the 50 UN peace operations deployed after 1990, the overwhelming majority have followed internal conflicts. Most of these conflicts have occurred in weak

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<sup>2</sup> William Durch in Center on International Cooperation, *Annual Review of Global Peace Operations 2009* (Boulder: Lynne Rienner, 2009).

<sup>3</sup> Including BINUB and UNAMA.

states without credible or effective state institutions.<sup>4</sup>

8. In order to re-establish peace and stability, the range of mandated mission functions rapidly expanded in scope and the complexity in response to the needs of devastated post-conflict states. Tasks like disarmament, demobilization, and reintegration (DDR), electoral assistance, human rights monitoring, and police monitoring were once anomalous, but set precedents for mission structures and mandates. Multidimensional operations are now the rule rather than the exception, with UN peacekeeping operations currently tasked to implement some 300 individual functions that fall under 21 broad categories (See table below).

Categories of Mandated Tasks for Multidimensional Peacekeeping Operations

a. Ceasefire, Monitoring and observer roles	h. Institution-building and support	o. Protection of UN personnel
b. Disarmament, Demobilization and Reintegration	i. Mine action	p. Provide support to state security
c. Deterrent operations	j. Mission logistics, support and training	q. Public Information
d. Development, coordination and assistance	k. National Dialogue/ Reconciliation	r. Public order/ support to police operations
e. Elections	l. Peace process management/ good offices/ Political	s. Rule of Law
f. Human Rights/ Protection	m. Police reform	t. Security Sector Reform
g. Humanitarian support	n. Protection of civilians	u. Support and extend of State security and control

9. Whereas traditional missions were impartial observers and occasional enforcers, peacekeepers in multidimensional operations missions are frequently mandated as *statebuilders*, helping to create legitimate, functioning state structures in the aftermath of violent conflict. In certain instances, missions also function as *state surrogates*, extending the authority of fragile states challenged by spoilers to the peace.<sup>5</sup> This includes both civilian functions to support the state's administrative authority and military/police functions to assisting it to (re)establish a monopoly on force.

10. Extension of State Authority. Although there are parallels between civilian and military/police operations to extend state authority, there are also clear differences between the two. The use of force implies a different level and form of international

<sup>4</sup> See Bruce Jones, Richard Gowan, Jake Sherman et al., "Building on Brahimi: Peacekeeping in an Era of Strategic Uncertainty," Center on International Cooperation, 2009.

<sup>5</sup> Durch, *op cit*.

commitment. At present, the concept is being stretched to its limits, as the UN is being asked to face increasingly daunting opponents, often with insufficient means.<sup>6</sup>

11. Recent experience has demonstrated that effective operations to extend state authority cannot be undertaken without substantial advanced capabilities. The militaries of Western countries disproportionately possess the requisite force multipliers and enablers relative to the majority of UN military and police contributors. Western militaries do participate in UN-authorized peace operations – notably the NATO mission in Afghanistan – but have been largely absent from UN-led missions outside of Europe. This has contributed to the recent setbacks in UN peace operations, including the UN-backed African Union mission in Somalia.

12. Advanced capabilities are necessary, but not sufficient. Force must be used in support of a viable political framework. The centrality of “a peace to keep” and its implications for what a peace operation might realistically achieve was a core lesson of the Brahimi Report. Meanwhile, the global peacekeeping landscape has changed dramatically since 2000. As peacekeeping has grown in size and complexity, so too has the nature and organization of spoiler groups – from comparably rag-tag rebel groups to organized armies or fighters using asymmetrical tactics. In cases where there is no adhered peace agreement, UN peacekeepers are increasingly the object of spoiler violence – including from the state itself. This trend gives pause to existing T/PCCs, as well as to Western militaries concerned that UN command and control arrangements are insufficient for the task at hand. (*See the separate Challenges background paper on UN command and control arrangements.*)

13. One factor in the willingness of Member States to support extension of state authority mandates is whether the state in need of support is perceived as legitimate and viable. The Security Council will not authorize such mandates for a state without sufficient international legitimacy. This is also important for T/PCCs, who will not commit forces to undertake such an operation if the dangers of the operation outweigh the support that the state enjoys, or if the viability of the state is in doubt. The legitimacy of a state may evolve over time – or may be contested, as well Afghanistan demonstrates. The imperative of securing peace – combined with the state-oriented bias of the UN (as an organization of states) – may, at times, place the UN mission in a delicate position, particularly in the latter instance. How close should the organization be to the “legitimate” state, versus reaching out to non-state actors and encouraging them to join the political process? Statebuilding and, more so, extending state authority requires a degree of alignment with the state. But too much proximity may compromise perceptions of impartiality, with implications both for the security of UN personnel, as well as the integrity of the mission – particularly if the legitimacy of the state wanes. Reaching out to non-state actors may help the state to become, through inclusivity, more legitimate – but also poses dilemmas concerning the UN’s relationship with the state. In several contexts, the nature of non-state actors –the Taliban, for example – may have international implications, as well. How the balance is struck, and how it is managed over time must depend on the specific context.

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<sup>6</sup> “Building on Brahimi,” *op cit.*

14. In the absence of consultations that would permit design of mandates based on available resources, the Secretariat has tended to recommend large forces, conscious of the fact that numbers may be required to make up for a lack of mobility and capacity to employ deliberate force. The consequence of this, however, has been increased costs, and a Security Council that is often wary of DPKO's military estimates. This is not to imply that more mobile forces will result in cost-savings, but may be more cost effective – an important distinction.

15. Peacebuilding and Statebuilding. Several UN missions are deployed in contexts where the government does not have the capacity to project its authority across the entire country and so does not have the capacity to ensure the rule of law and protect civilians across the entire countryside. In such contexts, military operations can play important roles in extending state authority (though setbacks on the ground also demonstrate the difficulty facing the UN). In the longer term, rebuilding and reforming national institutions responsible for upholding rule of law (among other functions) is necessary for consolidating peace – and for enabling the drawdown of both UN military and police forces and civilian personnel.

16. These tasks are more complex and, thus, more challenging to successfully implement (and to gauge the progress thereof) than the bulk of multidimensional tasks added during the 1990s – organizing and monitoring elections, coordinating assistance, demining, delivering humanitarian aid. They are also overwhelmingly political in nature (if too often addressed technically), directly concerning state sovereignty and the maintenance of power.

17. Further, the time-span required for many of these tasks – reintegration of ex-combatants, security and justice sector reform, rebuilding administrative institutions, transitional justice – exceeds that of security-oriented peacekeeping operations, while the competencies required have necessitated additional expertise, mostly civilian and mostly in short-supply.

18. By authorizing peacekeeping missions to undertake many peacebuilding and peacekeeping tasks, the Security Council expanded peacekeeping responsibilities into the realm of immediate post-conflict peacebuilding. In the process, the authority and competence of the Council were de facto extended beyond traditional boundaries of “peace and security.” The High-level Panel on Threats, Challenges, and Change acknowledged this trend, and expressed concern that the Security Council did not have sufficient relationships with IFIs necessary for broader post-conflict recovery, that strategic coordination among UN and non-UN actors was insufficient, that timely financing – especially for rule of law activities – was absent, and that medium term political attention to countries emerging from conflict was absent.

19. The establishment of the Peacebuilding Commission and Peacebuilding Support Office (PBSO) was intended to explicitly address the nexus between security and development and remedy these gaps. Within DPKO, the creation of the Office of Rule of Law and Security Institutions (ORoLSI) capacities to develop policy and provide mission

guidance on the ‘security side’ of the rule of law. And the Security Council has begun authorizing smaller, longer-term, peacebuilding missions – both to situations where a large security-oriented peacekeeping force is no longer warranted – like Sierra Leone, and to those where a large peacekeeping force may be unwarranted – like Guinea Bissau. This transitional marks a significant change in the means by which the UN supports consolidation of the political process – from the strategic use of security to the strategic use of development and institution building.

### III. De Facto Expansion of Security Council Authority

20. Authorizing UN operations to undertake peacebuilding tasks generally is widely accepted. Nonetheless, as peacekeeping has become more multi-dimensional, the integration of longer-term peacebuilding tasks, and de facto expansion of the Security Council’s competence has had political, financial, institutional, and bureaucratic implications that have yet to be addressed.

21. Politically, the UN Charter provides the Security Council with “primary responsibility for the maintenance of international peace and security.”<sup>7</sup> What tasks fall under “peace and security”? At present, there is no consensus among Member States. Many members of the Non-Aligned Movement and the G-77 have reservations regarding the intentions of Western countries with respect to state-building; concerns that exist despite the fact that most mandates are intended to *reinforce* the authority and effectiveness – if also accountability – of state institutions.

22. Financially, the budget of a peacekeeping operation is no longer determined solely by the size of the force on the ground. Discussions in the Ad hoc Committee on Administrative and Budgetary Questions (ACABQ) and the Fifth Committee of the General Assembly (GA) – the budgetary organs of the UN – now have a much greater policy impact. Detailing tasks in the mission mandate provides DPKO a means of balancing the increased role of the budgetary organs on peacekeeping policy, but has also led to increased financial scrutiny.

23. Financing mechanisms for the increased diversity of peacekeeping activities is another issue linking the policy debate and financial debate: for example, how much of demobilization, disarmament, and reintegration (DDR) activities – or security and justice reform, or institution building – should be funded through assessed contributions versus how much through voluntary contributions? One logical division would be to fund mission-critical tasks from assessed funds, non-critical from voluntary – but defining what is critical depends on an agreed definition of success – something so far lacking.

24. Institutionally, as the above demonstrates, there is disconnect between the policy discussion in the Security Council and the financial discussion in the General Assembly – not to mention non-UN sources of funding that may be critical for success of a mission.

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<sup>7</sup> *Charter of the United Nations*, Article 24.

25. There is also a gap between the evolution of UN policies and that of its institutions. With the establishment of the PBC and the Peacebuilding Support Office, there is a need for further discussion, clarification, and agreement on the relationship of these institutions with the Security Council. As CIC has noted elsewhere, earlier engagement by the PBC might provide a means for the Security Council to explore earlier but still sustainable exit from the military phase of peacekeeping. This would require a more engaged stance by the Security Council – above all by the P5 – on the role and agenda of the PBC, as well as a more genuine partnership with its non-Security Council members.

26. Once a mission is mandated, how does the Security Council know when the political and security situation has stabilized sufficiently for it to hand off to the Peacebuilding Commission? How does the Peacebuilding Commission know when its engagement would be productive? Even when there are no or very few troops, the fact of being on the agenda of the UNSC creates some leverage, although less and less as troops withdraw. In establishing the PBC, the Security Council and the General Assembly also authorized the creation of the Peacebuilding Support Office (PBSO), explicitly mandating it to “measure progress towards meeting short and medium-term recovery goals.”<sup>8</sup> There are several challenges to measuring “success” through benchmarking, however. First, there is diverse, if converging, understanding of what constitutes minimum progress towards stability.<sup>9</sup> Second, there is a substantial risk that benchmarks driven by the political imperatives of the Security Council (and of donors) result in goals that have no national ownership, are unrealistic in content, and/or ambiguous enough to declare success when political and donor fatigue sets in. Third, the critically relevant measures – emergence of a viable national political process – is both fluid and, not unrelated, exceedingly difficult to measure.<sup>10</sup>

27. Bureaucratically, multidimensional mandates are predicated on integration of efforts, both in the field and at UN Headquarters – but the extent of actual integration within the UN (or among the UN, IFIs, and lead donors) is woefully inadequate. Neither DPKO, the PBC, PBSO, nor any other UN entity has sufficient bureaucratic leverage – or control of financial resources – to coherently orchestrate the various actors within the UN and beyond. This is problem without ready solution; one that significantly weakens the leverage of the international community in a post-conflict situation.

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<sup>8</sup> For UNSC Resolutions see, S/RES/1645, 20 December 2005, and; S/RES/1646, 20 December 2005. For UNGA Resolutions see, A/RES/60/1, 24 October 2005; A/RES/60/180, 20 December 2005, and; A/RES/60/287, 21 September 2006.

<sup>9</sup> See USIP manual

<sup>10</sup> CIC has suggested elsewhere that the Security Council and DPKO, along with the PBC and PBSO – and possibly the World Bank and other non-UN actors, should examine the feasibility of regular, in-country stock taking against key political and security/stability goals, rather than approaching “benchmarks” in metric sense. “Building on Brahimi,” *op cit*.

#### IV. Conclusion

28. Multidimensional missions, especially those that extend state authority or have explicit protection of civilian tasks, have raised fundamental questions about the purpose of peacekeeping, its limits, and the appropriate use of international resources.

29. In both cases, a collaborative mandating process appears to be the most promising way to ensure that the political consensus that supports UN peacekeeping operations is maintained. Nevertheless, overcoming the current dysfunctional mandate-making process will require a distinct change in attitude on all sides and an overall commitment to making peacekeeping function up to its stated aims.