

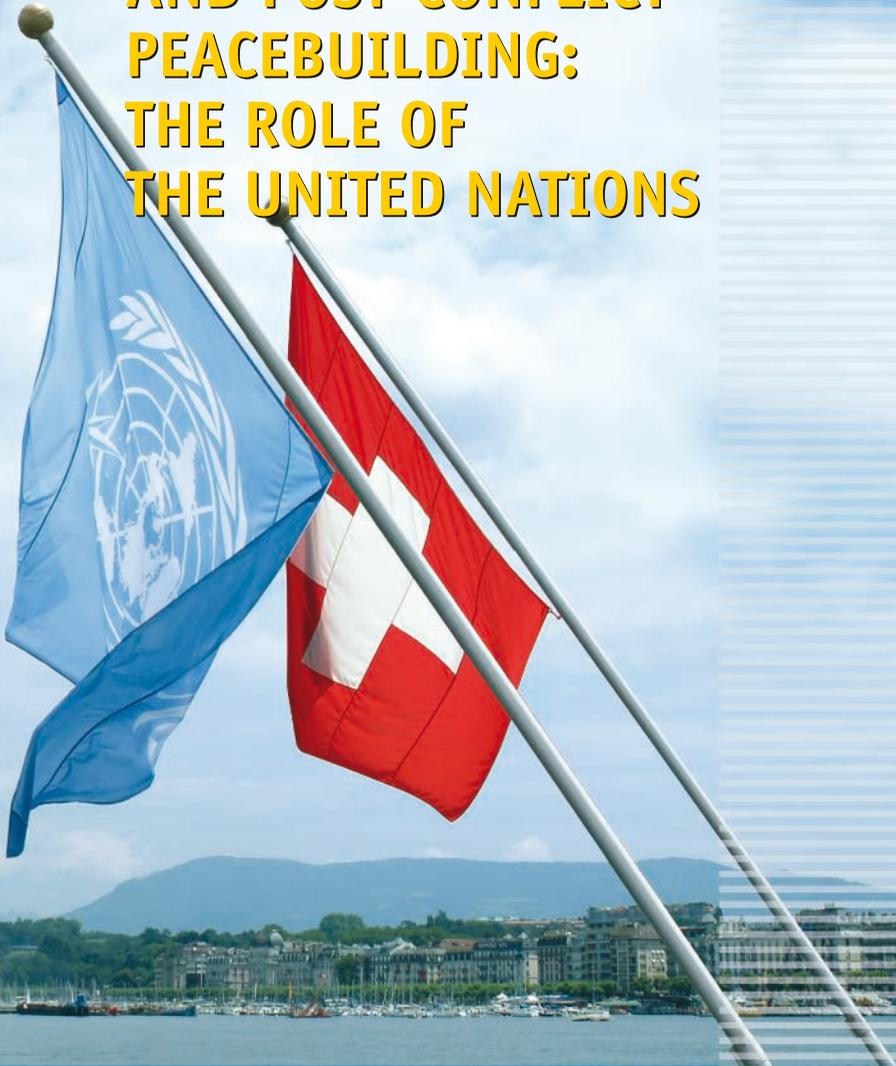


United Nations Office
at Geneva (UNOG)



Geneva Centre for the Democratic
Control of Armed Forces (DCAF)

SECURITY AND POST-CONFLICT PEACEBUILDING: THE ROLE OF THE UNITED NATIONS



Compilation of presentations made at the third joint seminar of the United Nations Office at Geneva (UNOG) and the Geneva Centre for the Democratic Control of Armed Forces (DCAF) held on 27 October 2005



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Geneva, September 2006

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FOREWORD

Sergei Ordzhonikidze and Theodor H. Winkler¹

This publication brings together the presentations given on 27 October 2005 at the third annual seminar, organized in collaboration between the United Nations Office at Geneva (UNOG) and the Geneva Centre for the Democratic Control of Armed Forces (DCAF), under the title “Security and Post-Conflict Peacebuilding: the Role of the United Nations”. The joint seminar took place within the context of the ongoing cooperation between UNOG and DCAF and was an example of the valuable partnerships between the wider United Nations family and the academic and research community in Geneva.

The main focus of the debates was the role that the United Nations plays in the security dimension of peacebuilding processes in different regions. Establishing a sustainable peace in countries emerging from conflict is one of the most complex and urgent challenges facing the international community. When the transition from conflict to peace fails, countries that have emerged

¹ United Nations Under-Secretary-General Sergei Ordzhonikidze is Director-General of the United Nations Office at Geneva (UNOG); Ambassador Theodor H. Winkler is Director of the Geneva Centre for the Democratic Control of Armed Forces (DCAF). Both are grateful to Jennifer De Laurentis, Charlotte Warakaulle, Natalia Ryazanova, Christine Vilela and Andres Smith-Serrano (of UNOG); and to Heiner Hänggi and Yury Korobovsky (of DCAF) for their assistance in preparing the seminar and the publication. Special thanks to Alain Faupin and Laurence Durig for providing the French translation of this text.

from war may easily relapse into instability and violence. With the number of post-conflict situations on the rise, post-conflict peacebuilding is thus also a significant element in the international community's conflict prevention efforts.

While the international community's peacebuilding capacities, in particular in the political and socio-economic areas, have developed significantly in recent years, security aspects of the process have attracted less attention. Building up domestic capacity to provide security, however, is of crucial importance in post-conflict environments. If the population is threatened by unaccountable and poorly managed police, armed forces or intelligence units; if the state monopoly of the legitimate use of force is undermined by armed non-state actors; if former combatants are not disarmed, demobilized and reintegrated; if the proliferation and misuse of small arms are not curbed; if anti-personnel landmines are not cleared and their victims remain unassisted; if legal regimes are not enforced, perpetrators not prosecuted, victims of past crimes not provided with reparations – then peace will remain elusive and the relapse into conflict become all the more likely. It is therefore welcome that security-related issues such as security sector reform, disarmament, demobilization and reintegration, rule of law and transitional justice increasingly seem to be recognized as essential elements of post-conflict peacebuilding.

Yet, while the provision of security is paramount, it must be combined with provision of humanitarian assistance, efforts to advance development, including in support of the United Nations Millennium Development Goals, and a commitment to promoting and protecting human rights. Involvement by all relevant actors and clear mandates that are responsive to circumstances on the ground, coupled with adequate and predictable funding, are indispensable to the post-conflict peacebuilding process.

It was against this background that, at the 2005 World Summit, which took place from 14 to 16 September 2005, Heads of State and Government emphasized the need for a coordinated, coherent and integrated approach to post-conflict peacebuilding and

reconciliation. Recognizing also the need for a dedicated institutional mechanism to address the special needs of countries emerging from conflict and acknowledging the vital role of the United Nations in this regard, they decided to establish a Peacebuilding Commission as an intergovernmental advisory body to bring together all relevant actors, to marshal resources and to advise on and propose integrated strategies for post-conflict recovery. On 20 December 2005, the General Assembly and the Security Council, acting concurrently through identical resolutions, operationalized that decision. This new intergovernmental body fills a critical institutional gap in the United Nations system and will be central to enhancing the international community's peacebuilding efforts.

Post-conflict peacebuilding is a multifaceted effort that involves an increasing variety of actors. The UNOG-DCAF seminar therefore brought together a broad range of experts who – from their particular vantage points and based on their personal experience and insights – analysed lessons learned, highlighted the complex linkages between security and other aspects of post-conflict peacebuilding and put forward proposals as to how the international community's peacebuilding efforts may be strengthened across the different dimensions for greater efficiency and effectiveness.

This compilation is part of our effort to bring the comprehensive presentations to as wide an audience as possible and to help encourage continued discussion on post-conflict peacebuilding. By providing practical policy recommendations, we trust that this publication will contribute towards making the challenges and opportunities of international post-conflict peacebuilding better and more widely understood.

PEACEBUILDING: SIX GOLDEN RULES FOR POLICYMAKERS

Gareth Evans

It has taken a long time for peacebuilding to get the policy attention it has always deserved. Especially in the United States: doing the washing up is never as much fun as doing the cooking, to employ one of those Mars *v.* Venus metaphors that Americans tend to enjoy and which irritate Europeans so much. But peacebuilding has certainly now come to centre stage – first in the context of its failure in Afghanistan with the contribution that made to Al-Qaeda and 9/11; then with the conspicuous continuing problems of the coalition on the ground in Iraq; and now in the context of the current negotiations to create, in the United Nations system, a new institution dedicated to this function. Everyone now wants to know how to do the job better. (Or at least just about everyone: some unhelpful Governments and their representatives in New York always seem to have to be excluded from these generalizations.)

In this respect this seminar, focusing on the security dimensions of peacebuilding but doing so in the context of the task as a whole, could hardly be more timely. In setting the scene for it, I thought it might be helpful to distil from my own experience what I will call the six golden rules for policymakers. That experience has not involved actual participation on the ground in any mission, which obviously suggests additional perspectives that others will contribute. But I have been involved, as a government minister and NGO head, in designing, and arguing for, and analysing the successes and failures of, such missions over just about the whole post-cold war period, starting with the first really big post-conflict operation, in Cambodia. And perhaps that does enable me to contribute at least some broad-brush perspectives of my own.

Rule 1: Conceptualize the task properly

The most important single conceptual understanding to get into the head of anyone involved in peacebuilding policymaking is that peacebuilding is not the *end* of the process of conflict *resolution* – it's the *beginning* of a new process of conflict *prevention*.

The basic point of peacebuilding, both before and after war, is to create, or recreate, structures and capacities that will enable internal conflict to be resolved before violence breaks out. Every society has conflict between individuals and groups – political, economic, legal, social. The point is not to eliminate but to contain and channel it, by developing institutional structures and processes capable of relieving each of these pressure points as they arise.

We are now much more conscious than we were even a decade ago that deadly conflict is much better understood as having a cyclical rather than a linear character. To meet the challenge of dealing with it, in situations that are less than stable, it's helpful to think of the appropriate responses as involving first of all, longer-term structural preventive measures – administrative, political, legal, economic and military, including security sector reform, as the case may be (*pre-conflict peacebuilding*); then, as a situation deteriorates, shorter-term conflict prevention or peace maintenance measures (*preventive diplomacy, preventive deployment*); then, if violence breaks out, diplomatic efforts to resolve it (*peacemaking*) and then, if that fails, military means (*peace enforcement*); then, if peace is restored, at least superficially, *peacekeeping* operations to maintain it (at a minimum, monitoring ceasefires and the like); then – finally – structural measures for the purpose of *post-conflict peacebuilding*. At this point we have come full circle: those structural measures are essentially exactly the same kind of measures that are, or should have been, involved in *pre-conflict* peacebuilding.

The object, of course, is to get out of the cycle at this point, and not go round it again. Sustainable peace cannot be guaranteed just because a diplomatic peacemaking initiative has apparently been successful – think of the horror still to come after the Angola

agreement of 1991 or the Rwanda accords in 1993. Nor can peace be assured because a clear-cut military victory has apparently been won – think of Afghanistan and Iraq right now. The focus must again be on structural prevention, and post-conflict peacebuilding is a hugely complex and often hugely costly enterprise. When peacebuilding is neglected or mismanaged it's only a matter of time before the boil erupts again: peacebuilding is the front line of conflict prevention.

Understanding the task in these terms, crucial though it is as the foundation for everything else, is not quite the end of the story. Every separate peacebuilding situation has its own specific context, and that too must be properly conceptualized and understood from the outset if policy is not to go off the rails. In particular, there is a huge difference between a post-conflict situation which is basically benign, and is very likely to remain so, and where just about all the focus can be on managing the transition to either a pre-existing normality or a new one; and one where there still remain those with great capacity to act as spoilers, and where the transition has to be somehow managed side by side with an atmosphere of ongoing emergency.

So the neat sequence from peace enforcement to peacekeeping to peacebuilding is often in practice not nearly so neat, and in a number of missions will require overlapping competencies from the outset. Given the extent to which spoilers do so often arise to throw into disarray the best laid positive plans, in an ideal world every peacebuilding mission would have a military component, even in apparently benign ceasefire monitoring or post-conflict peacebuilding situations. This military component, fully empowered under Chapter VII of the United Nations Charter to deal forcefully with just about any contingency that arose, would of course meticulously apply exactly the right degree of force, neither more nor less than principle and practice required when the occasion arose to use it. We don't live in such an ideal world, but that shouldn't stop us trying to get there.

Rule 2: Allocate functions appropriately

In an ideal peacebuilding world, as in an ideal humanitarian disaster relief world, all the relevant international players would leap to their stations with alacrity, produce all necessary resources and deploy them efficiently – and with perfect cooperation between them. But that of course doesn't happen. Coordination – the allocation of the right horses to the right courses, and ensuring that they stay in the right stables and run in the right races on the right tracks, and don't kick and gouge each other in the process – is something for which everyone acknowledges the necessity in principle but drags their feet in practice.

The United Nations system is getting much better at it, but there is still some distance to go. Too much planning is still unsystematic and ad hoc, partly a function – as is so much else in the system – of the extreme reluctance of many States to accept contingency planning based on any assumption that state breakdowns, or conflict, or post-conflict intervention will actually occur. And there are still acute difficulties in the biggest coordination task of all when it comes to all kinds of peace operations: getting an appropriate mix and match of mission, mandate and resources.

High-level coordination – between all the different United Nations programmes and agencies, the international financial institutions both global and regional, regional organizations, bilateral donors, and the countries under stress themselves – is one of the really critical roles envisaged for the new Peacebuilding Commission, approved at the September 2005 United Nations World Summit. But there is still a long way to go to negotiate this into operational reality – getting agreement, in particular, as to its precise composition, and even more important, as to whether, or for how long, the reporting line should be to the United Nations Security Council (in my view, and that of the High Level Panel, a consummation devoutly to be wished if one wants this body to be effective, and not just a new layer of bureaucratic ritual) or whether, and when, it should be to the unhappily rather dysfunctional United Nations Economic and Social Council (ECOSOC).

Rule 3: Commit the necessary resources

Peacebuilding is never cheap, although it will always look that way when measured against the costs of waging another war and then cleaning up after it. The resources to support peacebuilding are rarely available on anything remotely like the scale that the U.S. Administration has been spending – albeit until now to no great effect – in Iraq. And even if the initial response to a particular situation is one of wholehearted support, the trick is to sustain that over the long haul. When attention spans wane, fashions change, and the caravan moves on, it's no longer possible to get Governments to attend donors' conferences – or if they do, they lie and double count ever more shamelessly about what they will actually deliver.

Given the long and lamentable history of ad hoc donors' conferences, and rapidly waning attention and generosity once the immediate crisis is over – in peacebuilding as, again, in humanitarian disaster relief – the other great rationale for the proposed new Peacebuilding Commission, with its permanent existence, professional support staff, floating support fund, and engagement on an ongoing basis of all relevant funding bodies, is its capacity (hopefully given teeth by its relationship with the Security Council) to ensure the sustainability over time and at the necessary level, of post-conflict reconstruction efforts.

Rule 4: Understand the local political dynamics

One size of peacebuilding certainly does not fit all, and it is crucial to recognize that every such task – not least every post-conflict peacebuilding situation – is likely to require a quite different approach, adjusted to local circumstances. In East Timor, with a new state being created, there was effectively no human infrastructure with which to work; in Afghanistan, by contrast, although the country was physically destroyed, there was a highly educated diaspora available to be recruited; in Bosnia and Kosovo there was plenty of human potential, but in environments where there had been no previous state; in Iraq there was again plenty of sophisticated human potential, and a well-established state, but a more hostile environment than had been anticipated.

It is critical to have a close understanding of both the cultural norms and the internal political dynamics of the society that one is trying to rebuild. It is important to be acutely sensitive to those norms, but at the same time not so deferential that the larger task of state-building is put at risk. In Iraq, for example, the coalition's precise arithmetic weighting of its preferred governance institutions, from the Interim Governing Council onwards, to exactly reflect Shiite and Sunni, and Arab and non-Arab, proportions of the populations seemed at first sight clever. But for the first time in the country's modern history sectarian and ethnic identity were elevated to the rank of primary organizing political principle, and the danger that the country will disintegrate along religious and ethnic lines, previously much exaggerated, is now enormously real.

In an ideal peacebuilding world the planning and execution of missions would be totally sensitive to local cultures and political dynamics – and offer exactly the right degree of local buy-in to ensure both the perceived legitimacy of the mission and the legitimacy of the local institutions being restored to health. Mechanisms would be found to build an inclusive political community – a system of governance that would fully reflect local political dynamics and be sustainable.

The real world, as always, falls short of the ideal. But we can do better. We know that outsiders have a critical role in peacebuilding; just how critical depending on the local capacity for recovery and the local legacy of war-related hostility. But what matters is that outside peacebuilders recognize not only what they can do but what they can not, including taking ownership of another's land and people, even temporarily. If such a mindset exists, any attempt at building peace-sustaining institutions in a country is destined to fail.

Rule 5: Pursue multiple objectives simultaneously

If conflict or mass violence is ever to be stopped from occurring, or recurring, there are a myriad of structural and governance-improving measures that can usefully be applied. The task is

multidimensional: immediate physical security must always be the first priority, but it can't be the only one. Peacebuilders have to effectively address economic and social needs, general governance and participation needs, specifically economic and anti-corruption needs, and justice and reconciliation needs as well. The established toolbox of available strategies is large, embracing political and diplomatic measures, legal and constitutional measures, economic measures and security sector measures, including the security sector reform strategies. But too often one or more compartments have been neglected.

My own feeling is that the most fundamental of all peacebuilding tasks, more important even than establishing a nationally representative government, is the establishment of respect for the rule of law – with all that that implies in terms of viable rule-making institutions and non-corrupt courts, judges, police and penal system. To this day, not enough attention is given to this issue: it's always toward the bottom of the list. But it is all about not just consolidating a sense of personal security, but about creating the minimum conditions for serious economic activity and foreign investment, for which the most generous aid in the world is no substitute if a broken country is ever to get back on its feet.

On the issue of getting the balance right between justice and reconciliation, in post-conflict societies highly traumatized by the internal mass violence, it has to be acknowledged that this is one of the most difficult of all peacebuilding tasks. The only rule of thumb is that there is *no* rule of thumb, and that outsiders must listen very carefully indeed to what local people are telling them: sometimes most people just want to draw a line under the past and move on.

Rule 6: Know when it's time to leave

All intrusive peace operations need, as has often been remarked, if not an exit timetable certainly an exit strategy. The vesting, as soon as humanly responsible, of real authority, responsibility and sovereignty in the people of the country being rebuilt must remain a key objective of those outsiders engaged in peacebuilding, but this

won't mean much until the foundations for effective, sustainable, robust civil society have been laid. In post-conflict situations too much attention on the civil side continues, despite all the lessons of the post-cold war years, to be focused on democratic elections as the primary target for peacebuilders, failing to recognize that if a new civil society environment has not had the chance to find its feet, with viable new political groupings formed, elections are, as often as not, just likely to give new legitimacy to discredited old-regime power wielders.

While peacebuilders must know when to leave if the rebuilding of a failed state is not to turn itself into a permanent occupation, many of the worst peacebuilding mistakes of the past decade have had more to do with leaving too soon or doing too little than staying too long or doing too much. The intervention in Somalia may have been mismanaged, but the manner of the country's abandonment in 1993 was sadder still: a dozen years later it is still a comprehensively failed state. And whatever one might feel about how Iraq was entered in 2003, and how it has been comprehensively and tragically mismanaged since, it is very hard to seriously argue that the only responsibility now of the international forces is to leave – before any kind of genuine consensus has been reached on a new constitutional disposition, before competent home-grown security forces have been rebuilt, and before any kind of agreement has been reached between Iraq's neighbours about how to maintain regional stability in the event that Iraq's governance system does disintegrate.

If these six rules become firmly embedded in the consciousness of policymakers, it may be that this will improve the quality of the work-in-progress that contemporary post-conflict peacebuilding so clearly represents – good in parts but with some distance to go in others. But in a *really* ideal world of, course, we would become so good at both long- and short-term conflict-prevention strategies so long before the prospect of deadly conflict ever arose, that circumstances calling for post-conflict peacebuilding would never again arise. Well, we can dream...

SECURITY AND PEACEBUILDING: THE ROLE OF THE UNITED NATIONS

Hédi Annabi

Peacebuilding first appeared as a concept in 1992, in the *Agenda for Peace*¹, where it was defined as “action to identify and support structures which tend to strengthen and solidify peace to avoid a relapse into conflict”. A decade later, the concept has expanded to include pre- as well as post-conflict situations. My remarks will deal mainly with post-conflict peacebuilding, which is a key challenge for the Department of Peacekeeping Operations (DPKO).

During the 15 or 16 years that have elapsed since the end of the cold war, we have learned, sometimes bitterly, that security and peacebuilding are not two parallel concepts. We have learned that security is in fact an essential element of peacebuilding. What the peacebuilding concept captures, however, is the emerging consensus that the transition from armed conflict to self-sustaining peace requires more than physical security and reconstruction. It addresses, rather, the political, social and economic transformation of a society after conflict: in other words, the root causes of conflict.

The scope of United Nations peacekeeping operations reflects this understanding of the challenges of sustainable peace. The sustained global demand for United Nations peacekeeping today

¹ *An Agenda for Peace*, Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992. United Nations document A/47/277 and S/24111 of 17 June 1992.

is one of the most potent symbols of the engagement of the international community to address comprehensively the provision of security from a broader peacebuilding perspective. We have today 18 United Nations peacekeeping operations across four continents, with an authorized total personnel of over 85,000. The peacekeeping budget is approaching US\$ 5 billion a year. Even more striking however, is the range of tasks that peacekeeping missions are being mandated to undertake. United Nations peacekeeping operations are traditionally conceived as strictly security-oriented activities, with tasks such as monitoring ceasefire agreements, or overseeing disarmament and demobilization. The picture on the ground today is very different. The large number of tasks currently mandated by the Security Council includes not only traditional security functions, but also new security assignments that might be described as “robust peacekeeping”; tasks related to support of political processes and elections; to protection of civilians; to public order; public administration; and support to the extension of state authority in a post-conflict country. The mandate of a United Nations peacekeeping operation today is in many ways a snapshot, as well as a roadmap, of the wider peacebuilding process.

To respond to this new environment, one that goes far beyond what might be called “post-conflict stabilization”, United Nations peacekeeping operations have had to adapt in fundamental ways. One of the most immediately obvious changes in our missions is that they have become multidimensional; in other words, they include not only military personnel, but also police and an increasing number of civilians. The broad range of skills and specializations that civilians bring – political, human rights, electoral and institutional capacity-building, support to civil society and governance support – are core elements of the peacebuilding toolbox.

A second key adaptation to the peacebuilding challenge is the integration of United Nations system-wide capacities in post-conflict countries. This concept is at the heart of the Organization’s effort to provide continuity in the transition from conflict to sustainable peace. Spearheaded in the mid-1990s by the United Nations Mission

in Haiti (UNMIH), in which the Deputy Special Representative of the Secretary-General (DSRSG) was also Resident Coordinator and Humanitarian Coordinator, United Nations integration in post-conflict settings was formalized in the Secretary-General's 1997 report, *A Programme for Reform*².

Since then, a number of steps have been taken to deepen integration in peacekeeping contexts. All complex multidimensional United Nations missions – four were launched in 2004 alone – are now integrated missions, with a double or triple-hatted SRSR, and a United Nations country team coordinating the strategic policy and operational activities of the Organization in the country concerned. In light of the lessons learned over the past ten years, and against the backdrop of the work of the Secretary-General's High-Level Panel on Threats, Challenges and Change³ last year, DPKO, together with its humanitarian and development partners, is currently revisiting the integrated mission concept. In the course of this process, we have reiterated the integrated mission concept as a guiding principle of the United Nations approach in post-conflict countries and are now engaged in an inter-agency review of how to plan and establish integrated missions.

The intertwined nature of security and peacebuilding is increasingly reflected in cooperation with our United Nations partners. One example is the ongoing work to create integrated standards for disarmament, demobilization and reintegration processes (DDR). This undertaking is bringing together 14 agencies, funds and programmes to establish common standards, guidance and training in DDR. These standards will help build a common approach to defining the tasks and priorities in a DDR process and the strategies by which these can be met within the United Nations system. In so doing it aims to fill programmatic gaps, such as the gap between disarmament and demobilization – traditionally conducted by peacekeepers – and reintegration, conducted by development actors. The progress achieved to date in the DDR area offers a useful

² United Nations document A/51/950 of 14 July 1997.

³ United Nations document A/59/565 of 2 December 2004.

model for engagement in other core areas of the peacebuilding agenda, such as security sector reform and the rule of law.

A third area in which United Nations peacekeeping operations are adapting to the peacebuilding challenge is in supporting the transition from peacekeeping operations to longer-term peacebuilding missions. We have seen the successful closure of United Nations peacekeeping operations in Sierra Leone and in Timor Leste. In both cases they are being followed by political missions, UNIOSIL and UNOTIL respectively. The careful way in which the transition from a larger peacekeeping operation to these smaller missions has been planned and executed, and the role DPKO continues to play in providing support, is a potent example of our commitment to peacebuilding. We will see more of these transitions in the future, as we complete peacekeeping mandates in countries such as Burundi and, in time, Liberia. It is important to acknowledge that part of this is driven by Security Council concern about the costs of large peacekeeping operations. While this is understandable, it is important, in order to guard against the risk of a relapse into conflict, that we complete the tasks we have been mandated to carry out, before transitioning to longer-term peacebuilding efforts.

Notwithstanding the progress that United Nations peacekeeping has made, especially since the Brahimi report⁴, challenges remain. In fragile post-conflict environments, swift and responsive action is often the key to ensuring stability. However, the differing funding sources and administrative regulations between United Nations bodies involved in such contexts often slows down our response. Recruitment is made cumbersome; essential material is delayed, and projects cannot start on schedule. Clearly, there is more work to be done. The proposed Peacebuilding Commission and Peacebuilding Support Office could play important roles in facilitating active political support for peacekeeping initiatives and earlier release of financial resources for post-conflict countries. The Department of

⁴ Report of the Panel on United Nations Peace operations chaired by Lakhdar Brahimi. United Nations document A/55/305 - S/2000/809.

Peacekeeping Operations welcomes, therefore, the proposed creation of these new institutions within the United Nations system.

Of equal concern is how political and financial support to peacebuilding efforts can be sustained over the longer time period. This is crucial to create the conditions for United Nations peacekeeping operations to successfully complete their missions and transition to a sustainable peacebuilding effort. As we have seen in countries such as Haiti and Liberia, unless a sustained, long-term commitment is made by the international community, conflict may reignite. No matter how much money is spent on stabilization, if key long-term aspects such as support to governance institutions or security sector reform are not resourced consistently over the medium and long term, all the effort may be wasted. A key problem in this context is the voluntary basis of funding for peacebuilding, in contrast to the assessed budgets of United Nations peacekeeping operations. In this respect, we very much hope that the future Peacebuilding Commission will become the international community's framework for strategic planning of United Nations involvement in post-conflict countries and that it will generate sustained political and financial commitment. This is the best way to collectively engage in building sustainable peace, security and development.

APPRECIATING THE COMPLEXITIES OF THE SECURITY DIMENSION OF ONUCI PEACEBUILDING: LESSONS LEARNED

Abdoulaye Fall

Côte d'Ivoire constitutes a relevant case study on complexities in the linkages between security and other aspects of peacebuilding, namely in building domestic capacity to provide security in a manner that is accountable, while addressing specific requirements for recovery, reintegration and reconstruction. The existence, at the national level, of three conflicting dynamics has so far made it difficult for the ONUCI peace operation to reach its goals, as per the mandate given by the international community. Through the lessons learned from the contradictions observed at the initial stage of the peace process as well as from their security implications in the field, I intend, at the eve of the implementation of the newly adopted Security Council resolution 1633, to stress some key issues needing to be addressed by the international community in order to give a new chance to peace in the country.

From the first observations to the first contradictions

When establishing ONUCI, the strategic aim of the international community was to create a situation in Côte d'Ivoire in which Ivorian society would be able to move forward towards peace, democracy and economic recovery. For this to happen, it was necessary to ensure a secure environment, to restore the Government's authority throughout the country and to stabilize the political situation

through the holding of free and fair elections. Unfortunately, the international community soon became convinced that the initial assumptions were no longer valid because the parties did not show the necessary willingness to implement the agreements they had signed.

In compliance with the provisions of the Linas-Marcoussis Agreement, a Government of National Reconciliation (GNR) was put in place and expected to provide for peaceful settlement of violent disputes; implement strategies for national economic and social recovery, and ensure respect for human rights, including those of the ethnic minorities.

The agreed programme the Government was supposed to implement focused on the following areas: legislative reforms (identification, nationality); electoral affairs; criteria for eligibility for election to the Presidency; the issue of land ownership; freedom of the media; group and individual rights and freedoms; a disarmament, demobilization and reintegration programme (DDR), and economic recovery and social cohesion.

In order to pursue these objectives, various Committees were then created to deal with the key sectors, namely: The National Committee for DDR (CNDDR); the Inter-Ministerial Committee for Exchange and Development (CIED); the National Steering Committee for Redeployment of Administration (CNPRA); and the Centre for Security Operations (COS).

To support the national effort, the international community adopted Security Council resolutions 1528 and 1609 authorizing a peacekeeping operation (ONUCI) to provide the necessary elements to sustain the peace in Côte d'Ivoire including: monitoring the ceasefire, establishing a climate of security throughout the country, facilitating a process of political dialogue, participating in the DDR process, supporting and monitoring the electoral process, monitoring human rights, promoting reconciliation and assisting in the establishment of institutions of good governance and rule of law, and mentoring local law enforcement services.

Three contradictory dynamics have emerged. Firstly, while the international community is making every effort to support the programme of the Government of National Reconciliation, there is at the same time the promotion of a national resistance dynamic by the regime. Finally, a third element is perceptible, a dynamic of “withdrawal and refusal” by the Forces Nouvelles. Thus, the objectives of the parties do not necessarily coincide with those of the international community and make it difficult for the peace process to move forward.

The national resistance dynamic

There is sufficient political, economic, social and military evidence to determine the various dimensions of governmental support for the National Resistance.

The key facts are that, firstly, after massacres in Duekoue (June 2005) the regime commended the actions of “armed resistant groups”. Those groups that had been known as irregular armed militias became the symbol of the “military resistance”. Secondly, on 7 August 2005, during the celebration of the national day, the regime awarded medals to Customs officers for their role in the “economic resistance”. Finally, in mid-2005, prior to the cycle of international meetings on Côte d’Ivoire (ECOWAS summit in Abuja, African Union Peace and Security Council Meeting and United Nations Security Council meeting), the highest authorities of the Government congratulated the “patriotic youth” in Abidjan on their involvement in the “social resistance”.

The dynamic of withdrawal

The record of the Forces Nouvelles indicates a pattern of withdrawal. On 8 March 2004, the Forces Nouvelles authorities made public statements, refusing to enter into the process after all necessary arrangements had been made for the first phase of DDR to begin in Bouake and Yamoussokro. Once again, on 15 October 2004, the Forces Armées des Forces Nouvelles (FAFN) leaders again reviewed their position after having signed an official joint declaration with the Forces de Défense et de Sécurité de Côte d’Ivoire (FDSCI) on

6 October 2004 to begin the DDR process. This year, on 9 July 2005, and after having validated the DDR chronogram, the FAFN refused to start the pre-regrouping of their combatants because of the non-finalization of the laws on identification.

Thus, when all the occasions seized by the Forces Nouvelles to withdraw in Bouake and/or to block the peace process are considered, it is evident that the Forces Nouvelles are confining themselves in a policy of refusal.

It is commonly understood that progress towards a just and sustainable peace depends on the consent and cooperation of the parties. In the absence of freely given consent, a peacekeeping operation, and particularly its military component, will find it hard to implement its mandate. In the Ivorian context, where ONUCI operates between conflicting dynamics, it is clear that the various security aspects are related to each other, particularly when the lack of consent of some hardliners can prevent the peacekeeping operation from achieving its goals.

ONUCI between conflicting logics: “national reconciliation” versus “national resistance”

Security Council resolutions 1528, 1584 and 1609 mandated ONUCI with various tasks to sustain the peace in assistance to the Government of National Reconciliation. In an endeavour to: “assist the Republic of Côte d’Ivoire to restore durable peace and stability in a spirit of national reconciliation and respect for fundamental human rights”, the mission set four main goals to cover all aspects of the peace process:

1. Advancing the peace process by working with national and external partners to implement the political dimension of the peace process as defined by the Linas- Marcoussis, Accra and Pretoria Agreements and to promote a climate of peace in support of these accords. ONUCI was to follow up on political agreement, support the electoral process and publicize the ONUCI Mandate.
2. Securing the peace process by the use of ONUCI military, police and civilian assets to manage and mitigate the risk of hostilities

and to secure DDR in order to reduce the vulnerability of the peace process. ONUCI was to monitor the ceasefire, prevent the recurrence of hostilities, assist in the DDR process, inspect the arms embargo, and protect the VIPs.

3. Contribute to building the peace by developing and implementing confidence- building and reform measures to strengthen and underpin the peace process and prepare the way for the transition to post-conflict recovery and development. ONUCI is to support the State administration in assisting in the establishment of institutions of good governance and rule of law, the judiciary system (mentoring local law enforcement services), promoting human rights awareness and the protection of civilians at risk.
4. Working for peace by ensuring the capacity of the mission to function effectively and to meet the policies and standards for mission conduct established by the United Nations governing bodies and the Secretary-General. This involves guaranteeing the security and safety of United Nations personnel, logistic support to the mission, formulating and implementing the budget, and encouraging gender mainstreaming and HIV awareness while respecting United Nations norms.

The main actors of national resistance

The patriotic galaxy: Numerous pro-regime paramilitary groups have considerable influence in the southern part of the country. They are mainly composed of young people and students. Well trained and organized, they are able to gather in large numbers at very short notice and cause disruption. This ranges from intelligence gathering or pacific sit-ins to violent demonstrations. These groups constitute a powerful tool in the hands of the resistance movement. They also provide a basis for the recruitment of defence and security forces.

The armed resistance groups: These “militias” are the fighting groups that have been organized and prepared either from abroad or directly from the youth movements in different parts of the

country but mainly in the west. During the war, they succeeded in reconquering territory lost by regular loyal defence forces in the western regions.

The foreign combatants: The great west of Côte d'Ivoire is basically a reserve, a provider of three main elements: finance, militias and "roots". Through porous borders it provides a link with neighbouring Liberia, where combatants can easily be recruited for the following reasons: little evidence in Liberia of the promised peace dividend; high unemployment; few distractions for the youth; lack of marketable or agricultural skills; youth trained only for combat, with little other experience; disappointment with the reintegration benefits; money and food provided for recruitment; the possibility of receiving the "safety net" (US\$ 900) if demobilized in Côte-d'Ivoire. So clearly money is the incentive and not ideology and recruitment is generally along ethnic lines.

The western Ivorian Guere and eastern Liberian Krahn tribes (most of the ex-MODEL combatants) are closely related. Due to the porosity of the borders, the vast riches in the area (gold, diamonds, timber) and because of the global ethnic relationships, many cross-border activities take place. As the Guere tribe is generally supportive of the current regime, the alliance of ex-fighters of the Movement for Democracy in Liberia (MODEL) with the FDSCI against FAFN is quite understandable.

These centrally activated and oriented groups, follow a policy of deliberate obstruction to derail the peace process in the form of cycles of provocation followed by appeasement when the international community steps up the pressure. The regime then takes steps designed to show its willingness to play the reconciliation game.

The main security issues encountered by ONUCI originate with the above groups and include:

Obstruction of the freedom of movement of the international forces due to the numerous barrages on the roads where extortion is

commonplace. The goal of the GNR to assure the free flow of goods in secured economic corridors can hardly be pursued. Equally, intervention to protect civilians under threat is difficult without employing force.

Denial of access to some areas where suspicious activities are being carried out (forests and mining zones), mainly by groups of combatants lower down the chain of command who either disagree with their leaders or challenge the authority and/or mandate of the international forces through acts of non-cooperation and sometimes violence. Thus, monitoring the security situation, conducting arms embargo inspections and monitoring the law enforcement institutions becomes a real challenge.

Harassment of personalities under United Nations protection: As part of the peace and national reconciliation process, Ministers of the GNR were to be given protection by the FDSCI, ONUCI and the French forces. For the Forces Nouvelles Ministers, the guarantee of their safety was the most important condition for their assumption of office in Abidjan. The agreed arrangements tasked the local forces to provide the inner cordon/close protection guards, ONUCI to ensure the second circle and the French forces extraction. Due to the fact that in some cases the FDSCI did not show up and in some others the Ministers did not trust the locals, ONUCI is ensuring this protection alone. Whenever they have the opportunity, young patriots attempt to harass the Ministers.

Dismantlement of militias: The leaders are not always keen to adopt confidence-building measures, starting with the effective and transparent dismantlement and disarmament of militia groups, since they consider them to be resistance groups that defeated the rebels. They are of some value and should not be disarmed prior to disarming the attackers.

Reluctance of the Forces Nouvelles party to undergo the DDR process: neither the politicians nor the military are keen to start this process. The politicians would lose their main instrument for putting pressure on the regime and the military cannot accept that

former corporals and sergeants who have become rich and powerful warlords would easily agree to reintegrate normal military life with their former status.

However, even in an atmosphere of national reluctance, the international community can achieve positive results if its efforts are well coordinated and correctly oriented. Thus, despite all these grey areas, positive examples of cooperation between the military and other components of the mission or the United Nations country team to overcome some security challenges can be mentioned to show to what extent the provision of security is contingent upon progress in other aspects of peacebuilding.

To guarantee the presence of Forces Nationales Miniers in Abidjan and ensure their participation in the GRN, ONUCI had to develop a “three circles” concept involving all components of the security forces in RCI: local forces, ONUCI forces and French forces involved in close protection, static guard and extraction.

To improve the security situation in Abidjan, the military conducted joint patrols with the United Nations police who are assuming increasing responsibilities in maintaining law and order by means of community policing, training, and skills transfer through technical assistance to the local security forces.

To improve the management of the Zone of Confidence (ZOC), where only international forces are deployed, a mixed (FDSCI-FAFN) military police station was manned by both ONUCI military and civil police components. Moreover, to deal more effectively with law and order issues in that area, the rule of law component led a joint working group to co-ordinate specific standing operating procedures with the national judiciary system.

To help the return of internally displaced persons who abandoned their villages after last June’s massacres in the west, an integrated multi-sector group including ONUCI and UNCT components shared a project aimed at rebuilding confidence between the local Guerres who had fled from their village and the non-indigenous people who had remained in situ. The rehabilitation of the destroyed village, the

improvement of living conditions and the reconciliation initiatives contributed to bringing life back to normal. The project proved to be a genuine success story.

To address cases of human rights violations, the human rights division frequently conducts joint investigations with the United Nations police and, when the security situation is critical, is accompanied by an armed escort of the peacekeeping force.

Towards a more robust role for the international community

It will be difficult for the international community to move the peace process forward in a sustainable manner without reappropriating the conflicting logics in an approach that leaves little room for the key actors to adopt positions that block the process. To this extent, the provisions of the newly adopted Security Council resolution 1633 constitute an opportunity to be seized, and more consideration should be given to the buffer zone between the ex-belligerents known as the Zone of Confidence.

The new resolution 1633: The most relevant provisions provide that the chairpersons of AU and ECOWAS and the African Union (AU) mediator be involved in the appointment of the new Prime Minister before 31 October 2005. Also, that the Prime Minister must have all the necessary powers according to the Linas-Marcoussis Agreement and all governmental financial, material and human resources, particularly with regard to security, defence and electoral matters. The resolution establishes an International Working Group co-chaired by the Special Representative of the Secretary-General, to verify that the Prime Minister has the necessary powers and resources, to monitor the normal functioning of national institutions, and to draw up a road map on outstanding issues of the Linas-Marcoussis, Accra and Pretoria Agreements. The international community also stressed the need to make the threat of applying sanctions more credible so as to compel the Ivorian leaders to modify their behaviour.

From a Zone of Confidence to Zones of Goodwill: Based on the cease-fire line established when the 17 October 2002 agreement

was signed, the former belligerents had agreed to disengage from frontline positions in order to create a demilitarized, weapons-free zone of separation, denominated Zone of Confidence (ZOC) controlled by the international forces. This achievement in support of peacemaking now proves to be a blocking factor for the reunification of the country. This ZOC that was meant to last only five months, the time to complete the disarmament and demobilization of former combatants, is now an area where every effort is made to maintain its inviolability (massive deployment of Impartial Forces with a strong mandate and specific rules of engagement). Thus, at the same time, the international forces are strengthening the division of the country, especially when one of the parties is taking advantage of the situation and showing little willingness to move forward, particularly now that the destruction of the air assets of the other party has mitigated threats of a military attack.

Alternate solutions to prevent hostilities without consolidating the partition of the country have to be found through formulas where both parties will be involved in joint structures, deployments and projects. Among other ideas, one can envisage the promotion of Ivorian participation in peacekeeping operations with contingents including FDSCI and FAFN, in the following formats:

- 1 Military observation team of 10 (7+3)
- 1 UNPOL team of 10 (9+1)
- 1 Infantry battalion of 750 (500 + 250)
- 1 Engineering company
- 1 Medical unit

The training could be organized in Zambakro through international initiatives and programmes - ACOTA (African Contingency Operations Training and Assistance) would be preferred to RECAMP (Renforcement des capacités africaines de maintien de la paix) because of the current perception of France, and equipment provided by international partners.

In the pre-deployment phase, they would be deployed in Zones of Goodwill (ZOG) where joint projects strengthening national

reconciliation and recovery would be developed with the assistance of the international community.

This would lead to the progressive disappearance of the ZOC, enhance confidence-building, and contribute to the reunification of the country. Within a two- years period, 3,000 FDSCI and 1,000 FAFN would have undergone the process. This would go beyond the PNDDR planning figures regarding reintegration of FAFN in FANCI. Identification and reintegration problems of ex-combatants would be resolved and reconciliation facilitated.

Conclusions

To achieve a balance between external intervention and local ownership, there is a need to take into account the specific national factors including, most importantly, “Ivorian national pride”, and to better identify the national weaknesses and gaps and orientate offers accordingly by:

- Promoting Ivorian participation in the peacekeeping operation by assisting in sectors that are relevant in a recovery process, including engineering, medical and civic training;
- Promoting cooperation where the added value is evident, such as the scientific and technical aspects of policing;
- Mentoring and involving local sectors that can help the process move forward, including: civil society, traditional chiefdoms, and women.

Ultimately, the sequencing of peacebuilding activities, after the cease-fire is obtained, should take into account the need for:

- Strong communication measures: public information officers should better publicize the “war is over” statements usually made by the authorities;
- Involvement of relevant local partners (civil society, chiefdoms, women);
- Investments in jointly managed projects, avoiding separation that (like ZOC) will lead to partition;

- Implementation of the recovery and rehabilitation activities where possible and even before the disarmament and demobilization process.

DÉJÀ VU OR SOMETHING NEW? LESSONS FOR INTERNATIONAL PEACEBUILDING FROM HAITI²

Rama Mani

Introduction

It is never easy for a United Nations peace operation to achieve both the objective stated in its mandate and broad public appreciation of its role within the host country. Given its very nature, a United Nations operation is essentially contested and raises divergent expectations and strong reactions in recipient societies. The United Nations Stabilization Mission in Haiti, MINUSTAH, is no exception. The United Nations tried to apply in Haiti several of the lessons learned in recent peacebuilding and peacekeeping operations. Despite this, the ground reality is one ranging from scepticism, to cynicism, to outright rejection of the United Nations mission.

The dilemmas and challenges that face MINUSTAH in Haiti are symptomatic of the dilemmas, contradictions and challenges facing United Nations peacebuilding endeavours today in many other parts of the globe. The United Nations Mission in Haiti bears lessons not only for the future course of action in this particular country but also for future peacebuilding operations.

² This presentation draws on a study mission to Haiti conducted between 2 and 9 September 2005 jointly between the Geneva Centre for Security Policy (GCSP) and the Spanish Fundación para las relaciones internacionales y el diálogo exterior (FRIDE), as well as extensive research before and since the mission.

Lessons applied but misfired?

Confronted with the degenerating crisis and the precipitated departure of President Aristide on 29 February 2004, the United Nations acted in ways that merit appreciation on many counts for best practices applied from past experiences in complex peace operations.

Belying frequent accusations that it acts too slowly and inadequately, this time, the Security Council was both quick in its response and generous in its allocation of ground forces. On the very day of Aristide's departure, the Security Council passed resolution 1529 (2004) establishing the Multinational Interim Force. On cue, Security Council 1542 (2004) of 30 April 2004 established MINUSTAH allocating 6,700 troops and 1,622 civilian police for a country of 8 million people.

The United Nations learned that a key failing of recent peace operations was weak mandates, and, accordingly, MINUSTAH was given a clear mandate under Chapter VII of the Charter in the area of establishing a "secure and stable environment". The second and third components of the mandate concerned the political process and human rights. This last component demonstrated that the United Nations had learned the importance of prioritizing human rights from the beginning of a peace operation, alongside security and politics.

The United Nations acknowledged that strong leadership of peace operations is often the decisive factor of success and that the choice of the Special Representative of the Secretary-General is critically important. Ambassador Juan Valdez of Chile was appropriately chosen for this role, and he enjoys the unmitigated respect of MINUSTAH staff and the international community for his leadership skills.

The United Nations recognized that local ownership is the linchpin of peacebuilding. Accordingly, Security Council resolution 1542 spells out that MINUSTAH's mandate requires it to work alongside and with Haitian institutions, primarily the Transitional

Government and the Haitian National Police (HNP), but also Haitian human rights institutions.

In terms of approach, MINUSTAH senior management recognized the need to balance security with reconciliation, and the early intention was to focus on reconciliation and to make the political process as broad and inclusive as possible.

With so many valuable lessons learned and applied, what then went wrong? Is it possible that lessons learned from the past misfired and missed their target in Haiti? Or that the situation in Haiti was too unique for such lessons to be applicable or relevant? Or are all conflict situations subject to such rapid change that any lesson learned from the past becomes outdated before the next case comes along?.

Eight dilemmas and eight simple lessons that Haiti can teach us

1. Troops or police?

The United Nations could be commended for deploying a generous 6,700 troops to Haiti. However, the question is whether the composition and structure of the mission constituted an appropriate response to the context and needs of Haiti in 2004.

Haiti was neither at war nor in a typical post-conflict situation. There was no need for peacekeeping forces to act as a buffer between two warring sides. The context in Haiti in 2004 was primarily one of public insecurity, gang warfare and violent crime. Soldiers trained for warfare are ill-equipped to deal with such situations.

Some say that the very fact of deploying troops may have contributed to militarizing the situation and raising the stakes. When the military take on policing operations, this blurs the distinction between defence and security, leads to more coercive responses, and undermines the national police force.

The lesson from Haiti, then, is that it is not enough to have a quick response to a degenerating situation and a sizeable contingent

of military troops deployed. Rather, given the kinds of conflicts and crises now being witnessed, with high levels of criminal and gang-style violence, the very composition of peace operations needs to be adjusted. The need today is for larger proportions of police, who are trained and experienced in dealing with such situations. The ability to tackle and transform criminal elements in post-crisis situations is a key determinant of success, and so far there are few good examples, whether in Kosovo or the Democratic Republic of Congo.

2. Mandate: Chapter VII or VI?

The Security Council acted soundly in giving MINUSTAH a clear Chapter VII mandate from the start to establish a secure and stable environment. It was also explicitly spelled out that MINUSTAH's responsibilities included the protection of civilians. Yet, on the ground, several observed that the peacekeeping troops acted as if they were entrusted with a Chapter VI mandate and took little action against the high violence, the marauding armed gangs, and the general climate of impunity. Violence, kidnappings, rapes, and insecurity spiralled out of control following MINUSTAH's deployment.

On 22 June 2005, the Security Council adopted a new resolution, 1608 (2005), for a temporary increase of MINUSTAH to 7,500 troops and 1,897 civilian police to respond to the deteriorating security situation. The resolution drew particular attention to Haitian National Police reform, vetting of police officers, and investigation of human rights violations.

The resolution had an immediate effect. MINUSTAH began to interpret its mandate more forcefully and became a more visible presence on the streets, doing joint patrols with the HNP and finally entering slums and poor neighbourhoods. Its more forceful interventions in popular neighbourhoods have significantly raised public opinion regarding MINUSTAH, but for some, this change has come too late. Many are unwilling to forgive MINUSTAH's inaction and can no longer trust it.

The lesson from Haiti is to act fast to show your strength and establish a deterrent presence; otherwise impunity is reinforced and peacekeepers are discredited. It is important to not just have a Chapter VII mandate but to act upon it.

3. Inclusion or impunity?

The United Nations adherence to impartiality and inclusion, laudable in theory, has cost a high price in practice in Haiti. In an attempt to soften the intransigence of opposition forces and of the transition Government towards Lavalas, the party of Aristide, MINUSTAH attempted to accept Lavalas as a legitimate partner, as long as it adhered to pacific means. Security Council resolution 1576 of 29 November 2004 explicitly stated that the Transitional Government should “continue to explore actively all possible ways to include in the democratic and electoral process those who currently remain outside the transition process but have rejected violence”. MINUSTAH therefore offered protection during Lavalas rallies when guaranteed that the rallies would be peaceful. It also offered protection to certain Lavalas members targeted for reprisal.

However, in the deeply politicized and polarized situation in Haiti, any means adopted by MINUSTAH to show itself to be apolitical and impartial, and equally inclusive of LAVALAS, was seen as condoning impunity and siding with the criminals.

Clearly, the problem in Haiti was not only one of political naiveté but also of poor communication and explanation of MINUSTAH strategy. This lack of communication, and consequently of understanding among Haitians, must be checked urgently in Haiti and in most United Nations peacebuilding missions.

4. Mentor or accomplice? The fraught relationship with the Haitian National Police (HNP)

Security Council resolution 1542 (2004) spelled out MINUSTAH’s responsibilities vis-à-vis the Haitian National Police. It called on

MINUSTAH, under Chapter VII, to assist the Transitional Government in monitoring, restructuring, and reforming the Haitian National Police, consistent with democratic policing standards, including through the vetting and certification of its personnel, advising on its reorganization, and training, including gender training, as well as monitoring/mentoring members of the Haitian National Police.

Yet, MINUSTAH appeared to take to heart only the very last part of this mandate, that of mentoring members of the HNP. No reform plan was elaborated. No systematic vetting was undertaken until the June 2005 adoption of Security Council resolution 1603 (2005). Routine joint patrols were not operated. Instead, in the public perception, MINUSTAH was associated with the HNP and seen to be an accomplice in the latter's looting, trafficking, and violations of human rights.

Only since mid-2005, having realized the damage caused, has MINUSTAH begun to insist that HNP not patrol without their accompaniment. The vetting process has also now begun, and plans for wider reform are also in discussion. But again, these changes may be too late. The unequivocal consensus of all studies of the Haitian situation was that the HNP were the main source of insecurity in the country. Success in radically reforming the HNP will be the crux of achieving any degree of stabilization.

The lesson from Haiti is that dealing with crime and insecurity and hence with national law enforcement agencies is of utmost importance. Any indication of complicity with the forces causing insecurity and impunity is a heavy charge to disprove later.

5. Restoring the military or the status quo ante?

In 1994, it was declared by some observers that Aristide's greatest success was the abolition of the security forces. Yet it was a group of former military elements organized under Guy Philippe that finally tilted the balance against Aristide and precipitated his departure. They remain a major and unresolved factor today, with Guy Philippe

presenting himself as a candidate in the elections and some talk of the reconstitution of the disbanded Haitian army.

A legitimate question today is whether a country can ensure its security without armed forces. Some countries like Costa Rica have proved the case, but it may not be a replicable example. Second, how much security does a country legitimately need? Many would argue that Haiti has a legitimate need for an army; they would also point out that this is required in the constitution.

It should be noted that the most vociferous proponents of reconstituting the army are the political elite who removed Aristide, many of whom have close ties with the old Duvalier regime and with the military elite. They speak from vested interest and not solely from the national interest.

Following elections, a national consultation and debate may be required to decide on the fate of the armed forces. While the decision should lie with Haitians and not be imposed by the international community, every means should be taken to ensure that this debate is inclusive and not restricted to the political elite, who will try to force the decision in their favour. If the army is reconstituted, it will be essential to ensure that those old elements of the security forces disbanded by Aristide who are known to have committed crimes and violations, are not allowed to re-enter and that genuinely new and legitimate armed forces are created uniquely for the defence of Haiti's national interests and not to protect any political party or tendency.

Security sector reform (SSR) focusing on professionalizing armed forces has become a paramount concern in post-conflict peacebuilding and is championed by a range of major donors. However, the lesson from Haiti is not to fall into generalities and adopt the same approach to SSR in different countries, but to pay careful attention to the specific political context in determining the need for, the composition of, and the process for generating and training a nation's armed forces.

6. Perception matters – costs and impact

Many Haitians wonder aloud whether MINUSTAH comes at too high a price for this impoverished country. Some attempts at public information by the United Nations have led to wide public knowledge about the cost of this mission – at US\$ 500 million per year not quite the most expensive but yet monumental for a country steeped in misery. When Haitians see daily demonstrations of the cost of this mission alongside the invisible hand of development and reconstruction, they feel that the money being “squandered” on peacekeeping forces should instead be invested in the range of more legitimate needs of the country: infrastructure, employment, institutions, education. They fear that somehow the peace operation will lead to their getting further indebted and to less money being made available for these vital needs.

The lesson is that the perception of the peace operations matters a great deal. And in all, in poor post-conflict countries the perception is that peacekeepers are a costly luxury in an impoverished society. There is a need to reduce the cost of operations, to be transparent on what those costs are, and to explain to the local population what the opportunity cost of peacekeeping is to them. Communication of the mandate and mission of peace operations is optimum.

7. Trusteeship or local ownership

The United Nations in Haiti needs to decide on the very nature of its relationship with the Government and institutions of a State that has been in quasi-collapse for decades. Should the United Nations acknowledge the vacuum of power, legitimacy and efficacy of such States and take an authoritative stand, providing governance and direction itself? Or should it recognize that the lack of meaningful local participation in, and ownership of, the process was often the cause of unsustainability or debacle and therefore put the local community in the driving seat, while it plays the role of facilitator and supporter of the process?

In Haiti, this problem is particularly acute as the phantom government and the absence of either national political will or capacity were responsible for the gradual withdrawal of the

international community in the past, and the need for strong international leadership if not trusteeship seems logical. A wide range of Haitians would concur that the Transitional Government has been a huge disappointment and has severely let them down. Yet, Haitians, as citizens of a proud nation founded upon the first successful slave rebellion in 1804, are deeply distrustful of interference in their sovereign affairs and reject any international support that resembles occupation or external imposition.

The answer is to invest not just in the political elite who dominate the scene during and immediately after conflict, but in a wider range of local stakeholders, particularly academics, business, media, and women's groups.

8. Security or reconciliation?

MINUSTAH's leadership came in with a clear idea that both security and reconciliation and longer-term consolidation of peace would be pursued at the same time. However events took the better of them, and security dominated the agenda, ruling out any meaningful investment in reconciliation. Today, the United Nations finds itself ruled out of any dialogue process. Positions have hardened and there is no meaningful reconciliation. Rather, the Transitional Government has become even more hard-line in its position against Lavalas and any association with Aristide, even while it has provided shelter to former violators.

The lesson is that volatility and uncertainty are constant albeit unpredictable in post-conflict situations. Therefore, an attitude of waiting till improved security will permit investment in longer-term reconciliation and consolidation is ill placed. However difficult, the two must be pursued together because they reinforce each other.

Recommendations

Based on the observations and lessons emerging from Haiti, a few recommendations could be drawn for future United Nations and international practice in post-conflict peacebuilding.

1. **A new mechanism and approach** must be devised that treads the balance between trusteeship and local ownership. In situations of quasi-failed States, balancing international responsibility and guidance with diversified local ownership is essential.
2. **A new composition of United Nations missions** must be envisaged, with more police and fewer military components, in situations of high public disorder and criminalised political violence.
3. **Cost effectiveness and visible impact:** The United Nations needs to plan innovatively and strategically to make peace operations far more cost-effective but with tangible impact on people's lives, through, for example, early investment in infrastructure, institutions, rule of law, and employment – made possible by rapid disbursement of donor pledges and ready projects.
4. **Narrow and don't widen social inequalities:** The perception that peace operations only benefit the rich and do nothing for the poor must be erased. UNDP, the World Bank and other economic actors must make the reduction of social, economic and political inequalities a core objective alongside economic growth and investment, as this is essential both for sustainability and for security. The creation of equal opportunities for all, especially for excluded groups, is particularly important.
5. **Diversify "local ownership":** Local ownership should not be restricted to domination of political parties and economic elites. A much broader swathe of the local public must be included and their capacity built. Specifically, appropriately identified and credible members of academia, media, women's organizations, business, and, where relevant, religious and interfaith organizations would be particular assets.
6. **Security sector reform**, while critical, must be sensitive to the context, and solutions from elsewhere should not be imported as these could further militarize and render violent a volatile situation.

7. **Communication is the key:** Every United Nations mission must engage in broad and constant communication of its core mandate, and of its daily interpretation thereof in its operations, to all sectors of the population through diverse and widely accessible media. This has been addressed in each peace operation and yet remains appallingly weak, fuelling misconceptions and the needless discrediting of the United Nations.

8. **Balance security and consolidation – negative and positive peace:** Above all, a balance is needed at all stages between short-term security and long-term consolidation or between negative and positive peace. Both have to be pursued in parallel because, as observed in Haiti, pursuing one to the exclusion of the other can backfire almost terminally.

TOWARDS AN EFFECTIVE PEACEBUILDING COMMISSION

Tuliameni Kalomoh

The United Nations Peacebuilding Commission

World leaders meeting at the summit last September decided to establish the Peacebuilding Commission in recognition of the need for the international community to assist countries emerging from conflict towards recovery, reintegration and reconstruction, and help them lay the foundation for sustainable peace, security and development.

As conceived, the Peacebuilding Commission finds its *raison-d'être* in the report of the Secretary-General, *In Larger Freedom*, where he said “there can be no security without development, no development without security, and none of the above without human rights”. But it is the Secretary-General’s explanatory note of 17 April 2005 that outlines the road map, as it were, for the setting up of the Peacebuilding Commission.

Much hope is placed in this Commission by the international community in general, and States emerging from conflict more specifically, because they see it as the solution to the problem of scarcity of post-conflict reconstruction funds and development assistance. According to the Outcome Document, “the main purpose of the Peacebuilding Commission is to bring together all relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery”.

In deciding to establish the Peacebuilding Commission, world leaders did not want to create yet another layer of bureaucracy within the United Nations. They wanted the Commission “to focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict and support the development of integrated strategies in order to lay the foundation for sustainable development”.

The implementation of these policy decisions requires broad consultations with all stakeholders within and outside the United Nations system. We therefore welcome this opportunity by the United Nations Office at Geneva and the Geneva Centre for the Democratic Control of Armed Forces to discuss the issue, in particular in its relation to security.

United Nations experience in peacebuilding

As presently undertaken by the United Nations, peacebuilding deals essentially, but not exclusively, with three main clusters of issues: security sector reform, State-institution building and development.

Security sector reform is used here as a short cut for the need to create a sufficiently secure environment for normal social and economic interactions. It includes disarmament and demobilization, as well as the restructuring of the security forces. One of the objectives in reforming the security sector is to create a professional corps, subjected to the control of elected civilian rule and respectful of the human rights and the dignity of the citizenry at large.

State-institution building covers a wide range of activities that are essential for the restoration of constitutional rule and the strengthening of the rule of law. Assistance provided by the United Nations has generally centred around the drafting of essential legislations, the organization of elections, the building of State institutions, including an independent judiciary, or the extension of State authority throughout a previously conflict-torn country. Such assistance has had mixed results, much of it in elections and, to a lesser degree, the drafting of essential legislations. The United Nations record in helping build State institutions and the

capacity of national authority to rule the country effectively also remains mixed, but these are national rather than United Nations efforts, strictly speaking. On the whole, United Nations efforts on this cluster of issues are generally at too early a stage to make a definitive assessment.

Development covers short-term issues like the creation of quick-impact projects to provide income to reintegrated former combatants, and the more urgent, one would say long-term, task of job creation to allow a gradual return to normal economic life and enable the country to become once more productive, if it had ever been.

In his explanatory note, the Secretary-General indicated that the Peacebuilding Commission “should support, not attempt to replace, effective country-level planning for recovery”. He added that “the core of the work of the Peacebuilding Commission must be in country-specific activities”.

Much of the existing post-conflict assistance is provided directly through field efforts, or through the government’s bilateral discussions with the Bretton Woods institutions (IMF, the World Bank) or donor countries. Issues of concern include debt relief, fiscal management, the Heavily Indebted Poor Countries initiative, or reform of the judiciary. United Nations country teams are often involved in negotiations and usually play a major, if not determining role, including through their advocacy. They have generally been effective and capable in securing critical short-term resources for activities such as disarmament, elections, and quick economic recovery.

Some challenges

We need to address at least two sets of questions relating to the Peacebuilding Commission:

- What is the comparative advantage that a structure based in New York would have over the tested field experience of United Nations country teams (UNCTs) and other donors’ initiatives?

What value would such a structure add, and in what area, if it is to complement field-based recovery initiatives as recommended by the Secretary-General?

- How best to coordinate the actions of the Security Council and the Economic and Social Council (ECOSOC) to avoid unnecessary duplication and delays in delivering much-needed economic assistance that could prevent the recurrence of violent conflict, especially if the latter had at its origins economic grievances?

Let me start with the second question. As per the Charter of the United Nations, the Security Council has the primary responsibility for the maintenance of international peace and security. On the other hand, ECOSOC is the only United Nations organ explicitly mandated by the Charter to initiate studies and reports or make recommendations on socio-economic issues, among others. One important aspect of ECOSOC work is to deal with economic and social dimensions of conflict. To this end, ECOSOC has established ad hoc advisory group(s) on African countries emerging from conflicts, like Guinea-Bissau, to assess their short-term economic needs and help them elaborate a long-term program for sustainable development. Article 65 of the Charter also stipulates that ECOSOC may furnish information to the Security Council and shall assist it upon request.

Various institutional arrangements are currently under discussion in New York. It is therefore up to Member States to agree on how the two organs, the Security Council and ECOSOC, will work closely together and, in view of the intricate linkages existing between security and development, how they should improve coordination in this area.

It is also important to stress that ad hoc arrangements may no longer suffice in dealing with the challenges of short-term recovery and long-term reconstruction as a conflict prevention measure. The Peacebuilding Commission could help fill that institutional gap, since one of its functions would be to ensure the sustained international attention that is vital for countries moving from

transitional recovery towards development. But the impetus for this would have to come from coordinated action by the Security Council and ECOSOC in determining the moment of transition from purely peace and security considerations to concerns for long-term post-conflict economic recovery.

For example, while a given country is on the agenda of the Security Council (peace and security), ECOSOC would advise the Council on the challenges and options for long-term socio-economic recovery. And as the country moves into the post-conflict phase (socio-economic development), the Security Council would ensure that the vast resource base that was used during peacekeeping provide ECOSOC with a predictable and reliable source for continued support.

The role of the Peacebuilding Commission, and this is my answer to the first question, would therefore be one of a go-between between the Security Council and ECOSOC. In this case, the Peacebuilding Commission, working closely with the UNCTs, would serve as an advisory board to both organs while making sure that it reinforces rather than substitutes for the United Nations country teams.

In my view, it would be regrettable if the New York-based Peacebuilding Commission had to divert already scarce resources from post-conflict reconstruction efforts under way at the national or local levels. For it is the responsibility of national Governments to provide security and create the necessary conditions for economic recovery. Our role in the international community is to advise and support them in meeting their obligations, including through the sustained and predictable provision of financial resources. In this sense, ownership of peacebuilding efforts should lie squarely at the national level.

The African Union and post-conflict reconstruction

When established, the Peacebuilding Commission is set to work closely with regional and sub-regional organizations, such as the African Union and ECOWAS. Interaction with regional organizations

is already taking place on the peace and security front. Recently, the Security Council adopted a resolution giving its full support to the position of the African Union and ECOWAS on Côte d'Ivoire.

Working visits to the region and fact-finding missions, especially when they allow fruitful interactions with regional and sub-regional bodies, are an effective and efficient way to ensure that both the United Nations and its regional arrangements speak with the same voice and act in concert to build peace. As African leaders criss-cross the continent in search of what they call African solutions to African problems, it is necessary for the Peacebuilding Commission to actively engage and support them.

The African Union has prepared a draft framework for post-conflict reconstruction and development that covers a wide range of aspects, including humanitarian, governance, disarmament, demobilization and reintegration (DDR), human rights, socio-economic recovery and gender. The United Nations system is assisting the African Union in the process, including through sharing experience and lessons learned. It is too early to comment on the African Union's framework for post-conflict reconstruction and development. However, it is possible to foresee some of the obstacles that may hinder its implementation. They include lack of resources and limited institutional capacity to undertake these activities in a significant manner.

More recently, the African Union set up its own ECOSOC, although with a different mandate. It is advisable that consultations pertaining to the establishment of the Peacebuilding Commission be extended to the African Union and other regional and subregional organisations, even for the simple fact that any post-conflict measure would, by necessity, have to involve them on the ground.

ADDRESSING HUMAN SECURITY IN POST-CONFLICT ENVIRONMENTS

Mehr Khan Williams

Let me start with two assertions.

First, in conflict situations, security is the most critical issue. No other considerations – of development, or of rights, for example – come close to it in importance. Second, post-conflict peacebuilding is at best a last-resort concept. The way we phrase it highlights that our understanding of the relationship between security and conflict needs to be better understood. Addressing these issues openly and frankly will be critical to the ability of individual States, the international community and the United Nations to improve its work in enhancing security.

So, to my first assertion. In a state of insecurity, when death is threateningly close, talk of anything else is a luxury, to put it mildly. There is a direct, terrible impact on security posed by war:

- Conservative estimates suggest that in last century, nearly 200 million people died, directly or indirectly, as a result of conflict;
- While conflicts, particularly with an international dimension, may be on the decline, internal fighting has killed 3.6 million or more during the past decade;
- More than 90 per cent of those killed or injured in post-cold war conflict have been civilians, half of them children.

So even on a narrow understanding of security, effectively addressing actual conflict – that is, halting the fighting and doing more to protect those caught up in it – is critical.

The 2005 World Summit's explicit endorsement of the responsibility to protect stands out as a watershed commitment of the international community. How this responsibility will be exercised will go a long way to answering our collective concerns regarding security. How, in fact, will we respond to protect future generations from those massive, and illegal assaults on physical security that so often accompany conflict?

But let's be clear: if States or warring factions choose to fight each other, the capacity of the United Nations – of its civil service – to prevent such a course of action is limited, as we have repeatedly witnessed. We can provide three things: a forum for dialogue; a legal framework to guide behaviour; and an appeal to conscience. But none of this provides much succour for those caught in the fighting.

Responsibility for security lies with States.

My second assertion contains two elements. For, if there can be no security in a state of conflict, then conflict can be best avoided by enhancing security in order to prevent conflict. Insecurity is both a cause and a product of conflict. We need to do more to focus on insecurity, the cause. It is for that reason that I believe that a discussion on post-conflict peacebuilding cannot – should not – take place without a clear focus also on pre-conflict prevention.

We need to better understand the causes and the complex nature of many of today's conflicts.

One of the greatest achievements of the last century was the enunciation and creation of a detailed architecture by which to describe, and assess, human security. I refer to international law: human rights law, refugee law, humanitarian law, and international criminal law.

These carefully articulated and agreed norms and standards – in sum, legal duties of States – address every aspect of that security. Let me name but a few: rights to physical integrity, to shelter, to education, to food and to health; rights to political participation, to asylum, to justice, not to be discriminated against, not to be tortured. And they provide a means by which human development can be better understood as an entitlement and not merely as an aspiration.

Equally, the founders of this framework evinced an appreciation, perhaps implicitly but no doubt unequivocally, of security that embraced both the individual and the collective.

In other words, the denial of one, or even perhaps several, of those rights I have listed may not impact in any particularly meaningful way on our collective security. Their denial, however, will have very real significance for the security of those who are subject to the denial.

Increase the intensity of these violations or the spread of rights violated, and we soon face a collective security problem.

Failed States are the frightening end-point of the progression. Violence, the collapse of governance, and the absence of justice go together with disease and starvation. Corruption becomes the norm. The rule of law disappears. The rule of force is supreme. Old enmities, often grounded in discrimination, resurrect themselves. The vulnerable find out just how vulnerable they are. Economies mutate, fuelled by the violence. Displacement ensues. Desperation is entrenched. Fear and despair feed intolerance and extremism. A seemingly permanent, hellish state of being is arrived at.

It is vital that we confront all these challenges in order to ensure our collective well-being. Very few internal conflicts have causes that are purely internal. Equally, the consequences of such State failure cannot be presumed to remain confined within borders.

Central to our response must be the recognition of our collective responsibilities and, in fulfilling them, of the primacy of the rule of law and of our human rights. The former is the linchpin for the protection of the latter.

We need a system that is predictable and transparent, in which the legal responsibilities and obligations I have outlined, and a mean of accountability when they are breached, is put in place. This requires not simply the establishment of an effective, professional and impartial judicial system, together with legal protections for personal safety and freedom. It requires not simply the creation of a professional legally subject police. It requires also a system to ensure social, political and economic inclusion. These, in turn, require us to strive harder to end discrimination, to eradicate poverty and to do more to strengthen democratic systems of governance.

We need collective commitment to make these things happen. The Summit has taken us further forward. But the root causes of insecurity must be addressed in any attempt to build and retain the peace.

DEVELOPMENT, HUMAN RIGHTS AND HUMANITARIAN ISSUES, INCLUDING LINKAGES WITH SECURITY GOVERNANCE

James W. Rawley

As the representative of the United Nations Development Programme (UNDP), and in a broader sense of the “development community”, I shall focus my remarks on the contribution that UNDP, and the development community in general, can make to post-conflict peacebuilding.

In the Outcome Document of the 2005 World Summit, world leaders agreed that:

“Peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being (...) and that development, peace and security and human rights are interlinked and mutually reinforcing.”

We in the development community agree with this statement, because in our work on the ground we have seen how armed conflict and insecurity – or a lack of peace and security – can undermine development and human rights, and how underdevelopment – or a lack of development – can contribute to the outbreak of armed conflict, or a relapse into conflict.

What, therefore, is the role of the development community – including UNDP – in terms of post-conflict peacebuilding? In our view, this role should have two main areas of focus:

- addressing the causes of the conflict, in order to minimise or reduce the risk of a relapse into conflict; and
- addressing the impact of the conflict, in order to support the different dimensions of peacebuilding (political, social, cultural, economic, etc.).

With respect to the causes of armed conflict, it is useful to distinguish between *proximate* causes (such as the easy availability of weapons, short-term economic crisis) and *structural* causes (including economic and political inequality and ethnic discrimination).

From our experience it is also clear that underdevelopment (poverty, inequality, etc.) is typically a structural or root cause of conflict. This implies, therefore, that the development community should directly address the causes of conflict, and contribute to post-conflict peacebuilding, through its work on poverty reduction, human rights, governance, etc., and that such work can contribute to preventing countries relapsing into violent conflict.

There is now a growing body of evidence that supports the view that the incidence of armed conflict, be it civil war or intra-state conflict, can significantly undermine a country's development prospects, and the achievement of the Millennium Development Goals, a point that is made in some detail in the most recent edition of the UNDP Human Development Report.

UNDP's experience on the ground in more than 160 countries also confirms how the presence of armed conflict can erode a country's development gains.

I would suggest that the development community can also address the impact of armed conflict in the following ways:

- By undertaking mine action and weapons collection programmes;
- Supporting DDR (disarmament, demobilization and reintegration of ex-combatants);

- Providing alternative livelihoods for ex-combatants and communities;
- Undertaking the rehabilitation of social services, institutions and infrastructure destroyed during conflict;
- Engaging in reconciliation and transitional justice programmes (e.g. truth-telling, vetting) to build the social capital that is just as important as the physical infrastructure in post-conflict settings; and
- Supporting economic recovery, particularly at the community level.

These activities seek to address some of the negative impacts of armed conflict, and create the conditions for peacebuilding and sustainable post-conflict development.

To facilitate our work on post-conflict peacebuilding, the development community has articulated a number of useful tools and methodologies which are intended to be applied in a way that maximizes the participation of all stakeholders. One of these is the Post Conflict Needs Assessment (PCNA), which was developed jointly by UNDP, World Bank and the United Nations Development Group. The PCNA was first applied in Afghanistan and then in Liberia, Haiti and Sudan. Its aim is to generate an interim development plan that addresses both proximate and structural causes of the conflict that can be used for resource mobilization purposes. A second tool is the Conflict and Development Analysis (CDA), which is useful for understanding the proximate and structural causes of conflict.

The development community also has at its disposal the Common Country Assessment and the United Nations Development Assistance Framework (CCA/ UNDAF) toolkit, which can also be used in post-conflict settings, but usually a few years after a conflict has ended (e.g. the CCA/UNDAF is now being applied in Liberia).

We are also hopeful that the new Peacebuilding Commission, and the Peacebuilding Support Office, will play a useful role in better articulating the United Nations role in post-conflict

peacebuilding, ensuring that all the dimensions required for successful peacebuilding – security, development, human rights and humanitarian – are reflected in their proper proportions in the conceptualization and strategic planning of peacebuilding initiatives, and in a way that enlists the participation of relevant stakeholders, with special attention to those at the national level, including the United Nations Country Team. UNDP looks forward to working with the Peacebuilding Commission and its support office.

Allow me to highlight a number of lessons learned from UNDP's recent work in post-conflict peacebuilding.

Firstly, it is essential to maximize **national ownership** through comprehensive assessments (such as the PCNA) that represent not just the needs that external partners have identified and wish to support, but also the priorities of the host country as determined by the national actors themselves. By enhancing national ownership from the beginning of such assessment processes, it is possible to ensure a greater commitment from all relevant national actors to ensure the implementation of agreed priorities.

Secondly, there is a need to find the **right balance** between generating short-term externally driven results, and engaging in the less glamorous, but in the medium and long term, quite essential task of building national capacities for implementation of post-conflict peacebuilding in all its dimensions – political, social, economic, cultural, etc. For example in Afghanistan, UNAMA and UNDP supported the establishment of a donor coordination office, staffed by both international and national professionals, and under the leadership of transitional national authorities. Over time this office has evolved to constitute the core of an autonomous, national planning and implementation capacity for Afghanistan's longer-term development.

Thirdly, and related to the above, on the economic front, it is important to quickly re-establish basic capacities for sustained socio-economic recovery, which entails an immediate **focus on**

livelihoods. This focus on livelihoods is particularly important at the community level, especially if the reintegration of former combatants into productive, civilian livelihoods is to be sustainable. At the same time, this focus on livelihoods often needs to be combined with work on reestablishing – or in some cases establishing for the first time – an appropriate regulatory and enabling economic framework to encourage investment and growth and thereby reduce poverty.

Fourthly, attention needs to be given to creating an “**infrastructure for peace**” that builds on existing traditional mechanisms at local and national levels in society that help facilitate consensus building, dispute resolution, etc. This might include a national dialogue process (e.g. Afghanistan) or a truth and reconciliation commission (e.g. South Africa, Sierra Leone). In the absence of such mechanisms, many of the root causes of the armed conflict may never be fully addressed, with the risk of a relapse into conflict. The international community can certainly support the building of this infrastructure for peace by providing technical and financial assistance for national mediation commissions, networks of mediators, or similar resources, building the capacities of parliamentary committees to forge consensus on vital issues, supporting national dialogues on various issues, and training for the civic and political leadership in methods for consensus formation and dialogue.

Fifthly, it is necessary to establish a **secure environment** in order to allow recovery, reconstruction, and sustainable development to occur. This involves addressing issues such as the availability of weapons in society, including anti-personnel mines, ensuring the physical safety and protection of war-affected populations (e.g. refugees, IDPs) and vulnerable groups (e.g. children), supporting the effective disarmament, demobilization and reintegration of ex-combatants, and developing plans for the reform / governance of the justice and security sector. In this regard the international community, including the development community, can play a leading role in providing financial and technical support to help countries address these security-related issues.

In conclusion, allow me to underscore that UNDP, including its Bureau for Crisis Prevention and Recovery (BCPR), looks forward to working with our colleagues in other parts of the United Nations system and beyond in order to forge effective and creative partnerships that are required to achieve the complex and essential goals of post-conflict peacebuilding.

LOOKING AHEAD: THE UNITED NATIONS CONTRIBUTION TO PEACEBUILDING IN TERMS OF HUMANITARIAN ACTION

Norah Niland

My task is to summarize some of the issues and perspectives that arise, within the context of humanitarian action, in environments that I prefer to describe as post-ceasefire or transition settings. I will thus focus briefly on some of the issues and challenges that are of concern to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and that of its humanitarian partners, the majority of whom include a large number of non-governmental organizations and the Red Cross Movement.

My presentation will focus on two key issues, namely (a) the importance of humanitarian action in and of itself and (b) the challenges to safeguarding humanitarian space in peacebuilding environments when distinctions between humanitarian and other types of intervention are often unclear or deliberately fudged.

By way of introduction, it is worth noting that the Office for the Coordination of Humanitarian Affairs came into being in the early 1990s and is headed by the Emergency Relief Coordinator (ERC) who is also the Under-Secretary General for Humanitarian Affairs. As the Chair of the Inter-Agency Standing Committee that was established by General Assembly resolution 46/182 and includes a number of United Nations and non-United Nations actors – the ERC has a responsibility to mobilize humanitarian action in a way that is timely and effective. This in effect means that the ERC has responsibilities that refer to the wider humanitarian community and not just to United Nations humanitarian stakeholders.

It is also worth noting that the essence of humanitarian action is that all in need have a right to receive assistance that is focused on saving lives and ameliorating suffering. It is no less true that in volatile environments the credibility of the humanitarian endeavour – and thus its ability to reach civilians in need – is greatly dependent on perceptions and action that are defined by core humanitarian principles, namely humanity, impartiality, neutrality and independence. In other words, if the essential characteristics of humanitarian action are not in evidence, it will be difficult to maintain humanitarian space. This, in turn, will undermine or compromise efforts to meet humanitarian objectives. In sum, the erosion or distortion of *humanitarian space* will affect or restrict access thus denying critical help to people whose lives are dependent on it.

This may seem a rather lengthy opening comment. However, in my view, it is important to put on the table the importance of safeguarding the distinct characteristics of humanitarian action, to underline how vital this is to maintaining humanitarian space, and the implications of that for the task of peacebuilding. Inability to address humanitarian needs is likely to have adverse consequences for those who are vulnerable. This, in turn, may have significant ramifications for the overall peace initiative. It is also worth underlining that, whatever the environment or circumstance, there is value in respecting the universal tenets that are inherent in humanitarianism.

Peacebuilding is not a linear process. Equally, there are distinct and very significant differences between a negative and a positive peace. It is also clear that building the foundation for a meaningful transformation is a long-haul task that usually necessitates tackling deep-rooted structural issues. This is the core task of peace-builders and not of humanitarian actors.

In many post-ceasefire settings, transitional authorities or interim government arrangements are a combination of different types of stakeholders, including those who have leverage because of their political or military connections, and those who do not. It is not unusual that post-ceasefire settings are a mixture of euphoria

or relief on the part of civilians and sharp bickering or worse among political antagonists. The threat of renewed violence is often high. It is often the case that the central authorities do not hold sway over all of the country. This in effect means that humanitarian actors have to negotiate with the de facto local authorities to maintain access to vulnerable groups. It may also mean that the humanitarian community has different priorities from those of the interim administration or elements of the transitional governance arrangement. For example, it is not that unusual that a military or political faction will want to pursue partisan agendas that conflict with efforts by humanitarian actors to enhance the safety and well-being of a particular, usually minority, group.

In transition environments, it is more the norm than the exception that the humanitarian community is confronted with problems that obstruct, or threaten to inhibit, timely and effective humanitarian action. Often, it is not easy to maintain a consensus either in, or outside, the humanitarian arena even though it is widely understood that the humanitarian imperative – the prioritization of life-saving over other concerns – should prevail. Frequently, short-term or politically expedient decisions or measures are taken, notwithstanding the humanitarian consequences. Many humanitarian entities are allergic to interacting with military forces, whatever their mandate, as they do not wish to be associated with actors or action that could influence or alter perceptions that relate to the neutral and impartial nature of relief efforts.

Different models have emerged since the end of the Cold War to maximize synergies between different United Nations and other interventions, to bring about a more holistic or “coherent” approach to the difficult and multi-pronged task of building a sustainable peace. Since the “Brahimi report” (Report of the Panel on United Nations Peace Operations, A/55/305-S/2000/809) in particular, there has been a lot of effort to ensure that the United Nations sings from the same song sheet and in harmony.

With specific reference to humanitarian action, there are two particular challenges to cooperation and coordination in peace

operations that are worth highlighting, namely (a) the role of peacekeepers in the provision of physical protection to at-risk civilians and (b) the role of peacekeepers in relation to humanitarian endeavour.

Peacekeepers and protection

Increasingly, the Security Council mandates peace operations “to protect civilians under imminent threat of physical violence”. The 2005 World Summit consensus on the “responsibility to protect” principle is an important step forward as it recognizes that there are limits to State sovereignty when Governments fail to protect their populations against genocide, war crimes, ethnic cleansing, and crimes against humanity.

Peacekeepers and humanitarian action

There is wide consensus within the humanitarian community that one of the key roles of peace missions is to create an environment that is conducive to effective humanitarian action. This is important for several reasons, including the critical necessity of humanitarian actors moving fast to meet their assistance and protection responsibilities. In this context, it is important that humanitarian actors retain the lead role in, and direction of, humanitarian efforts, and that their operational independence not be restricted. The involvement of military actors in quick impact, relief, or “hearts and minds” efforts frequently poses challenges to the humanitarian community. The blurring of distinctions may also result in significant security problems for relief personnel with resultant knock-on effects for those in need of help. Humanitarian actors are, understandably, concerned about being associated with a party to a conflict and the knock-on effects this is likely to have in terms of perceptions about neutrality and impartiality and ability to maintain access to, and support for, groups in need of life-saving humanitarian action.

Conclusion

A recent study (“Report on integrated missions: practical perspectives and recommendations”, Espen Eide, Anja Kaspersen, Randolph

Kent, and Karen von Hippel, May 2005) that was commissioned by DPKO and OCHA on the overall experience of “Integrated Missions” resulted in a lot of interesting insights and a bulky package of recommendations. A core recommendation of the study is that different models, and related architecture, need to acknowledge that humanitarian action is vital in and of itself and that humanitarian space needs to be safeguarded. In light of this study, the United Nations is now reviewing guidelines and planning mechanisms for future multi-dimensional peace missions.

ABOUT THE CONTRIBUTORS

Hédi Annabi is Assistant Secretary-General for Peacekeeping Operations at the United Nations. After joining the United Nations in 1981, he served as Principal Officer and then Director of the Office of the Special Representative of the Secretary-General for Humanitarian Affairs in Southeast Asia. Between 1982 and 1991, he was closely associated with the efforts of the Secretary-General and his Special Representative to contribute to a comprehensive political settlement of the Cambodian conflict and to the establishment of the United Nations Transitional Authority in Cambodia (UNTAC). In 1992, Mr. Annabi joined the Department of Peacekeeping Operations (DPKO) where he served as Director of the Africa Division from 1993 to 1996. He was appointed Assistant Secretary-General for Peacekeeping Operations on 28 January 1997. Mr. Annabi holds a degree in Political Science from the Institut d'Etudes Politiques de Paris, a degree in English Language and Literature from University of Tunis and a diploma from the Institut universitaire des hautes études internationales (University of Geneva).

Gareth Evans has been since January 2000 President of the Brussels-based International Crisis Group. He came to Crisis Group after twenty-one years in Australian politics, thirteen of them as a Cabinet Minister. As Foreign Minister (1988-96) he was best known internationally for his role in developing the United Nations peace plan for Cambodia, helping conclude the Chemical Weapons Convention, and helping initiate new Asia Pacific regional economic

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Abdoulaye Fall was the Force Commander of the United Nations Operation in Côte d’Ivoire (UNOCI) from April 2004 until April 2006. General Fall joined the Senegalese armed forces in 1972 and served at various postings in the field and at headquarters, including battalion commander, regional commander, Chief of Operations and Chief of the General Staff. He participated in several peace operations, including the United Nations Interim Force in Lebanon (UNIFIL) in 1982 and the United Nations Angola Verification Mission III (UNAVEM III) in 1995. He assumed command of the Senegalese expeditionary force during Gabu operation in Guinea Bissau in 1998, and led the troops of the Economic Community of West African States (ECOWAS) in the ECOWAS Mission in Côte d’Ivoire (ECOMICI) in 2003. General Fall graduated from the Royal Military Academy of Morocco and received further military education and training in France and at the General Staff College in Germany.

Tuliameni Kalomoh is Assistant Secretary-General for Political Affairs at the United Nations. Mr. Kalomoh had been serving in the Foreign Ministry of Namibia since the country gained independence in 1990. From 2000 to 2001, he was Acting Minister for Foreign Affairs of Namibia. In 1997, he was appointed by the Secretary-General as his Special Representative for Liberia. Between 1991 and 1996, Mr. Kalomoh served as Namibia’s Ambassador to the United States with concurrent accreditation as High Commissioner to Canada. Prior to this, he served as Under-Secretary for Political

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Mehr Khan Williams is Deputy High Commissioner for Human Rights at the United Nations. She has worked for the United Nations since 1976. She held senior management positions in New York, Florence and Bangkok with UNICEF. Prior to taking up her current position in Geneva on 1 October 2004, Ms. Khan Williams was serving as Special Advisor to the Executive Director of UNICEF. She also served as Acting Director of the United Nations Information Centre in Sydney. Until July 2004, she was UNICEF's Regional Director in East Asia and the Pacific based in Bangkok. Prior to joining the United Nations, Ms. Khan Williams worked for the World Bank in Washington, D.C., the Associated Press of Pakistan, United Press International and the University of Karachi. Mehr Khan Williams has written extensively on development and child rights issues for the international media. She has a Master's degree in journalism from the University of Karachi and has undertaken courses in Communication at the East West Centre in Honolulu, Hawaii, as well as in human rights at the University of New South Wales in Sydney, Australia.

Rama Mani is a faculty member and Director of the New Issues in Security Course at the Geneva Centre for Security Policy (GCSP). She teaches, publishes and does policy work on issues of justice and human rights, conflict prevention and peacebuilding, rule of law and the security sector, the United Nations and terrorism. Before joining the GCSP, Rama Mani worked as the Senior Strategy Adviser to the Centre for Humanitarian Dialogue in Geneva in 2002. From 1999 to December 2001, she worked with Oxfam as Africa Strategy Manager, based in Uganda, and as Regional Policy Coordinator for the Horn of Africa, based in Ethiopia. Previously, she worked as

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Norah Niland is currently working with the Office for the Coordination of Humanitarian Affairs (OCHA) at the United Nations in Geneva as Chief of the Policy Development Section. Prior to this, she worked in Liberia on displacement and protection issues and in Afghanistan as the Senior Human Rights Advisor from January 1999 to June 2002. She has spent much of her professional life with the United Nations, at HQs and in the field, working on development, humanitarian and human rights issues. She has published or co-authored several articles and study reports on human rights, human security, landmines and refugee issues. Norah Niland has an M.Phil. (Peace Studies) from Trinity College, Dublin, Ireland. She was a Visiting Fellow at the Institute of Human Security at the Fletcher School of Law and Diplomacy, Tufts University, in 2003.

Sergei Ordzhonikidze is Under-Secretary-General of the United Nations and Director-General of the United Nations Office at Geneva. A graduate of the Moscow Institute of International Relations, Mr. Ordzhonikidze joined the Soviet diplomatic service in 1969, holding various positions at the Permanent Mission to the United Nations in New York as well as in Moscow. From 1991 to 1996, he served as Deputy Permanent Representative of the USSR and then of the Russian Federation to the United Nations in New York. From 1996 he was Director of the Department of International Organizations of the Foreign Ministry, until 1999 when he was appointed Deputy Minister of Foreign Affairs.

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