

A REVIEW OF PEACE OPERATIONS – A CASE FOR CHANGE

OVERALL INTRODUCTION

1. This exercise aims to evaluate the dynamics of peacekeeping. Many studies already exist which treat aspects of this process, whether they be lessons learned or those emerging from peace operations. Most of these however, to our knowledge, are either sectoral or specific to the involvement of particular institutions or donors. There are also many ongoing studies, conferences and seminars. The aim of this initiative is therefore to collaborate as far as possible whilst avoiding duplication.
2. This project consists of four country studies and a synthesis report, with a review of the peace operation in its entirety for the three core studies of East Timor, Kosovo and Sierra Leone and a ‘real time’ analysis (a ‘snapshot’) of aspects of the international engagement in Afghanistan. Each study has a different emphasis, reflecting its particular context, and has drawn country-specific conclusions and ventured recommendations arising directly out of empirical research and findings. The synthesis report extrapolates the key themes from the country studies, pointing out commonalities, differences and dilemmas and making recommendations of a more general strategic and operational nature. In addition, a matrix lists country-specific recommendations as well as a proposed checklist for action extracted from the synthesis report.
3. As a lessons-learned exercise, the primary focus of the country studies is on areas of UN peace operations where there is scope for improving practice. The situations under review provide lessons in both good and bad practice. While the terms of reference of the study required the teams to highlight any operational shortcomings, they nevertheless found much to admire about the operations under review. Many of the missions had to carry out unique mandates in extraordinarily difficult circumstances and were faced with many real dilemmas, particularly in the areas of governance and public administration, which were exceptionally difficult, if not impossible, to resolve. This study aims, therefore, to offer constructive recommendations to UN officials and member states on the design, management and conduct of UN operations. These may be useful not only for ongoing peace operations, but also for comparative analysis and for the design of future missions. Any critical judgments in these reports are intended in this constructive spirit.
4. At the same time, it is important to draw attention to what these studies do NOT address, though they may contain elements of the following:
 - They do **not** constitute an in-depth examination of UN inter-departmental or inter-agency relations. As an independent team of practitioners and analysts, we would simply not be in a position to address this. Aspects of these relationships are obviously examined in certain sectors within the operations under review.
 - The studies do **not** constitute a detailed examination of the progress and organisational intricacies involved in implementing the Brahimi report. The Brahimi report has inspired considerable literature both amongst political scientists and commentators on peace keeping, as well as a number of initiatives within the UN. Pulling these together and addressing what still remains to be done would be the subject of a separate study that needed the involvement of both UN officials and independent practitioners.

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
13 March 2003

- The studies are **not** a generic evaluation of the pros and cons of international intervention, whether led by the UN, the OSCE, NATO or others.
 - The studies are also **not** a broader civil-society based study critiquing the nature of UN interventions.
 - **Nor** are they sector-specific studies, examining possible improvements.
5. The intent of this initiative is to make a ‘Case for Change’ and suggest pointers toward a road map to enhance future peace-operations. The aim was to make ‘practicable’ and concrete recommendations, to look at the context into which a peace operation is ‘inserted’ and, crucially, to address the perceptions of the local population and nascent governments.

DILEMMAS

6. Not unlike the peace operations reviewed, the project itself faced a number of dilemmas and difficulties. These studies need to be read with these in mind.
7. Most importantly, it is extremely difficult to draw together insights from four divergent situations, and to identify common themes and prescriptions.
8. The essential challenge that confronts all studies, reviews or audits is the issue of independence: How independent can a study really be? What constitutes a fully objective independent team of researchers? The fundamental dilemma is that if one is ‘inside’, there is access to a wide array of information, but a certain overall perspective may be missing. From ‘outside’, one may well be accused of missing vital nuances that only insiders are privy to. The composition of the country teams represented a mix of people, some familiar with UN missions, the bureaucracy, politics and the complexity of implementing Security Council resolutions, as well as anthropologists, writers and journalists. No confidential documents could be cited or quoted, hence all material cited was in the public domain. Inevitably, our access to internal UN, NATO or donor government memoranda was limited.
9. Inevitably also, in a report of this nature it is always easy to highlight negative findings. Multi-dimensional missions on the scale that we studied will always be a prey to internal management and technical problems and hence will face substantial criticism. Yet again, the aim of this study is to engage, not to alienate; to be constructive, and to ensure that the recommendations are taken seriously.
10. Another difficulty arose out of the comparatively short time frame (May 2002 – January 2003) within which research and fieldwork on a massive scale had to take place. Fieldwork in the countries concerned was essentially conducted in September 2002, and a number of subsequent visits took place to assess the regional dimension as well as the views of multilateral institutions.
11. The Terms of Reference of the project are extraordinarily detailed and as a whole dig very deep into the inner workings of these respective operations. This gives rise to dozens of potentially important variables from planning through to mission execution. As not all variables have the same degree of importance, prioritisation was a constant challenge.
12. Balancing breadth with depth of analysis constituted a further dilemma. On the whole we have opted for a more detailed approach, analysing certain sectors or aspects of sectors and

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King’s College London
13 March 2003

outlining those that would merit further work, which we felt had not been previously raised in sufficient detail.

METHOD

13. The country studies adopted a common methodology, which went broadly along the following lines:
 - i. A review of the sequence of planning, establishment of the mission and its implementation.
 - ii. A three-pronged thematic approach to research and analysis that addresses:
 - Security
 - Humanitarian / development / reconstruction
 - Governance / Public administration.
 - iii. An analysis of the respective mandates, applying the following yardsticks:
 - Relevance of the mandate
 - Preparedness of the mission
 - Effectiveness and efficiency of the operation
 - Coherence in the development of strategies

14. A number of guiding principles were developed for our enquiry:
 - i. The basic aim was to present findings based on clear evidence and to make country-specific practicable recommendations.
 - ii. An emphasis on local perceptions was reflected in the overall approach during fieldwork. Teams conducted focus groups and interviewed a range of actors, sensitive to the fact that local actors are not a homogenous group and that a country's political leadership does not necessarily represent other interest groups.
 - iii. One particular aim was to challenge the use of language and thereby ascertain what different actors meant by terms such as 'governance' or 'capacity-building'.
 - iv. What were the perceptions of the UN and expectations of the international community? Expectations are high and there is inevitable disappointment. There was a need to unpack the concept of the UN, and get beyond its seemingly monolithic structure; in particular to shed some light on the complex triangle of the Security Council, the UN Secretariat and UN missions, as well as on the links between UN agencies and IFIs.
 - v. Regional perspectives – how do countries / organisations in the respective regions respond / assess / co-operate with the operation?
 - vi. Lessons learned: What were the lessons to be learnt? How were they learnt? What mechanism existed for lessons to be learnt?

15. Finally, it is interesting to note that in this complex analysis of multi-dimensional peace operations, certain themes have emerged throughout: namely the consequences, intended or

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
13 March 2003

not, of intervention; human rights and rule of law issues; and the fact that security is the *sine qua non* of any post-conflict reconstruction.

Nicola Dahrendorf
Project Director
King's College London
5 March 2003

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
13 March 2003

A REVIEW OF PEACE OPERATIONS: A CASE FOR CHANGE

AUTHORS AND CONTRIBUTORS

LONDON TEAM

Nicola Dahrendorf, Project Director
Lara Charles/Rebecca Oxley, Project Assistant
Shelley Butler, Project Administrator
Eve Johansson, Copy Editor
Mark Parren Taylor, Designer
Jillian Luff, Cartographer

AFGHANISTAN

Astri Suhrke
Jolyon Leslie
Arne Strand

SIERRA LEONE

Michael Gaouette
Henry Anyidoho
Eric Berman
Ron Fennell
Caspar Fithen
Lansana Gberie
Peter Penfold

EAST TIMOR

Anthony Goldstone
Alexander Mayer-Rieckh
Arezou Azad
Tanja Hohe
Antonia Potter
Caitlin Reiger
Edward Rees
Craig Wilson

KOSOVO

Mark Dalton
Jose Luis Herrero
Tim Judah
Serge Rumin
Mark Thompson

The copyright of this publication is owned by King's College London. These reports are the product of an initiative funded by the Governments of Canada, Germany, Norway, Sweden and the United Kingdom. The views expressed in these reports are those of the authors alone and do not in any way represent the views of either the donor governments or any national or international institutions.

**A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
13 March 2003**

ACKNOWLEDGMENTS

It would not have been possible to produce these reports without the assistance, generosity and humour of many dedicated individuals, including friends and colleagues, in London, New York, Washington, Brussels and Paris, and especially in Sierra Leone, Kosovo, East Timor and Afghanistan.

I would like to thank all the authors and contributors to the country studies for making the project happen, working through the range of different views and perspectives and producing these thorough and well-researched country studies. Two wonderful colleagues deserve a very special mention: Dr. Randolph Kent for insights, inspiration and good humour, and Dr Karin von Hippel for humouring me through the entire process. I thank Professor Lawrence Freedman for his expert chairmanship and ongoing interest and support. Thank you to Shelley Butler for providing highly efficient administrative support without losing her cool, to Lara Charles for helping in setting up the project and a special thanks to Rebecca Oxley without whom the various strands of this project could not have been brought to a happy ending. We are most grateful for the support and comments provided by the five donor governments of Canada, Germany, Norway, Sweden and the United Kingdom. A special thank you, however, goes to our colleagues at the UK Department for International Development, Sarah Richards and especially Neil Briscoe for the helpful support and allowing us flexibility when needed. Thank you to Dr. Mukesh Kapila for the original idea and for ongoing support and insights. A special mention goes to Gwen Robinson for suggesting the final title.

On the technical side, we greatly appreciated the patience and flexibility of our copy editor Eve Johansson and of Mark Parren Taylor, the designer, as well as the diligence of the cartographer Jillian Luff.

From the Sierra Leone team, thanks are due to Dr Julius Spencer, President Ahmed Tejan Kabbah, the Government of Sierra Leone, and all those other respondents who gave their time so generously.

In Kosovo, thanks to all respondents who took time out of their busy schedules to meet the team. A particular thanks to Vlora Nushi, for helping to organise our meetings, and to Tansel Sherif, for his skilled interpreting. Special thanks also to Valerie Percival of the International Crisis Group, *Maja Divac* at the (former) Embassy of the Federal Republic of Yugoslavia in London and Braca Grubacic, the publisher of VIP information service in Belgrade.

The East Timor team was most grateful for the assistance and open and frank perspectives offered by members of the Government of East Timor. UNMISET personnel were supportive of the project in many ways, not least in their willingness to share their views. The SRSG, Kamallesh Sharma, and his Chief of Staff, Sue Ingram, deserve particular mention. The team greatly appreciated the patience and skill of our interpreter, Filomeno Paixão. A special thanks goes to Reza Hosseini and Luiz Vieira of the International Organisation for Migration (IOM) office in Dili for providing office space and logistical support, including the drivers, José and João. During the process of writing the report, feedback from DPKO, UNMISET, David Harland of the UN Best Practices Unit, Ian Martin of the International Centre for Transitional Justice and Edward Rees of the National Democratic Institute for International Affairs was particularly valuable.

**A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003**

The Afghanistan team wishes to acknowledge the support of UNAMA staff in Kabul, Qandahar and Herat who generously took time for prolonged and repeated interviews, as well as representatives of the Afghan Transitional Administration, Afghan and international NGOs, Afghan community representatives in Wardak, Ghazni, Herat and Qandahar, members of diplomatic missions in Kabul, and the staff of the UN Secretariat in New York.

For the study as a whole, we would like to acknowledge the many UN officials, in all four territories, who gave us a valuable insight into their operations, working in difficult circumstances and under enormous time constraints. A special mention to the distinguished personalities who are actually driving the operations we reviewed. Special thanks must go to Lakhdar Brahimi, for taking the time to listen to our ideas and to provide insightful comments at our donor meeting on 31 October in New York. Thank you also to Jean-Marie Guehenno, Under-Secretary-General for the UN Department of Peacekeeping Operations for taking such an interest in the project. Sir Kieran Prendergast, Under-Secretary-General of the Department of Political Affairs very helpfully made time to clarify a number of issues in the wake of the donor meeting. Other members of the Secretariat, especially in the Department of Peacekeeping Operations, took time out of their busy schedules and were helpful and forthcoming. Thank you to Rick Hooper of the UN Department of Political Affairs, and to Salman Ahmed of the Department of Peacekeeping Operations, who gave generously and offered helpful insights, both to myself and other members of the team. We also greatly benefited from the spirited insights of Sergio Vieira de Mello, High Commissioner for Human Rights and the ever-helpful Jonathan Prentice, his assistant. Thank you to Julia Taft, Director of the UNDP Bureau for Crisis Prevention and Recovery and her team for their very helpful comments and sustained interest in this study. Finally, a warm thank you to Dr. William Durch for his invaluable comments on the synthesis report.

The teams consulted as wide a range of opinion as possible during the course of the study. We particularly valued the difference of perspective offered by a range of respondents both at field and headquarters level. It is hoped that the diversity of views expressed by the wide range of persons consulted during the course of the study has been faithfully represented. It should be stressed, however, that the authors and ultimately the project director alone are responsible for the report's conclusions.

**A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003**

A REVIEW OF PEACE OPERATIONS: A CASE FOR CHANGE

SYNTHESIS REPORT

EXECUTIVE SUMMARY

- i. This synthesis report is based on a comprehensive review of three core peace operations (in East Timor, Kosovo and Sierra Leone) and a ‘real-time’, snapshot study of an ongoing operation (in Afghanistan). There are inherent difficulties in trying to generalise and form a coherent story when faced with so many variables across the spectrum of different situations of full transitional administrations (East Timor and Kosovo) and support missions (Sierra Leone and Afghanistan).
- ii. Broad common themes have, however, emerged from the studies, which this report groups under five main headings: (1) Planning and Process, (2) Public Administration/Governance, (3) Rule of Law and Post-Conflict Justice, (4) the Security Sector, and (5) the Humanitarian–Peacekeeping–Development Interface. These headings may not do justice to the complexity of the challenges faced by the operations under review, but within them are areas within which we perceived important strategic and operational gaps. This report extrapolates key aspects from the country studies, draws on critical debates surrounding some of the themes and ventures recommendations for future action.
- iii. The Brahimi Report provided the starting point for this study. Nearly three years after its publication, the Brahimi Report’s continuing relevance needs to be recognised, as well as its limitations in the light of developments on the ground. Taking this as our standard, the recommendations in the synthesis report shift the focus from headquarters to the field and highlight areas which we have concluded received insufficient attention in the Brahimi Report. They are intended to guide good practice and above all to assist on the practical level, as well as to indicate common or best practice standards in situations where there may be a range of possible responses. As each context requires its own specific response based on prevailing circumstances at the time, one aim is to provide decision makers and practitioners with ideas for possible ideas for reform. In addition, the recommendations are aimed at strengthening existing capacity rather than at structural changes.

**A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King’s College London
10 March 2003**

SUMMARY OF FINDINGS AND CONCLUSIONS

- iv. Many of the findings are unfortunately not new. Some resonate from previous studies and analyses of peace operations, such as ensuring that Security Council mandates are realistic about timelines, making them practical and achievable. The inherent tensions in co-ordination and the need for better co-ordination mechanisms feature prominently, as does the need for 'broad-based, coherent approaches'. Also, there is inevitably a litany of problems associated with the timely recruitment of appropriately skilled staff.
- v. Furthermore, the debates over some issues remain unresolved, although they are progressing. These issues include the relationship between peacekeeping and humanitarian delivery, and in particular the absence of a coherent strategy for establishing rule-of-law institutions in the immediate aftermath of conflict. The failure to address lessons previously drawn but effectively ignored means that wheels are reinvented constantly. Rather than addressing, however, why some of these observations have not been incorporated and why lessons have not been learnt within organisations, the aim of this study is to begin to chip away at the obstacles in the way of implementing 'lessons learned' and to put forward some concrete suggestions.

PLANNING AND PROCESS

- vi. Many of the problems identified seem to relate to incomplete plans and *ad hoc* responses 'on the go'. The UN Secretariat and DPKO in particular need to strengthen their strategic planning capacity, and Member States should assist. As wide a range of expertise as possible should feed into the planning process. Some of it should be outsourced to external planners and a roster of technical experts should be established. Institutions external to the UN could assist in complex or politically sensitive planning. Systematic efforts should be made to incorporate the local perspectives and knowledge of peoples of the affected countries (local stakeholders). Further, an institution-building unit should be established, possibly within the Secretariat. Given the complex linkage between governance and security sector reform activities in transitional administrations, a more natural home may be within the Bureau of Crisis Prevention and Recovery of the UN Development Programme (UNDP). Past models of peace operations can be misleading and should therefore not be followed uncritically. Overall, planning also needs to be context-driven, with sensitivity to the stage a society is at and an understanding of the regional ramifications.
- vii. A balance has to be struck between developing overly comprehensive plans and maintaining flexibility to allow for political manoeuvring and the 'space' to learn and adjust plans during the life of a mission. Various options are proposed, such as the establishment of a dedicated strategic planning unit or a mandate implementation team in support of the SRSG. These would facilitate co-ordination and information-sharing, monitor the overall mission performance against the mandate and agreed objectives, and suggest alterations to structure, staffing and allocation of resources in the light of the evolving challenges to the mission. A form of 'Inspectorate' system, staffed on a rotating basis for six-month periods by individuals with extensive peacekeeping experience (an 'Inspector-General') and possibly managed by the DPKO Best Practices Unit, could ensure that necessary changes are implemented and that requisite assistance is provided from the UN Secretariat. This would however have to define its position carefully in relation to the UN Office of Internal Oversight Services (OIOS)
- viii. The development of mechanisms to incorporate 'best practice' into the planning and implementation of peace operations is another reiteration from past studies. Various options are proposed to develop a sifting process that ensures that certain practices are elevated to 'best practice' and incorporated at both field and headquarters level (thereby also strengthening the

linkages between operations and the Best Practices Unit in New York). A Lessons Learned Unit within operations might be put in place, for example; key senior personnel would be systematically debriefed and a database established, accessible by planners and mission staff alike.

- ix. Managing expectations of what the UN and missions are capable of achieving constitutes a strong undercurrent throughout the operations under review. Limitations need to be defined both from the outset and throughout a mission's life in order not to create overblown expectations. An 'exit strategy' needs to be communicated well. Its focus should be not just on the orderly departure of UN civilian and military personnel but also on transition policy and ways of leaving a sustainable legacy, ensuring that structures are in place that allow the continuation of what the mission began, as well as the continuation of development activities.
- x. The organisational and management structure of missions has wide-ranging consequences for mitigating the inherent tensions that arise in co-ordination and addressing the management problems that are repeatedly cited. At an operational level, there is a recurring call for greater co-ordination within various aspects of the mission, at both the planning and the implementation stages, as well as for the setting of priorities. The complex problem of placing key functions strategically within a mission structure is illustrated by the lack of clarity over the position of human rights units. These lack a combination of an institutional identity and a strategic position within mission structures. Reporting lines need to be clear, with human rights units forming an integral part of mission structures as well as having an institutional identity linked to the High Commissioner for Human Rights.
- xi. The SRSG enjoys extraordinarily wide-ranging powers, combining, particularly in a transitional administration mandate, legislative and executive functions at a minimum. One person can either scuttle a mission or carry it to comparative success. This shows the need for the introduction of a system of checks and balances. Thereby a group of countries, at least one of them a P5 Security Council member with representation within a given country or territory, would, together with representatives from regional organisations, form a non-UN based 'oversight body'. An internal system of accountability could be strengthened through clear mission structures that define relationships between sectors and allow for an increased delegation of authority to agencies and departments.
- xii. Management ability and a clear definition of functions for the SRSG and his deputy or other senior staff are vital. Overlap and confusion of roles can trickle through mission structures and give rise to a serious management impasse. In addition, a Deputy SRSG for Administration and Management could be appointed for larger missions, whose primary responsibility would be to ensure that the mission's infrastructure and administrative services serve its political agenda. To overcome the obvious human resource limitations, with problems of prompt recruitment and finding appropriate staff, a wider web of recruiters should be involved, such as regional UN offices and recruitment agencies in the private sector.
- xiii. As these studies have demonstrated, multidimensional peace operations demand a high degree of flexibility and political creativity. There is a need to 'think outside the box' and to recognise connections between, for example, the anthropological make-up of a culture and potential problems with applying standard training modules, for instance, for capacity-building/training.
- xiv. One of the main tenets of all the studies is the apparent inability of both planners and implementers to recognise or place due emphasis on the linkages between sectors and between

agency and departmental responsibilities, and their comparative strengths and weaknesses. This is in part due to a real variance in political and institutional interests and funding sources and therefore has to be addressed at strategic, conceptual and practical levels. Bilateral donors, UN agencies and international financial institutions appear to be on the whole 'more eager to script their own role in post-conflict reconstruction than to co-ordinate with other international or local actors'.

PUBLIC ADMINISTRATION/GOVERNANCE

- xv. There is a tension between the UN's dual roles as a government or public administration and as a peacekeeping mission. The establishment of public administrations demands more comprehensive planning efforts and more skilled implementers with requisite technical expertise. Certain elements should be reflected in plans to develop a public administration, such as the selection of appropriate partners, delegation or decentralisation of authority for implementation purposes, and making formal handover arrangements for support responsibilities with other elements of the multilateral system.
- xvi. Two key obstacles to the creation of effective governance institutions appear to be that institutions are not developed in complementary sequence and that, in all key sectors, capacity-building has been part of the rhetoric but has rarely been accomplished in practice. The rule-of-law continuum illustrates the importance of creating institutions that develop in an intelligent and sequential way to ensure a sustainable legacy, that is, the police, the prisons, the courts, the security sector, administration of justice, human rights and legal policy development should be interlinked. Public confidence in these institutions can be seriously undermined if there is even one dysfunctional element.
- xvii. Parts of the UN system have extensive knowledge of capacity-building, which needs to be more actively explored. Yet at the operational level there has been a noted lack of understanding of what is involved in capacity- or institution-building. There is a need for international actors to be committed beyond the life of a mission. National counterparts need to be engaged in a longer dialogue or process. Sector specialists need to be deployed who understand the training needs of those who are supposed to train and those who are being trained. ('Capacity-build the capacity-builders')
- xviii. Efforts for democratisation in the operations under review are premised on the idea that the democratic state functions as an entity in which the population participates. There is a recognition that most of these populations have not experienced a democratic state or that their immediate experiences were not based on liberal-style democratic principles. But this realisation is not necessarily reflected in practice. Both planners and implementers need to understand local social structures and ideas of political authority and legitimacy. On the basis of this kind of knowledge, new structures can be established in a way that will gain local recognition.
- xix. Those chosen by international actors as local interlocutors have a significant effect on the development of political processes. This choice can also raise the standing of one interest group against another. The selected local interlocutors with whom a UN administration decides to engage are rarely fully representative of the population, and this inadvertently creates new power structures and can leave complex legacies. It is therefore important to question whether power-sharing is indeed the most effective way forward and/or whether the way it is approached serves the ultimate aim of sowing the seeds for democratic institutions and 'good governance'.

RULE OF LAW

- xx. The studies all emphasise the lack of a coherent strategy for the development of rule-of-law institutions and insufficient planning for this, even when the mandate seemed clear. This had a significant impact on various facets of the process, such as responsibility for addressing crimes of the past and the resolution of land and property issues. They highlight the need for a more robust, co-ordinated approach to the justice sector as a priority in future peace operations. At an operational level, the provision of adequate financial and logistical support for justice sector initiatives is critical, particularly in relation to post-conflict justice initiatives.
- xxi. The country studies reveal significant common themes. The formal justice sector is essentially not working, owing to lack of skills (e.g., lack of judges), lack of human resources and lack of or unbalanced funding. On a planning and structural level, the administration of justice appeared to be an afterthought. Little attention was paid to decentralising the justice system and to ensuring access to justice not merely at the level of the capital but throughout an entire country. The role of traditional justice systems consistently went unacknowledged, and confusion was caused by different bodies dealing with different kinds of justice in inconsistent ways. Justice issues from the past have proved hard to extricate from the longer-term project of establishing the rule of law for the future. A perceived distinction between post-conflict justice and the wider administration of justice persists. In some cases, two separate but complementary institutional responses have been implemented: a hybrid international/national judicial process and a non-judicial truth and reconciliation commission.
- xxii. Throughout peace operations, disputes over the use, control and ownership of land and property were the major source of social unrest and violence, and continued to be so after the conflict. They have a direct impact on social and economic security, which in turn affects physical security. This issue seems to have been consistently neglected both in the planning and in the execution of the peace operations under review.

THE SECURITY SECTOR

- xxiii. All the studies demonstrate a disregard for the complexities of security sector reform, the *sine qua non* of post-conflict reconstruction. Civilian oversight mechanisms need to be established early on. This is a major capacity-building challenge and linked to the development of a viable civil service structure. Efforts to establish or reform local security institutions, including military and police, must begin early in the process. Some Member States and agencies have developed considerable expertise in this area, which is not being utilised. This process requires a sustained funding and capacity-building commitment by donors and practitioners. A comprehensive reform of the security sector is vital if exit strategies are going to work. The development of a new security culture demands a different perception of security that defies bureaucratic compartmentalisation. It also demands sensitivity to public opinion. Public information could play an important role in introducing a debate on security issues.
- xxiv. A recurring and consistently problematic theme is the need to establish a coherent law-and-order presence and to ensure the speedy deployment of well-trained international civilian police to train and, in extreme cases, to perform executive functions.
- xxv. All the studies restate the problems linked to the reintegration of former combatants or resistance groups. Despite a growing body of literature, there appears to be a gap between forming and advocating policies, and equally between programme design and implementation.

The studies underline the need for a comprehensive review of disarmament, demobilisation and reintegration (DDR) processes, paying particular attention to context.

- xxvi. In terms of the international peacekeeping presence, the studies also highlighted a lesson missed relating to mission planning, namely that troop-contributing countries, permanent members of the UN Security Council and the UN Secretariat are partners in the fielding of peace operations. All efforts should be made to ensure a shared understanding between these three groups of a mission's principal challenges and objectives.

THE HUMANITARIAN–PEACEKEEPING–DEVELOPMENT INTERFACE

- xxvii. This touches on the need to address humanitarian and development issues concurrently, as well as on the tensions between peacekeeping and humanitarian delivery. Problems related to the co-ordination of humanitarian assistance are often related to mandate, which in turn impacts on the implementation of key humanitarian objectives.
- xxviii. Aspects of the mission country's future economic development need to feature prominently in the humanitarian relief phase. Participatory strategic planning for development needs to begin in parallel with humanitarian intervention, as recommended in the Brahimi Report. Furthermore, the drafting of a comprehensive strategy during the humanitarian phase will be more effective while donor interest is still high, funds remain unallocated and key personnel are in place to oversee the transition. The ability of organisations to second, transfer or re-employ experienced staff to successor departments or agencies in order to facilitate continuity and a transfer of expertise was also found to be vital. Humanitarian and development co-ordination centres would facilitate inter-agency co-ordination. Greater attention must be paid to the transition of such co-ordination and information centres to local or international authority.
- xxix. Despite the increased involvement of military forces in humanitarian assistance since the early 1990s, analysis in the area of merging political, military and humanitarian roles appears to be limited and practical policy guidelines are undeveloped. The general view appears to be that increased military engagement in humanitarian assistance is inevitable. It has been questioned whether this is an appropriate direction for peace operations, given that differences in aims and approach do not assist in increased co-operation and co-ordination.
- xxx. Whilst the responsibilities of an international force vary by circumstance and specific mandate, the force should have an explicit mandate that encompasses core duties to foster security and protect civilians by establishing and enforcing a safe and stable environment. At the same time, humanitarian agencies have a mandate to directly implement humanitarian programmes. Many agencies feel that their impartiality is substantially undermined if the military asserts a degree of control over them. . One argument put forward is that the military should not 'erode' humanitarian space by engaging in assistance work except in rare circumstances—for example, when the logistical capacities of humanitarian agencies are overwhelmed by circumstances on the ground or the level of insecurity prevents access to civilian populations in need. While the military argues that its engaging in humanitarian work is a force for positive change, humanitarian agencies feel that the military needs to consult on the selection and implementation of projects at a deeper and wider level.

FOLLOW-UP

- xxxi. The recommendations require a detailed study of their financial and funding implications. Proposals for follow-up are also suggested in a number of other areas, such as the development of a comprehensive and robust rule-of-law strategy, and a study that addresses

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003

public administration and public -sector reform, in particular the viability of establishing a civil service structure, as well as the technical expertise required.

- xxxii. In taking the longer view, more thinking should go into the planning process as to what legacy—political, cultural and economic—a peace operation should leave. A brief examination of the way in which situations have evolved since the research for these studies was conducted underscores the concerns expressed in the reports about the weak institutional foundations of a new state, in particular in relation to rule -of-law and security institutions.
- xxxiii. Another overarching issue concerns the scope of mandates and the need to look at peace operations in a regional or ‘transnational’ context. This goes to the heart of an important recognition of the Brahimi Report, namely, that wars and conflict zones are inherently not about just the particular country or the immediate region, but are regional or transnational. The importance of taking the regional nature of conflicts into account was borne out especially in Sierra Leone and in the Balkan conflicts, with the ‘spillover’ from Bosnia to Kosovo and Macedonia.

TABLE OF CONTENTS

SYNTHESIS REPORT

EXECUTIVE SUMMARY	8
INTRODUCTION.....	16
1 PLANNING AND PROCESS.....	18
1.1 PRE-MISSION/PRE-DEPLOYMENT PLANNING	18
1.2 TRANSITIONAL AND 'REAL-TIME' PLANNING.....	20
1.3 EXIT STRATEGY.....	23
1.4 MANDATE.....	24
1.5 ARCHITECTURE /STRUCTURE OF A MISSION.....	24
1.6 MANAGEMENT/ADMINISTRATION.....	26
1.7 CO-ORDINATION	28
2 PUBLIC ADMINISTRATION/GOVERNANCE.....	30
2.1 DEVELOPMENT OF INSTITUTIONS AND CAPACITY-BUILDING	31
2.2 LOCAL POWER STRUCTURES AND POWER-SHARING.....	33
3 RULE OF LAW AND POST-CONFLICT JUSTICE.....	35
3.1 POST-CONFLICT JUSTICE.....	36
3.2 INFRASTRUCTURE AND CAPACITY-BUILDING	37
3.3 TRADITIONAL JUSTICE	37
3.4 LAND AND PROPERTY ISSUES.....	38
4 THE SECURITY SECTOR.....	39
4.1 DEVELOPMENT OF A NEW SECURITY CULTURE.....	39
4.2 DISARMAMENT, DEMOBILISATION AND REINTEGRATION (DDR).....	41
4.3 THE INTERNATIONAL LAW-AND-ORDER PRESENCE: UN POLICE.....	42
4.4 THE INTERNATIONAL PEACEKEEPING PRESENCE.....	43
5 THE HUMANITARIAN-PEACEKEEPING-DEVELOPMENT INTERFACE.....	44
5.1 HUMANITARIAN ASSISTANCE AND DEVELOPMENT	44
5.2 PEACEKEEPING AND HUMANITARIAN DELIVER.....	45
6 POSTSCRIPT	47
7 PROPOSALS FOR FOLLOW-UP.....	51
ANNEX A. SUMMARY OF RECOMMENDATIONS	53
ANNEX B. ACRONYMS	62

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003

INTRODUCTION

WHY ANOTHER STUDY OF PEACE OPERATIONS?

1. This study aims to be as comprehensive a review as possible of three core peace operations (in East Timor, Kosovo and Sierra Leone) and a ‘real-time’ (snapshot) study of an ongoing operation (in Afghanistan). Its distinctness lies in the fact that it aims to be a wide-ranging review of the process and of all actors involved in a select group of peace operations, paying particular attention to the perceptions of local interlocutors. A wide range of local and international actors and material was consulted. Strong emphasis is placed on linkages, such as those between the different aspects of the rule-of-law continuum (comprising the security sector, the administration of justice, human rights and public administration), or between humanitarian and development activities, and the tensions between the role of the United Nations as a peace operation and its role as a governing public administration.
2. While following a broadly similar structure, each study has different emphases, reflecting the distinct situations that each operation faced. They highlight enough common themes to allow lessons to be drawn, which can form the basis for future action without minimising the different demands of the different sets of circumstances surrounding the inception and development of each operation.

THE BRAHIMI REPORT¹

3. The Brahimi Report provided the starting point and inspired the initial working title of this study, ‘Beyond Brahimi—Learning Lessons from Peace Operations’. Nearly three years after its publication, the continuing relevance of the report needs to be recognised, as well as its limitations in the light of developments on the ground. The objective of the country studies was to provide a yardstick against which the Brahimi Report could be measured. Taking this as our standard, it was necessary in some instances to reiterate some of the recommendations of the report that have not so far been acted on; in others we have sought to shift the focus of our recommendations (e.g., from headquarters to the field); and in yet others we have attempted to highlight areas which we have concluded received insufficient attention in the Brahimi Report, the chief among them perhaps being the topic of civil administration. We hope to have thereby addressed the true complexity of multidimensional peace operations, and in particular the challenges posed by their governance aspects.
4. In the wake of the Brahimi Report, considerable effort has been expended both within the UN Secretariat and by the General Assembly’s Special Committee on Peacekeeping Operations in reviewing the recommendations of the report and monitoring their implementation. The core capacities of the Department of Peace-keeping Operations (DPKO) have been strengthened through changes to the department’s organisational structure and staffing levels. These in turn have assisted in changing its relationship with Member States, other parts of the UN system and missions in the field. A number of measures have been introduced to enhance planning capacity, including incorporating best practice learned from earlier operations in order to facilitate deployment.

¹ United Nations. ‘Comprehensive Review of the Whole Question of Peacekeeping Operations in All Their Aspects: Report of the Panel on UN Peace Operations.’ UN document A/55/305-S/2000/809, 21 August 2000, hereinafter referred to as the Brahimi Report.

5. Against the background of this responsiveness to the recommendations of the Brahimi Report, this study seeks: (1) to identify areas where progress has been less marked (for example, in establishing mechanisms that would encourage a comprehensive approach to establishing the rule of law) and to examine why this should be so; and (2) to identify areas to which, with the benefit of hindsight, it now seems that the Brahimi Report paid insufficient attention (for example, the dilemmas posed for the UN when it engages in establishing or strengthening civil administrations).

SYNTHESIS REPORT

6. This synthesis report raises operational issues of its own, such as: What are the obstacles to the implementation of its recommendations and how can they be addressed and overcome? How can the information that it contains feed into the ongoing review of peace operations that was triggered by Brahimi? How do we make sure that the lessons it provides are indeed learned rather than simply being noted and shelved?
7. Clearly, the conclusions and recommendations cannot be fixed rules applicable in all situations regardless of the actors or the context. They seek to incorporate issues that were or were not adequately addressed by the Brahimi Report and to provide illustrations and concrete examples from the recent experiences of these studies. Alternative policy/strategic or operational choices are suggested and recommendations made relevant to current or recent experiences, and emerging lessons and lessons learned are indicated.
8. Five key themes have emerged from the wealth of material contained in the country studies: (1) Planning and Process, (2) Public Administration/Governance, (3) Rule of Law and Post-Conflict Justice, (4) Security Sector Transformation, and (5) the Humanitarian–Peacekeeping–Development Interface. The most significant lessons learned or missed and recommendations are grouped under strategic and operational priorities. As there are longer-term perspectives that go beyond peacekeeping, the report calls for increasing awareness to anticipate issues for the medium and longer term, and poses broader questions that need to inform the international agenda in peace operations. The report then makes suggestions for future reviews and studies that were not within the remit of this study but could usefully help in the practical application of the recommendations. Annexed to the report is a Summary of Recommendations arising from the synthesis report, outlining recommendations for immediate action, action following procedural or limited reforms, and actions requiring significant reform.
9. Many of the recommendations have funding implications. This study did not include a costing analysis. It is proposed therefore that this should be a high priority for a follow-up study to give concrete expression to the funding and financial implications of the recommendations.
10. This study as whole is aimed at analysts, policy advisers and above all practitioners. We recognise that many of the findings are unfortunately not new and replicate those of other analyses of peace operations. Some are referred to in brief, and yet others warranted a more detailed discussion with the aim of making practicable recommendations for addressing these urgently. We propose that this synthesis report and the study as a whole be viewed not as the final word on these operations, but as a working document that could be further developed and serve as a basis for future discussion and action.

**A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003**

1. PLANNING AND PROCESS

11. The planning process for a peace operation involves setting both strategic and operational priorities. The formulation of strategic priorities needs to feed into the operational level, whilst at the same time operational priorities need to inform the strategic level.
12. A number of common post-conflict challenges need to be factored into planning processes. Examples include high levels of unemployment, the need to develop the local capacity for managing a civil administration, and the challenge posed by confused security structures. These need to be factored into pre-operation planning processes, but there is also a need to be flexible within a mission in order to address issues on an ongoing basis.
13. This section addresses, *inter alia*, two distinct but interrelated planning processes: **(1) Pre-operational planning** which goes into the making of the mission and the design of the mandate; and **(2) Planning in ‘real time’**, during the life of a mission, to address issues that arise during the mandated presence or in preparation for the next stage. It then addresses the importance of incorporating planning for an **(3) Exit strategy** or end-state into the early stages. A brief discussion on **(4) Mandates** is followed by highlighting the importance of **(5) the Structure/Architecture** of a mission. Limitations imposed by the **(6) Management /Administration** for and during operations in turn impact on **(7) Co-ordination mechanisms** which should be improved if certain institutional and departmental linkages and connections are to be more systematically incorporated into the planning stages.

1.1 PRE-MISSION/PRE-DEPLOYMENT PLANNING

14. Peace operations in their growing complexity have increasingly included state-building functions. Two basic lessons arise from the studies. First, the UN Secretariat and DPKO in particular need to strengthen their strategic planning capacity. The downsizing of DPKO after 1995 adversely affected the early planning, mission design and preparation for both Kosovo and East Timor. The Brahimi Report’s findings in this area prompted some improvements, which were evident in the planning for the UN Assistance Mission in Afghanistan (UNAMA). However, the level of in-house resources and personnel dedicated to planning continues to be inadequate. DPKO would also benefit from additional resources and outside expertise to assist in the design of missions. Member States need to ensure that relevant departments within the UN Secretariat have the necessary resources and personnel to better anticipate and plan for future operations. It is therefore recommended that, given the complex linkage between governance and security sector reform activities, it might be advisable to consider the establishment of an institution-building unit that acts as a focal point both for institution-building activities and for expertise in this area. On the one hand this unit could be based within the Secretariat, linked both to DPA and DPKO; on the other hand, given the evolving expertise within UNDP on security sector reform and governance activities, a more natural home might be within the UNDP Bureau of Crisis Prevention and Recovery.
15. Second, the local perspective and input into planning have tended to be neglected or sidelined. While the important role of New York-based actors in the process is recognised, it is of fundamental importance that planning for peace operations is conducted in collaboration with local stakeholders and takes advantage of their knowledge of the situation on the ground.

16. **Models.** Past models can make a useful contribution to designing new missions, but they can also be misleading and should therefore not be followed uncritically. One oft-cited criticism of the planning process for East Timor was that Kosovo was used as a blueprint, and that the specific context and the wishes of the East Timorese were neglected as a result. The Afghanistan study, in discussing the ‘light footprint vision’, points out that a different model is required from the ‘standard, self-contained, turnkey operations deployed by DPKO’. The Secretariat might want to consider a review process that could explore alternative operating procedures for support services, particularly for a light footprint model, by examining existing missions and their local support structures.
17. **Context.** Planning needs to be context-driven. Both the East Timor and the Afghanistan studies highlight this. The study on East Timor recommends that, in the planning for missions whose precise timing and contours are not known, conceptual distinctions should be made between elements which are scenario-dependent and those which are non-scenario dependent. Thus, in the case of East Timor, it was known before the referendum of August 1999 that, whatever the outcome of the vote, the UN would be participating in the development of a judiciary and a police service; yet planning for these institutions did not take place until some time after the ballot.
18. The Afghanistan study pointed out that the design of a peace operation must take into account the stage the country, region and society are at. The organisation of a peace mission should be tailored to the kind of situation into which it is ‘inserted’. The mission’s civilian structure in situations such as Afghanistan’s, for example, which are ‘between war and peace’, should be modular, allowing units to be deployed according to need as the situation evolves.
19. Perceived and real emergency imperatives often drive the planning and allocation of resources in a way that shapes or influences what is possible in the longer term.² This emergency approach may also limit the degree to which economic assistance can ‘promote the peace process’, that is, aid may be given on the basis of short-term, visible needs without full consideration of political context.³ One cause of this may be an over-representation of ‘doers’ as opposed to ‘planners’ for the different sectors.
20. **Planning expertise.** The country studies throw up a number of dilemmas over the depth of the planning process. Over-comprehensive planning can sometimes impose on the space for action and lag behind the political reality on the ground. Findings of the Afghanistan study suggest that planning can at times be too ambitious and should in future aim to be less comprehensive. There should be a core of designated planning staff able to ensure critical input from the field into the process. In addition, different layers of planning may have to happen simultaneously. The Afghanistan study points out that a quicker planning process is more likely to keep pace with rapid changes typical of complex emergencies and their aftermath.
21. **Targeted use of ‘outsourcing’.** Both the Kosovo and the East Timor studies advocate a more in-depth process and propose **‘outsourcing’ some of the planning process to external planners**. In the East Timor context, recourse to such input might have been particularly useful because the political demands of the situation virtually ruled out contingency planning for a ‘worst-case scenario’ in the pre-ballot period. It is proposed that a roster of external planning experts should be maintained with specific technical and management

² See the East Timor study on education planning (paragraph 193).

³ See the Afghanistan study (paragraph 69).

expertise. This should include infrastructure experts, such as water and electrical engineers, who would ideally be people who have established and managed these sectors both in their home countries and in other locations. Furthermore, organisational and operations management experts should advise on mission structure and management procedure. This is particularly relevant to large-scale operations involving a range of organisations.

22. Outsourcing the development of certain elements of public administration or its supporting infrastructure can be effective, as was demonstrated in Kosovo with the finance sector and in East Timor with telecommunications. There are case-specific reasons for these successes that should be examined. Outsourcing of finance sector work in Kosovo, for example, was successful in part because of the universality of some best practice approaches – a consensus on achieving the goal of implanting European standards - and in part because of the degree of ‘visibility’ achieved by having certain activities closely monitored by donors. The outsourcing of the development of tele communications in East Timor may also have owed some of its success to the entrepreneurial and intrinsically market-driven nature of the exercise.
23. The use of institutions external to the UN in assisting in complex or politically sensitive planning and strategic development is highlighted in East Timor. An Independent Study of Security Force Options for East Timor, essentially proposing options for the future of certain parts of the security sector, came at the height of a political impasse that had occurred between the **United Nations Transitional Administration in East Timor (UNTAET)** and the armed wing of the East Timorese resistance.⁴
24. **A single agreed plan.** The studies have shown that diffuse organisation and implementation of plans to establish a public administration—for instance, the involvement of multiple donors with ownership claims or a range of non-standardised technical inputs—is extremely problematic and produces a greater chance of delay or failure. A single agreed plan and set of priorities are best complemented by delegation of authority to a limited group of technical planners for implementation.
25. **Integrated Mission Task Force (IMTF).** The Brahimi Report’s concept of an IMTF was found by all the studies to be essential and to need further expansion and exploration. As wide a range of expertise as possible needs to feed into the planning process. People with expertise in planning (see above), those with country-specific/anthropological expertise, senior mission personnel and local stakeholders all need to be engaged. At the same time, the Afghanistan study suggests that, if an integrated model is adopted, the mission has to be on the ground as soon as possible and structures for achieving integration (notably funding and decision-making responsibility) have to be instituted.
26. The need for local expertise is reinforced by the East Timor experience. An IMTF was established by DPKO in planning for the successor mission that ultimately had little impact. Field-based planning carried out within UNTAET drew on local knowledge and made for a more workable strategy. Clearer links and division of responsibilities need to be established between an IMTF on the ground and at headquarters.

⁴ Centre for Defence Studies, King’s College, London. ‘Independent Study on Security Force Options and Security Sector Reform for East Timor.’ London: King’s College, London, 8 August 2000

1.2 TRANSITIONAL AND ‘REAL-TIME’ PLANNING

27. *Ad hoc* and piecemeal initiatives and perpetual revision of plans should be avoided in the course of a mission. They merely paper over the cracks caused by a mandate which is not explicit enough or by lack of resources and skilled personnel. Missions appear only to begin to understand both what is required to develop public administrations, for example, and who is required to do this, once they have been established. The result is an inevitable period of planning ‘on the go’ on the one hand, and regular and major revision of objectives on the other.⁵ At the same time, a balance has to be struck with what the situations under review conclude is the need for flexibility, that is, the ability to change plans or structures and to change institutional behaviour as the operation progresses.
28. The need to review performance and make course corrections is recognised in missions, although not consistently implemented. UNTAET, for example, did conceive of major institutional innovations, such as the creation of the East Timor Defence Force (Forças de Defesa de Timor Leste, FDTL) or an East Timorese Transitional Administration (ETTA), in response to problems that were not foreseen at the time when the mandate was designed, but at the same time, as in the case of these and other institutions (such as the judiciary), it did not carry out the kind of performance review which would have allowed serious shortcomings to be identified and addressed. (See also section 2, Public Administration/Governance).
29. The East Timor example also highlights the complexity of transitional planning. The focus for the mission was planning for a successor mission. This was far better conducted than planning for the transition from UNTAET to an independent East Timor government. (See also Section 2.2, Local Power Structures and Power-Sharing). Two transitions were taking place simultaneously. Consequently, planning for an independent East Timorese government received considerably less attention than planning for a successor mission. As a result, at independence, there were many administrative and institutional gaps, and the transition to an autonomous East Timorese government was more troubled than it need have been.
30. As a practical way of addressing this, a few options might be considered that could be achieved by expanding the capacity of the current system rather than by introducing new structures:
- ← a **mandate implementation team**, which could be established as part of missions and given the task of monitoring programmes, identifying problems and adjusting strategies as necessary;
 - ← alternately or linked to this, a **dedicated Strategic Planning Unit**, which could be established, removed from daily operational demands, in order to enable the mission to take on medium- or longer-term perspectives and advise the senior management on mandate implementation;
 - ← **planning and management units in support of the Special Representative of the Secretary-General (SRSG)** would be another variation on this theme. These would facilitate co-ordination and information sharing, monitor overall mission performance against the mandate and agreed objectives, and make recommendations for alterations to structure, staffing and allocation of resources in the light of evolving mission challenges;

⁵ See the Kosovo and East Timor studies on the evolution of departmental structures in legal reform efforts and the sense of trial and error, or ‘plan as you go’.

- ← a form of **'Inspectorate' system**, staffed on a rotating basis for six-month periods by individuals with extensive peacekeeping experience (an 'Inspector-General') and possibly managed by the Best Practices Unit (BPU), could ensure that necessary changes were implemented and that requisite assistance was provided from the UN Secretariat (see also below under 'Best Practice'). Such a mechanism would, however, have to define its position carefully in relation to the UN Office of Internal Oversight Services (OIOS); and
- ← another approach would be to **structure funding** so that emergency work, while based on need, would be reduced over time, with emphasis shifting to the planners' longer-term proposals.⁶ Difficulties may arise here resulting from the funding base, however, as medium-term work is likely to come from a trust fund and hence be driven by less reliable voluntary contributions.

INTRODUCING BEST PRACTICE INTO PLANNING PROCESSES

31. The fact that weaknesses or uncertainty in planning slow the pace of efforts is particularly discernible in the establishment of public administrations, and often results in a perception that everything must be done 'from scratch'. In Kosovo, 'precious time' was being 'wasted' on planning for the new judiciary as a result of insufficient advance planning. Weak plans are also vulnerable to being co-opted by special interests and to missing the true priorities. Yet the plan for the health sector in East Timor showed that thorough planning was possible and gave some indication of the elements that must be considered, including:
 - non-governmental organisations (NGOs) creating space for planning by covering the emergency phase on the understanding that they would aim to relinquish major responsibility to a local structure;
 - a considerable cadre of local health professionals working to agreed standards;
 - international and national collaboration based on shared understanding of technical requirements; and
 - relative de-politicisation of the issue.
32. The key challenge is how to institutionalise best practices effectively. The UN Secretariat's BPU is confronted with the problem (not dissimilar to that of this study) of how to evaluate something, come up with practicable recommendations, and ensure that they are adopted by missions and fed into the appropriate stages of pre-mission planning and ongoing mission performance.
33. A number of questions of a structural nature require consideration, which cannot be addressed by an independent 'outside' study such as this one. They have important substantive implications with regard to the BPU and its position within the UN Secretariat and DPKO:
 - How effective is the BPU in terms of where it is positioned within the UN structure?
 - Is it staffed by personnel with sufficient experience in conducting evaluations and understanding the operational implications?
 - What mechanisms are there to feed these findings into operational and strategic levels and how can they be improved?
34. A number of practical suggestions aimed at improving the relationship between operations and the BPU in New York emanate from the country studies.

⁶ A different donor approach is required to the one adopted for short-term humanitarian funding. An interesting example is that the Norwegian Government has introduced a 'Transition' budget line for humanitarian/development activities.

- ← Stronger links could be forged if the Mandate or Planning Unit (see above) performed the parallel role of a **Lessons Learned Unit** within a peace operation (or a separate team could be established). This unit or team would provide real-time feedback on mission performance and ongoing evaluations, co-ordinating closely with the existing BPU.
- ← **Systematic debriefing of key personnel** There needs to be a systematic effort to debrief key personnel, especially senior staff, in order to feed into ongoing improvement of mission performance and into all stages of the planning process. Interviews with SRSGs and their deputies indicate that at present no such formal debriefing takes place except on an *ad hoc* or informal basis. Debriefings should be regularised and feed both into the Best Practices Unit and into the mission concerned.
- ← In addition, a short **end-of-mission report** format should be developed both for senior staff and for other key staff to feed into the Best Practices Unit.
- ← All peace operations should receive regular ‘health checks’ through assessment visits by UN staff who have an objective relationship (as far as is feasible) to the mission being reviewed. This **‘Inspectorate’ system** should be staffed on a rotating basis for six-month periods by individuals with extensive peacekeeping experience and could be managed by the BPU. Although this obviously has major funding implications, Member States may well find it to be in the best interests of **mission** performance.
- ← Learning lessons is a dynamic process. There therefore needs to be an ongoing evolving source, a **database** that can be accessed by planners and mission staff alike to assist in policy formulation and creative mandate implementation. The Kosovo study proposed an online information resource detailing previous peace operations, with lessons-learned reports as well as a facility to access previous or current staff with relevant experience.

1.3 EXIT STRATEGY

35. **Linkage between ‘exit’ and ‘entry’ strategies.** Much discordant debate surrounds the formulation of an exit strategy. All studies show that the formulation of a viable exit strategy is directly linked to having an effective ‘entry’ strategy. The establishment of clear operational and strategic priorities is fundamental to planning beyond a large international presence. A viable exit strategy is intrinsically linked to the planning process or the structure of a mission. There is a direct connection between a mission’s exit strategy and the viability of a host country’s security apparatus, for example (see section 4, The Security Sector). Strengthening that apparatus is part of a security sector transformation process, best achieved if military and police are reformed in a complementary fashion and dependent on functioning rule-of-law institutions and public administration.
36. **Expectations.** Furthermore, the relationship between setting planning priorities and the development of an exit strategy is demonstrated in all studies by the level of expectation, particularly among the local population, as to what is achievable. It is important to realise that missions need to define their limitations, both from the outset and throughout a mission’s life, in order not to create overblown expectations. This needs to be done on various levels and at various stages—hence the importance of a coherent, flexible public information campaign aimed at the local population. Concurrently, more targeted use should be made of the range of co-ordination mechanisms that exist within mission structures to collaborate with donors and both UN and non-UN agencies.
37. **What is an exit strategy?** Both the initial establishment of strategic priorities and the ongoing adjustments to a mission’s performance affect the ability to leave or downsize an operation in a

credible manner. At the same time it has to be clear what an exit strategy is not, or should not be. The focus should not just be on an orderly departure of UN civilian and military personnel. It should also be on leaving a sustainable legacy, as far as is feasible, and ensuring that structures are in place that allow the continuation of what the mission began, as well as ensuring the continuation of development activities, in particular in the health and agriculture sectors and in institution- and capacity-building.

1.4 MANDATE

38. Questions related to the breadth and depth of a mission's mandate have been much analysed. Yet the country studies reiterate the same problems, which are here flagged briefly, as they may assist in the formulation of future mandates.
39. **Political space.** There is a complex tension between the mandate for an operation and the context into which a mission is 'inserted'. The Afghanistan study highlights the need for 'political space' and suggests that, when authorising a mission, the Security Council needs to bear in mind the limits on the mission's 'space' for independent action and the need for creative interpretation, thus allowing room for political manoeuvre and operational flexibility. The Brahimi Report did not focus on the type of situation in which a peace operation takes place alongside major military operations, as in Afghanistan, although it did consider analogous situations in which 'spoilers' of various kinds limited the freedom of action of the mission.
40. **Ambitious and ambiguous mandates.** Mandates need to be more focused on what is achievable in the time frame allowed. A recurring observation on UNTAET in East Timor is the all-encompassing and ambitious nature of its mandate.⁷ The East Timor study found that one of the lessons missed from other operations was that the UN proved itself unable to gear up for the comprehensive nation-building exercise envisaged in the mandate. This was, in part, an unavoidable consequence of tight time frames and unfamiliarity. There were also mandate ambiguities, for instance, in the security sector, which reflected differences among Member States as to whether the mandate, and indeed the UN Charter, allowed for UNTAET to assist in the establishment of a defence force, given that it involved engagement with the former resistance, an armed group.
41. **Realistic timelines.** The time frame for the fulfilment of its mandate can represent a real constraint for a mission's proper functioning and evolution. The East Timor study highlights problems with an ambitious mandate and a short time frame in which to conduct long-term activities, such as institution- and capacity-building.

1.5 ARCHITECTURE / STRUCTURE OF A MISSION

42. **Structure and co-ordination.** The organisational structure of missions has far-reaching consequences for a wide range of relationships and affects their ability to co-ordinate and implement the mandate. It also affects their ability to establish effective operational co-ordination mechanisms focused on logistics, activities and programmes, as well as the sharing of information critical to them. Both the Kosovo and the Sierra Leone studies, for example, highlight in different ways the problematic nature of the co-ordination within the relief, recovery

⁷ UNITAR-IPS-JIIA Conference on UNTAET: Debriefing and Lessons, United Nations University, Tokyo, Japan, 16-18 September 2002.

and development nexus as a result of an absence of clearly defined structures, and the presence of procedures that lead to duplication of effort or the omission of crucial linkages.

43. **Disaggregating structures.** The studies highlight the complexity of trying to ensure that key functions are placed effectively within a mission's structure. One proposal is that missions should be disaggregated and split into one structure for peacekeeping and humanitarian assistance and another for governance and public administration. The UN should focus on its comparative strengths and perform core functions, and specialised agencies or interested Member States could develop specific modules suitable for the context.
44. **The military–civilian relationship.** A structural point to be factored into the planning process is the much-discussed one of refining the military–civilian relationship and the need for coherent command structures in order to minimise collateral damage. The Sierra Leone study analysed the fatal confusion arising from the co-deployment of different forces under different command structures. This needs to be avoided, unless the new or second force to be introduced has a clearly defined mission and will have a decisive impact on the crisis. UN peacekeeping operations need coherent military leadership and core troops from a leading nation to provide the backbone of the operation. Furthermore, the relationship between a Force Commander and the SRSG is crucial. There have been examples where lack of communication between the military and civilian branches has resulted in confusion in the political arena. There is a need for greater clarity in defining reporting lines and information sharing. Furthermore, civilian-led co-ordination functions need to be factored into the planning process early on (see also section 4, The Security Sector).

DEPUTIES

45. Another structural point highlighted by the studies is that of the respective roles and functions of the SRSG and of his deputy and of other senior staff (e.g., Chiefs of Staff). In most scenarios, there is overlap and a confusion of roles, which trickles through the mission structure. Serious management impasses can arise, as well as confusion over policies, both of which can detract from a mission's credibility. One example is the confusion over the handling of the militia in East Timor. Senior staff and respective 'teams' appeared to set contradictory strategic priorities and pursue different lines of communication with a range of national counterparts and agencies. This led to considerable tensions within the mission and, most importantly, to an incoherent policy stance by the mission as a whole. On a political level the issue of trying the militia for past crimes or assisting their return and granting an amnesty remains contentious long past the departure of UNTAET. While the problem itself presented a very serious dilemma to which there was no easy response, the lack of unity on the part of UNTAET proved unhelpful and sent a confused message to the East Timorese.
46. Structural clarity would mitigate potential personality clashes. An example worth further study is that of the role of the multi-titled Deputy Special Representative of the Secretary-General (DSRSG) in Sierra Leone, the resident co-ordinator/DSRSG/humanitarian co-ordinator. For the individuals and agencies involved in the humanitarian and development fields, this proved a positive step forward in terms of operational co-ordination.
47. **Human rights in a mission structure.** The complex problem of placing certain key functions strategically within a mission structure is demonstrated by the difficulties surrounding the role of human rights units, as highlighted by both the East Timor and the Afghanistan studies (see also section 3, Rule of Law and Post-Conflict Justice). As a unit by itself, removed from day-to-day mission activities, the human rights unit runs the danger of being sidelined. Valuable

information exchange and expertise are lost. At the same time, appointing human rights advisers without clear institutional identity—for instance, one to the SRSG and some within a legal unit—will not add to coherence. There is a need to ensure that reporting lines are clear. Human rights advisers and a human rights unit need to form an integral part of a mission structure and feed into overall policy formulation, answerable to the SRSG. At the same time, this unit should have an institutional identity linked to the High Commissioner for Human Rights.

1.6 MANAGEMENT/ADMINISTRATION

48. All four studies contain substantial comments on how each operation is managed. The Kosovo study provides implicit commentary on different styles of management. The Afghanistan snapshot and the East Timor study provide the observation that the SRSG's 'front office' is entirely separate from the rest of the mission, appearing as a form of mission unto itself. Although this strays into delicate territory for an independent study, it is necessary to emphasise that two of the fundamental building blocks of missions are the manner in which the 'shop' is run and the personal qualities of the individual who runs it.

AUTHORITY AND POWERS OF THE SRSG

49. The SRSG's extraordinary wide-ranging powers are a thread that runs through almost all sections of the country analyses, combining in a transitional administration mandate, both legislative and executive functions at a minimum. These powers, often greater on the ground than on paper, may be required to address the early, anarchic period of a transition. Nevertheless, they raise questions regarding the accountability of that individual and the transparency of process.
50. A clear and disturbing message is that one person can either scuttle a mission or carry it to comparative success. Purely from a management point of view, it seems ill-advised to allow a mission to be vulnerable to one individual's capacity and performance. Few, if any, SRSGs have had previous experience of the vast executive position that is equivalent to running in most cases not just a complex array of humanitarian and military actors but also whole territories. All studies point to the importance of appointing an SRSG and/or a Deputy who have management abilities. It also seems imperative to review the pre-mission briefing and training that incumbent SRSGs get, and to ensure that mechanisms are in place to pass on lessons learned with regard to good and bad practice, in particular with regard to the mechanical aspects of the SRSG's function.
51. Furthermore, a system of checks and balances would be advisable. An SRSG's powers are wide-ranging; the role of the immediate group of advisers is crucial (sometimes to the exclusion of others). A mechanism needs to be in place with the specific purpose of checking a mission's management performance, as opposed to its achievement of its mandate goals. Parallels could be drawn from the role of chief executives in the private sector, who are ultimately accountable to a board of directors. The establishment of the 'Quint' in Kosovo could serve as a starting point for developing a model.⁸ Thereby a group of countries, at least one of them a Security Council member, which has representation within the country or province concerned would, together with representatives from regional organisations, form an 'oversight body'. This may not be immediately translatable into all contexts and may depend on the basis of post-

⁸ The 'Quint' was a group of interested countries (France, Germany, Italy, UK and US) that met regularly with the SRSG on a range of policy and strategic issues, providing an informal oversight role.

conflict arrangements, such as a peace settlement. The basic premise is that a non-UN body needs to impose a system of accountability, as well as assist the SRSG.

52. Internally, a system of checks and balances can be put in place by designing a clear mission structure that defines relationships between sectors and allows for an increased delegation of authority to agencies or departments working on the respective sectors.
53. **Administration.** While the role of the administration within a UN mission is crucial, it may have to be reassessed. The Sierra Leone study found that the traditional UN Chief Administrative Officer has a broad range of tasks at both the macro and micro level, and is often unable to keep sight of the political environment in which a mission is operating. A Deputy SRSG for Administration and Management should be deployed to larger missions as a matter of standard practice. This DSRSG's primary responsibility would be to ensure that the mission's infrastructure and administrative service serve the political agenda of the UN. The DSRSG will need full flexibility to carry out his/her work, and full delegation of certain administrative authority will therefore be required.

ADMINISTRATIVE AND HUMAN RESOURCE LIMITATIONS

54. Inefficient administrative procedures and human resource systems seem to be at the root of many subsequent problems in implementation. On the operational level, all studies allude to the fact that resource and recruitment support and systems are unhelpful to field operations. Problems related to recruitment are the inability to recruit promptly, a lack of skilled personnel (East Timor and Kosovo), and in many cases inappropriate and mismatched skills profiles for important positions. Certain kinds of technical staff, in particular staff who understand the region, appear to be particularly difficult to deploy. In addition, the Kosovo study found that the UN Secretariat was slow in recognising the need to expand its recruitment pool to include skills to meet specialised tasks such as project management and judicial or public utilities management.
55. Appropriate staff are critical for implementing international programmes, for capacity-building and for the transition to local structures. Deployment of appropriate staff and other administrative support actions is hampered by UN procedures that are inevitably too rigid to consistently support the creative measures required to build public administrations. This is amplified by the great differences in operational requirements from one peace operation to the next.
56. There are a number of tried and tested possibilities, such as the delegation of authority. One lesson applied in East Timor, emanating from the Brahimi Report, was the devolution of recruiting powers to the SRSG. Also in East Timor, authority was delegated to the relevant division of the mission for recruiting teachers and improving efficiency. In Afghanistan, the authority delegated to the mission for international recruitment was also effective. It is proposed that UN offices in the region could also help to recruit, as should private-sector recruitment agencies. Another example that DPKO may wish to explore, which is cited by the Kosovo study, is the standing arrangement in Kosovo between the United States Agency for International Development (USAID) and subcontractors as a means of securing skilled staff for specialised activities.
57. Furthermore, there is an often-underused skills base in the diaspora, which deserves more systematic attention. There are complexities and dilemmas attached to this, in that, while the skills base is fundamental to the restoration of a country, many of the skilled people are

employed as local staff and not paid international salaries. The incentive to return for significant periods of time is therefore undermined. The proposal would be to ensure that a systematic skills survey should be conducted of people in the diaspora and that both they and skilled local people should be more consciously and systematically incorporated in planning.

1.7 CO-ORDINATION

58. There is a sense of *déjà vu* in citing the recurring problems related to co-ordination.⁹ Many of the problems are contingent on a mission's structure and a lack of clearly defined overall policy objectives. In the absence of clear and agreed procedures, effective co-ordination efforts are based on good inter-agency and interpersonal relationships, on effective communication and on personalities who can lead, manage and have an overall vision. The fact that these relationships do shape and influence political processes is often overlooked.
59. Efforts have been made to institutionalise these relationships (as in Sierra Leone) and additional structures have been created. In some instances this can create an 'illusion of co-ordination'. In Kosovo, the planning process recognised the co-ordination problems of the peace implementation effort in Bosnia by designing a unified command structure for participating organisations under UN leadership. Furthermore, the use of liaison officers seconded to the respective agencies to ensure inter-organisational co-ordination helps to avoid duplication between agencies' efforts.
60. At the New York level, the establishment of high-level councils has been mooted as a mechanism to review mission implementation and provide support to the SRSG, particularly in missions that require close co-ordination between international organisations. The Sierra Leone study suggested that the UN Situation Centre should become the hub for managerial action, with high-ranking DPKO officials or their designated staff located there. The emphasis should be on taking decisions rather than solely providing an information collection and dissemination service. It is recognised that this would involve a substantial redesign of DPKO's Office of Operations.
61. In order to enhance collaboration between the security and civilian parts of an operation, both the Kosovo and the Sierra Leone studies have shown the need to develop standardised procedures for information exchange, as well as monitoring and implementation mechanisms for the SRSG and the Force Commander. These include briefings, inclusion in planning meetings and exchange of correspondence.

LINKAGES

62. As these studies have demonstrated, multidimensional peace operations demand a high degree of flexibility and political creativity. There is a need to 'think outside the box' and to recognise connections between, for example, the anthropological make-up of a culture and potential problems with applying standard training modules, for instance, for capacity-building/training.
63. One of the main tenets of all the studies is the apparent inability of both planners and implementers to either recognise or place due emphasis on the linkages between sectors and the responsibilities of agencies and departments, and their comparative strengths and

⁹ In an attempt at a definition, co-ordination implies the use of available resources provided by a range of organisations to maximum effectiveness, ensuring limited overlap and overall strategic and operational coherence. More specifically it is premised on a careful understanding of respective agency functions and responsibilities.

weaknesses. This is in part due to a real variance in political and institutional interests and funding sources and has to be addressed at strategic and conceptual as well as practical levels. Bilateral donors, UN agencies and international financial institutions appear to be on the whole 'more eager to script their own role in post conflict reconstruction than to co-ordinate with other international or local actors'.¹⁰ The majority of the observations and conclusions are centred on the need to 'connect the dots', as they bemoan the lack of co-ordination, interaction and 'coherence' at both operational and policy levels. Within the humanitarian debate, the call for greater coherence goes back to the crisis in Rwanda in 1994 and the important finding of a policy vacuum in the 'political, diplomatic and military domains'.¹¹ Some recent studies take this further and refer to the 'vision or ideal of uniting different actors'. Coherence is defined as 'an attempt to bring together, cohere or join up political action in peace operations with other actions including humanitarian and human rights'.¹²

64. Creating linkages is about setting priorities and 'operationalising' coherence, finding ways of making it reality and building the joists. The country studies' recommendations hinge on creating more effective linkages. The key institutional and functional connections that apparently need to be made are as follows:

- Intelligence, local expertise, management and technical capacity need to be connected in a planning context.
- Planning for development activities at the outset when addressing humanitarian needs, the recognition of the comparative strengths of development agencies and the linking in of these with humanitarian actors all need to be synchronised.
- Lessons should be learned as the mission progresses, addressed in real time and fed back into mission planning and implementation.
- The creation of institutions, such as the rule-of-law continuum—judicial reform, police training and the restoration of infrastructure—need to be synchronised, as do linkages between police training (UN Police), prison reform (specialised unit or NGO) and judicial training (human rights).

65. This list is not exhaustive, and to explore these and other connections further would be the subject of a separate, targeted analysis and study that would examine the existing successful linkages in peace operations and those omitted.

2. PUBLIC ADMINISTRATION/GOVERNANCE

66. The inherent tension in the UN's dual role as both an administration and a government is at the heart of the discussion surrounding progress achieved in governance, the democratisation of institutions and the establishment of a viable public administration. The studies observe that, whatever their formal powers, UN administrations are generally more comfortable in the role of traditional peacekeeper than in that of a full-blown government. In many policy areas, their interim status prevents them from taking (or makes them reluctant to take) definitive initiatives that are normally the province of a fully-legitimated government. This, together with the limited

¹⁰ Centre for Strategic and International Studies (CSIS) and Association of the US Army (AUSA), 'Play to Win: Final Report of the Bi-Partisan Commission on Post-Conflict Reconstruction', January 2003.

¹¹ John Barton (ed.), *The Joint Evaluation of Emergency Assistance to Rwanda*, RRN Network Paper 16. (London, ODI, 1996).

¹² For a detailed study of the 'coherence debate' in operations, see Center for Humanitarian Dialogue, 'Politics and Humanitarianism: Coherence in Crisis?', February 2003.

human resources at their disposal, explains, for example, a tendency to take a capital-centred approach, which in turn minimises the mission's involvement in local government across the affected territory.

67. The establishment of public administrations has proved particularly complex and demands more comprehensive planning efforts as well as skilled implementers with the requisite technical expertise. To address this complexity the following should be reflected in a peace operation's plans to develop a public administration:
- the selection of appropriate local partners;
 - the delegation or decentralisation of authority for implementation purposes;
 - the deployment of appropriate personnel;
 - understanding when to take full control of certain activities, and the implications of so doing; and
 - making formal handover arrangements for support responsibilities with other elements of the multilateral system.
68. The complexity of a given sector is linked to its technical requirements (e.g., in the health sector, which is highly technical) and its political impact (e.g., the implications for allocation of resources in the establishment of public finance procedures). Technical complexity may be measured by the amount of training required to function in the sector. Health, for example, involves more detailed training than law, which in turn involves more than education. The political complexity of a sector may be measured as a function of the impact of that sector on the allocation of resources and the movement of goods and people. Both have a direct impact on a given sector's amenability to developing as part of the public administration structure. Technical complexity often means that qualified staff are more difficult to identify, and requires a more involved level of capacity-building. Political complexity inevitably increases the number of stakeholders concerned, resulting in extensive debates on proposed policies and allocation of resources.
69. **Identifying partners.** Establishing a public administration requires identifying local partners at the structural level, such as organisations, networks and political interest groups, and empowering those groups with the knowledge, resources and status that accompany the establishment and operation of a public administration. Coalitions with appropriate groups are fundamental: in East Timor finding the right partner increased the chances of success through the network of health professionals. However, as highlighted by the Kosovo, East Timor and Afghanistan studies, the choice of viable partners on the ground is often limited. These local partners may also have their own agendas or approaches to technical or political matters. (An illustration of this divergence of views is the argument between the Timorese and the UN administration as to the appropriate number of teachers.) Some of these agendas may not be compatible with the mission's mandate. A balance must therefore be struck between the mission's efforts to re-establish a public administration, maintain some control, and monitor quality and progress, on the one hand, and its ultimate responsibility to facilitate local ownership and effect eventual handover on the other.
70. **Criteria for international control.** The Kosovo study highlights the problems that can occur when the actions of chosen interlocutors or those in whom capacity-building is being invested jeopardise the wider process. When Albanian judges displayed a patent bias, the UN Interim Administration Mission in Kosovo (UNMIK) decided to impose international controls within the judiciary. In such circumstances it may be necessary for a peace operation to take full control

of one element of public administration. This should, however, be a time-bound measure, in which the point is clearly specified at which local assumption of responsibility for the sector's management resumes.

71. **Smooth transition.** At the heart of a functioning administration within the governance aspect of a mission is the importance of a smooth political transition. Kosovo provides an interesting example of a coherent approach for the smooth transfer of power from an international administration to a joint administration, to the creation of local government ministries with increasing autonomy, under the final authority of the SRSG. This could serve as a guide for future missions and should therefore be further explored.
72. The Afghanistan study suggests that the Security Council needs to ensure that 'credible and consistent' efforts are made when authorising a foreign intervention that removes an unrepresentative regime. This would involve, *inter alia*, ensuring that the political transition is carried out as stipulated, with clear benchmarks for the transition, which would allow the measurement of progress.
73. Finally, the role of the development agencies in public administration plays an important part in the transition and must therefore be clear. The United Nations Development Programme (UNDP) and the World Bank have developed substantial expertise over time, but this must be built into a coherent strategy to avoid any sense of *ad hoc* involvement.

2.1 DEVELOPMENT OF INSTITUTIONS AND CAPACITY-BUILDING

74. Two of the key obstacles to the creation of effective governance institutions appear to be (1) that institutions are not developed in complementary sequence, and (2) that capacity-building has been part of the rhetoric but has rarely been accomplished in practice in all key sectors.
75. The rule-of-law continuum illustrates the importance of creating institutions that develop in an intelligent and sequential way to ensure that the legacy is sustainable. East Timor has highlighted the problems with training and equipping a new police service that has the power of arrest, but also has prisons that are either non-functioning or overcrowded and courts that are too ill-equipped to try and sentence because of a lack of judges and defenders, or even no access to courts at all. The elements that underpin the rule of law—the police, the prisons, the courts, the security sector, the private legal sector, government administration of justice, human rights and legal policy development—are interlinked. Public confidence in these institutions can be seriously undermined if even one element is dysfunctional.
76. Parts of the UN system have extensive knowledge of capacity-building, which needs to be more actively explored. In Kosovo, for example, the absence of a formal relationship between UNMIK and UNDP until late in the process (2002) was considered a missed opportunity for progress in training and institution-building. Similar problems were noted in East Timor in relation to the lack of a coherent strategy for capacity-building in the public administration. At the same time there has also been a noted lack of understanding of what is involved at the operational level in capacity- or institution-building. There is a need for a more coherent and broad-based approach, as well as a sustained commitment that goes beyond the life of a mission. National counterparts need to be engaged in a longer dialogue or process. Sector

specialists need to be deployed who understand the training needs of those who are supposed to be doing the training and those who are being trained ('capacity-build the capacity-builders').

77. While capacity-building needs to be an ongoing effort, this places enormous demands on a mission. Yet the Kosovo and East Timor studies in particular show that a phased approach may not be the solution. Public administration and the building of civil service capacity need to be accorded a high priority early on in the lifetime of a mission. Greater attention, for example, should be paid to installing the basic infrastructure required for a civil service to operate efficiently, in particular in the more fundamental areas such as regulatory and procedural frameworks, basic office systems and management processes.
78. UNTAET was the largest mandated 'governance' mission to date. A governance mandate by definition entails a massive need to focus on the building and staffing of institutions. Different departments within the highly decentralised public administration took diverse approaches, which led to variable performance of the public administration across the different sectors. This was in part a reflection of how overstretched the mission was in this area, and suggests that a more detailed assessment across sectors should be undertaken. Internal planning mechanisms would have assisted in encouraging greater uniformity of approach. This could have been based on best practice and improved performance across the board. An agreed overall approach to capacity-building would have avoided the *ad hoc* attitude adopted in this area.
79. There needs to be an emphasis on developing local capacity from the outset while recognising different training needs for different sectors. The Kosovo study points out that, where extensive training is required in advance of responsibilities being assumed, as with policing, a separate training institute is essential. This was a lesson taken to East Timor. In other instances, such as in the development of financial institutions, on-the-job training would appear to be an effective solution (as it was in Kosovo).
80. **Delegation of responsibility.** The Afghanistan study observed that the co-ordinating unit in UNAMA (Pillar II) should continue to promote the principle of capacity-building by providing policy guidance, co-ordination and development of benchmarks for secondment and related strategies. In the Afghanistan case, it was suggested that, as a temporary organisation, the mission should not enter into capacity-building directly, but instead delegate responsibility to organisations with institutional experience and comparative advantage in this field.
81. **Funding.** The transfer of skills needs a solid funding base. In Afghanistan, the mission progressively promoted capacity-building in the public sector in relief and assistance matters. This was initially to restore state structures at the central level, and more recently to support provincial-level authorities. The early establishment of a trust fund to empower the Afghan interim administration in order to pay salaries of civil servants and meet part of its operating budget was a critical step in this direction. This fund was instrumental in enabling the Afghan Interim Authority to start functioning and supported its subsequent claim to take charge of the planning for recovery and reconstruction.
82. **Supporting management capacity.** The Kosovo study demonstrates how significant progress was made in economic management with the European Union–USAID decision to prioritise fiscal reform and subcontract the establishment of Kosovo's finance departments to consultancy firms. The rapid deployment of highly skilled personnel combined with an emphasis on training led to the creation of increasingly self-reliant finance departments and a rise in local revenues.

83. **Secondment.** In Afghanistan UNAMA focused particularly on building initial capacity in the central administration and seconded its own staff, inviting other actors to do the same at a critical juncture in connection with the budget process.

2.2 LOCAL POWER STRUCTURES AND POWER-SHARING

84. **Local power structures.** Democratisation efforts in the operations under review are premised on the idea that the democratic state functions as an entity in which the population participates. However, the fact that most populations have never experienced a democratic state or that their immediate experiences are not based on liberal-style democratic principles appears to have been overlooked. In East Timor, for example, traditional society developed to be able to confront a different set of daily and political challenges from the ‘outside’.
85. These local systems have proved their effectiveness over a long period of time and form the way in which people order their lives. The crucial lesson to be learned here is that social change has to happen from within. International actors can only support changes, not inflict them. Local governance is essentially about creating a ‘modern’ system that leaves space for local ideas and gives local leaders acknowledgement if necessary, letting society slowly but profoundly adapt and transform into a state system.
86. This report contends that it is crucial that both planners and implementers understand local social structures and ideas of political authority and legitimacy. Based on this kind of knowledge, new structures can be established in a way that will gain local recognition. A government or state bodies that do not fit with the population’s ideas of political legitimacy may well be in accordance with international human rights standards, but may not be based on local participation. The international community adheres to its own values, but the population ends up with a government and state bodies that are not accepted within the world view of the local population (though capable of formal recognition by the international community).
87. Some commentators have argued, for example, that the Transitional Administration in East Timor built institutions ‘based on the assumption that there were no strong concepts and ideas existing on the local level, and that the population just had to be “taught” democracy This ignored the fact that human beings grow up in a social environment with powerful ideas of how to classify and understand their world. Local perceptions of practices were thought of as cultural “folklore” and were not accorded much significance. Therefore international attempts often failed or had marginal impact’.¹³ Within the local political leadership in East Timor, the village and sub-district chiefs and political authorities on these levels demonstrated the clash between traditional ideas and modernity.
88. The Sierra Leone study noted that local leadership structures play a vital role in the administration of government at the grass-roots level. Sierra Leoneans seem to retain confidence in the system despite the fact that in the decades prior to the conflict successive governments undermined it by manipulating the selection process to ensure that party loyalists were made chiefs. Despite the degree of confidence displayed by the local population, strengthening these structures was not a priority for international actors.

¹³ Hohe, Tanja, ‘The Clash of Paradigms: International Administrations and Local Political Legitimacy in East Timor.’ Unpublished paper, Brown University, 2001. See also ‘Traditional Power Structures and the Community Empowerment and Local Governance Project’. World Bank, Final Report, East Timor, 2001.

89. The studies allude to the fact that these power holders are the most influential and visible ones for the majority of the population. Hence, it is at these levels that one can follow the fate of democratisation. Consequently, planners need to understand social patterns better, as well as local history and the evolution of local power structures and political ideas. In recognising the resilience and stability of local structures, the obstacles to democratisation and state-building become more apparent.
90. **Power-sharing.** The difficulties associated with the assumption that power-sharing is the best basis for creating a post-conflict government are highlighted by the Kosovo, East Timor and Afghanistan studies. They also show the problems associated with the manner in which power-sharing is engineered. A number of these assumptions may need to be challenged or at least 'unpacked'. It is important to question whether power-sharing is indeed the most effective way forward and/or whether the way it is approached serves the ultimate aim of sowing the seeds for democratic institutions and 'good governance'.¹⁴
91. The choice of local interlocutors by international actors has a significant effect on the development of political processes. It also raises the standing of one interest group (possibly) against another. It appears that the chosen local interlocutors with whom a UN administration decides to engage are rarely fully representative of the population. Its choice therefore inadvertently creates new power structures, and can leave complex legacies. Some commentators go further and argue that power-sharing can become a 'method of sharing the spoils and gaining monopoly over one's own community to the exclusion of rivals and therefore institutionalised competition within the group'.¹⁵
92. The population's trust in state bodies has to be fostered. International efforts should therefore focus on civic education and school education as important starting points, as well as the development of a clear public information strategy. The latter needs to include the views and perceptions of local stakeholders and to ensure that it reaches as broad a cross-section of the population as possible.

3. RULE OF LAW AND POST-CONFLICT JUSTICE

93. The studies all emphasise the lack of a coherent strategy for the development of rule-of-law institutions. The formal justice sector is essentially not working because of lack of skills (e.g., lack of judges), lack of human resources and lack of or unbalanced funding. Despite their differences, the country studies reveal significant commonalities, which highlight the need for a co-ordinated approach to the justice sector as a whole in future peace operations.
94. On a planning and structural level, the administration of justice appeared to be an afterthought. Little attention was paid to decentralising the justice system and ensuring access to justice throughout a country, not merely at the level of capitals. There was also a consistent lack of acknowledgement of the role of traditional justice systems, as well as confusion owing to different bodies dealing with different kinds of justice in inconsistent ways (e.g., for East Timor,

¹⁴ For an interesting challenge to the assumption of powersharing as the basis for creating a post-war government see Woodward, Susan. 'On War and Peace-Building: Unfinished Legacy of the 1990s.' New York: Social Science Research Council, available at <http://www.ssrc.org/sept11/essays/woodward.htm>.

¹⁵ See Woodward, *ibid.*

a Human Rights Commission sits in Jakarta, and there are a Serious Crimes Unit and a Truth Commission in Dili, as well as national courts. In Sierra Leone and Kosovo there are similarly confusing layers).

95. Mandates pay lip service to human rights, albeit not clearly formulated, yet human rights functions are not actively incorporated within mission structures. They lack a combination of an institutional identity and a strategic position within the structure. Furthermore, the signing of human rights conventions by countries emerging from crises is often taken as a sign of success by international administrations; yet (as in Sierra Leone) little effort, understanding or assistance is provided to ensure that countries have enabling legislation ensuring that human rights conventions are applicable and practicable in national law. A lack of implementing procedures in turn prevents ordinary citizens from benefiting from international standards and, most fundamentally, from having access to justice.
96. The conflicts preceding the peace operations in Kosovo, East Timor, Sierra Leone and Afghanistan were characterised by widespread violations of human rights and/or a near-total breakdown in law and order. The legacies of these conflicts, and their pre-existing causes, involved a range of issues relating to justice and so presented enormous challenges for the peace operations, specifically in terms of establishing the rule of law. The related issue of justice for human rights violations and other crimes committed in the context of the conflicts is both complex and often politically charged.
97. The general climate of post-conflict lawlessness and revenge posed a significant threat in Kosovo and East Timor. Many of the perpetrators of the violence had fled the territory and a widespread fear of revenge attacks and 'village justice' was one of the early obstacles to the return of the population displaced to West Timor. In Sierra Leone, the large numbers of child soldiers presented particular challenges. Only a fragile rule of law pre-dated the conflict; the study found that a pre-existing corrupt legal system in turn facilitated a culture of impunity in the aftermath period. Similarly, in East Timor and Kosovo the legal systems of the prior regimes were tainted by their association with or direct role in protecting the perpetrators of long-standing abuses. Public trust in or experience of an independent impartial justice system was non-existent.
98. Domestic political considerations dictated caution on the issue of justice, particularly in relation to accountability for past action. In Sierra Leone, the government's promise of a general amnesty formed a critical element of the Lomé accords, despite the objections of the UN and human rights groups at the time. In East Timor, the issue of finding a balance between justice and reconciliation remains a politicised and unresolved matter.
99. All mandates under review included references to justice in some form. The Kosovo mandate appeared to be broad enough to allow UNMIK and the Kosovo Force (KFOR) to undertake all necessary actions to uphold the rule of law. Similarly, in East Timor the Transitional Administrator was empowered to exercise all executive and legislative power, including the administration of justice. However, UNTAET's mandate was less clear on the issue of justice for past human rights violations. In Afghanistan, despite a human rights mandate including a reference to investigating human rights violations, a policy decision was taken to avoid the issue of justice for past actions, as the basis of the peace was not regarded as sufficiently robust to cope with it.

100. The most striking aspects that arise from the four studies on the implementation of the rule of law aspects in peace operations are:
- the extent to which post-conflict justice was defined as a separate issue;
 - the rehabilitation of the infrastructure of justice;
 - the building of local capacity among justice officials;
 - the relevance of the justice system for the local community; and
 - land and property issues.

3.1 POST-CONFLICT JUSTICE

101. Justice issues from the past have proved hard to extricate from the longer-term project of establishing the rule of law for the future. Despite this interrelationship, with the exception of Kosovo, the perceived distinction between the issues of post-conflict justice and the wider administration of justice persists. In both Sierra Leone and East Timor, two separate but complementary institutional responses have been implemented: a hybrid international/national judicial process, and a non-judicial truth and reconciliation commission.
102. This in turn gives rise to emergency judicial responses, as in East Timor. Developed by the International Force for East Timor (INTERFET) and inherited to a degree by UNTAET, they aimed at dealing with those suspected of having committed serious crimes or crimes against humanity and dictated a hasty policy decision to appoint inexperienced East Timorese judges and prosecutors to judicial office, even though they ultimately dealt primarily with ordinary criminal matters once an internationally-dominated Serious Crimes specialist unit was created. The early confusion over responsibility for investigations, combined with management and political problems, wasted valuable early months when there was no co-ordinated strategy and led to a serious loss of public credibility, which was never fully regained. The special panels for serious crimes were caught in a dilemma because of their split status—on the one hand being part of the national court system, while on the other using international judges and applying international law. Yet the panels never received the financial and administrative support necessary to provide justice of an internationally acceptable quality.
103. In Sierra Leone, as in East Timor, a hybrid national/international Special Court has been created to deal with the most brutal crimes. Unlike that in East Timor, however, the Special Court in Sierra Leone is an autonomous institution. Although it is yet to become operational (at the time of writing), it already carries a heavy burden of national expectations, and it is unclear whether it too will receive sufficient support to fulfil hopes that it will close the book on the war and remove ongoing threats to national security. The situation is further complicated by the fact that both sides to the conflict are now sharing power.
104. Although a differentiated approach to justice for serious crimes was not pursued in Kosovo, the legacy of ethnic division proved to be ineradicable. The study found that UNMIK's early attempts to deny these divisions by creating a multi-ethnic judiciary were unworkable, as these failed to take into account the ethnic basis of many of the crimes. The notorious failure to prevent the Nis Express attack or to punish its perpetrators, or those of many other acts of violence against Kosovo Serbs, led to the perception of total lack of security for the Serb community.

3.2 INFRASTRUCTURE AND CAPACITY-BUILDING

**A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003**

105. In the aftermath of widespread disruption, the task of rebuilding physical infrastructure is often a readily identifiable mark of progress. In the justice sector, court buildings, prisons and police stations are the obvious indicators. In Sierra Leone, the focus of the UN system in the legal field was on the establishment of the Special Court and on other high-visibility undertakings—including the refurbishing of the Law Courts building in central Freetown. The longer-term need to reform and rebuild a shattered legal system took second place. In East Timor, insufficient attention was paid from the outset to the rehabilitation of prisons until it became a matter of urgency. The recommendation is therefore that the rehabilitation of infrastructure should only be part of a more coherent policy to reform the rule-of-law sector.
106. Overall, capacity-building was *ad hoc* and inconsistent, with different players and agencies playing incompatible parts. In Kosovo, the mission recorded achievements in fighting ethnically motivated crime, yet noted that this was on an *ad hoc* basis. In East Timor, there were serious inconsistencies in capacity-building in the justice sector. While East Timorese law graduates were appointed as judges and lawyers from the outset, there were repeated problems with the training and mentoring required if their early appointment was to be meaningful. Furthermore, very little capacity-building took place outside the judiciary. The lack of attention and assistance to the public defenders and the failure to build a skills base of legal drafters were cases in point.

3.3 TRADITIONAL JUSTICE

107. In both Sierra Leone and East Timor, at the village level, the settlement of minor disputes continues to be handled by a traditional sub-judicial system under the supervision of a traditional chief. In Sierra Leone the local courts, to which these chiefs must refer more serious disputes, are not in place and there is no discernible strategy for addressing this gap. This reflects not only shortages in human resources and material shortages, but also the neglect of decentralising the justice system. The equitable operation of local courts is a priority for the majority of the population, who have experienced the injustice and excesses of *ad hoc* courts operated by the Civil Defence Force and others, as well as the inordinately long delays in the conclusion of cases in magistrates' courts. For the East Timorese, there was no consistent policy to address the lack of access to the modern court system, and a lack of public information about the new justice system. In Afghanistan, the initial decision to appoint a Judicial Commission was unsuccessful. Although the commission was intended to provide expert input into the creation of the justice system, it was vulnerable to political interference and lacked clear terms of reference and adequate support.

3.4 LAND AND PROPERTY ISSUES

108. Throughout the peace operations, disputes over the use, control and ownership of land and property were the major source of social unrest and violence, and continued to be so after the conflict. They have a direct impact on both social and economic security, which in turn affects physical security. This issue seems to have been consistently neglected in both the planning and the execution of the peace operations under review.
109. The whole spectrum of land and property issues underpins many of the featured countries' economies. East Timor, with a 90% agrarian population, is a case in point. Land is both a major resource and the primary tool for generating wealth. Land and property are the basis of

renewable and non-renewable natural resources, agricultural production and marine and offshore resources, and play a key role in attracting both national and international investment.

110. The resolution of land disputes and the establishment of a land registration system are central to the range of complex issues that the territories under review have to grapple with, such as the development of their economies, the return of refugees, the resettlement of internally displaced persons and, in particular, the reconciliation of past abuses. The latter is illustrated by the fact that the primary mandate in East Timor of the Commission for Reception, Truth and Reconciliation is the resolution of property crimes (i.e., theft, burning houses, stealing or killing animals, and destroying or stealing crops).
111. A number of common factors can be extrapolated from the country studies in relation to land and property. It is proposed that this (non-exhaustive) list could inform circumspect planning for existing and future operations, ensuring the inclusion of land and property issues.
 - Most of the public record of land ownership was destroyed during conflict and unrest.
 - It is virtually impossible for the holders of rights to land to prove lawful ownership. Official land and property units, if they exist at all, as in East Timor or Kosovo, have a mandate only to register claims to land, but not to adjudicate ownership. Courts are currently unable to deal with land disputes in an efficient or cost-effective manner.
 - Lawful owners of property have been deprived of a number of rights—security of tenure, and the ability to mortgage or transfer property, to evict unauthorised occupants, to engage in an efficient and equitable land market, and to rebuild homes or businesses.
 - No institution or department has the mandate to confirm or register land title or ownership.
 - There is usually no land registry system, and the longer a land register is not operational, the more conflict and confusion will arise.
 - Customary and other overlapping claims over the same parcel of land are the cause of numerous conflicts.
112. **The overall conclusion** is that there was insufficient planning and a lack of clarity at the operational level for a rule-of-law strategy, even when the mandate seemed clear. This had a significant impact on various facets of the process, such as responsibility for serious crimes investigations or land issues. At an operational level, there were recurring calls for greater co-ordination within various aspects of the mission, at both the planning and the implementation stages, as well as for the setting of priorities. The provision of adequate financial and logistical support for justice sector initiatives is critical, particularly in relation to post-conflict justice initiatives.

4. THE SECURITY SECTOR

113. All studies demonstrate a disregard for the complexities of security sector reform. Three fundamental points have emerged. First, civilian oversight mechanisms need to be established early on. This is a major capacity-building challenge and linked to the development of a viable civil service structure. Second, efforts to establish or reform local security institutions, including the military and the police, must begin early in the process. Some Member States and agencies have developed considerable expertise in this area, which is not being applied. Furthermore, this process requires a sustained funding and capacity-building commitment by donors and practitioners. Third, a comprehensive reform of the security sector is vital if exit strategies are going to work.

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003

4.1 DEVELOPMENT OF A NEW SECURITY CULTURE

114. A number of donor governments (the UK, the US and Canada) have developed an understanding and expertise in security sector reform (SSR) (or, as it is now more aptly known, security sector transformation or security sector governance). Yet the theory and practice of security sector transformation does not seem to have trickled either into the UN Secretariat or down to the operational level. The elaborate frameworks that have evolved for security sector transformation have not had a coherent impact on the policy and strategies of peace operations. In the course of the research for this study, it appeared that UN agencies, such as UNDP or the United Nations Children's Fund (UNICEF), were more aware of the linkages between SSR and rule-of-law and public administration issues in particular than the UN Secretariat or the missions themselves. The traditional separation between civilians and the military, involving the autonomy of the latter, continued to dominate people's perceptions. Indeed, some UN agencies, such as UNDP, have an evolving expertise in this area. It is proposed that, while this is a specialised area, it should be part of mainstream strategic planning.
115. **Civilian oversight** and administrative support and development of appropriate institutions are known to be key conditions of 'good governance' in the security sector. The development of civilian capacity to oversee and manage a defence force, as well as a police force, is an essential prerequisite. This requires sustained support to the security sector, in terms of both funding and capacity-building.
116. The East Timorese situation provided an interesting precedent, the weaknesses of which were exposed in the months after independence. Innovative moves had been made by UNTAET to create an East Timor Defence Force based on the core of ex-Falintil (Forças Armadas de Libertação Nacional de Timor Leste, Armed Forces for the National Liberation of East Timor) guerrillas. This was based on an independent study that proposed various security force options¹⁶ that UNTAET could follow to address a political impasse between the administration and Falintil. Whilst elements of the study were implemented, insufficient attention was paid to recruitment and demobilisation, or to the establishment of civilian oversight mechanisms, and insufficient support given to the establishment of a civilian-led Ministry of Defence.
117. Furthermore, to assist co-ordination, it is proposed that a civilian-led unit be established within missions in order to monitor the broader security threats, to develop strategies, and to advise the government on solutions, as well as to co-ordinate the response and monitor the results. An Office of a National Security Advisor, an experiment in East Timor, is in other countries the standard organ with which to help the executive to co-ordinate ministers on security issues. This civilian-led unit would assist the political leadership, both UN and nationals, in developing a strategy and formulating policies to deal with internal and external developments that might have national security implications, and would be responsible for the collation, analysis and co-ordination of information among security agencies.
118. **Security defies bureaucratic compartmentalisation.** The traditional understanding of security, meaning in large part the security of a sovereign state and its borders, needs to be expanded to address the range of problems faced by the countries in these studies. The national security of countries (or provinces) depends on more than an effective military. A

¹⁶ *ibid.* see Note 4.

wide range of security threats cut across the bureaucratic boundaries of government. In East Timor or Sierra Leone, for example, national security is an economic, social, environmental and defence issue. Security threats include smuggling, illegal fishing, militia threats and organised crime.

119. These threats defy bureaucratic compartmentalisation, and critical security issues can be found within each agency, department or relevant ministry. Numerous examples in the studies demonstrate the need for a coherent security strategy and its implementation with a co-ordinated government response, linking government departments and agencies together, for instance, in response to the role of the militia in East Timor or that of the rebel groups in Sierra Leone. Militia activity and cross-border infiltration would clearly be the responsibility of a ministry of defence or corresponding department, or the Peacekeeping Force. Yet the indictment and trials of suspected rebels or militia come under the remit of the ministry of justice. Another example concerns unemployment and labour unrest in urban areas, a common aspect in all studies. These would be the responsibility of a department for labour or its equivalent, but is also a challenge for the ministry for internal administration or equivalent that is faced with unrest due to rural-to-urban migration (East Timor) or the proliferation of organised crime (Kosovo) and security groups.
120. **Security and public perceptions**. The redefinition of security functions through such actions as separating the functions of the police and the military, and is an exercise within the remit of a UN administration that requires sensitivity to public opinion. Many problems have arisen in East Timor, for example, because the UN sanctioned a non-transparent recruitment process to the Defence Force. Many of those not selected felt that their contribution to the resistance was not adequately recognised. These people have now formed independent security groups and are a major source of instability in the newly independent East Timor. Selection and vetting procedures in post-conflict situations are inevitably complex and controversial, but great care must be taken to ensure transparency, social acceptability and accountability in the process. Public information plays an important role in this context to introduce a debate on security issues.

4.2 DISARMAMENT, DEMOBILISATION AND REINTEGRATION (DDR)

121. The problems related to the creation of renewed sources of instability through the unsuccessful demilitarisation of rebel or resistance groups are well known. Yet all studies restate elements of this. The lack of transparency over recruitment to the East Timor Defence Force was noted above. In Kosovo, in the absence of an overall strategy for the demilitarisation of the Kosovo Liberation Army (KLA), it was intended that the Kosovo Police Service (KPS) and Kosovo Protection Corps (KPC) would keep the core KLA fighters under international scrutiny. Poor supervisory and screening processes, however, enabled some combatants to engage in regional insurgencies and criminal activity without international recourse. In Sierra Leone, the rebels were signatories to the Lomé peace accords, which complicated the political spectrum as well as placing obstacles in the path of creating avenues for coexistence.

122. **Comprehensive review.** Despite the growing body of agency literature and guidelines on the subject of demobilisation and reintegration of people associated with the armed forces,¹⁷ there seems to be a gap between forming and advocating policies, and equally between programme design and implementation. The studies underline the need for a comprehensive review of DDR processes. Inevitably, contexts vary. The Sierra Leone study suggests that the DDR process there should be subject to a comprehensive review which should evaluate a range of issues, such as the strengths and weaknesses of a national as opposed to an international management structure; operational guidelines; and the comparative strengths and weaknesses of those implementing disarmament and demobilisation, particularly with regard to the identification and registration of combatants, paying special attention to the funding mechanisms.
123. **Neglect of reintegration.** Reintegration of ex-combatants poses one of the most complex challenges in all the case studies and requires sustained funding and human resource commitment. Above all it demands a combination of different, context-specific strategies covering areas as diverse as economic development, reconstruction and reconciliation efforts. Donor fatigue appears to set in after 'DD', with profound social consequences as a result of the lack of 'R'.
124. Lack of employment, rural-to-urban migration, and lack of recognition of the part played by the resistance are all factors that call for a broader and more cogent strategy for reintegration efforts. Some of the factors that underlie the changing nature of conflicts, such as the ready availability of smaller, cheaper arms, resulting in longer-lasting and more wide spread conflicts, also need to be taken into account in formulating more comprehensive reintegration strategies.
125. It is important to recognise that national economies are substantially weakened by conflict as well as being under economic pressure from a major international presence. With economies deteriorating, increases in poverty and smaller-scale conflicts continuing over, for example, land issues, more people seek out the protection and/or food of security groups (a particular feature in the recruitment of child combatants in Sierra Leone). The fight over natural resources (such as diamonds in Sierra Leone or drugs in Afghanistan) increases the likelihood of re-recruitment into non-state armed forces and is also a key issue.

4.3 THE INTERNATIONAL LAW-AND-ORDER PRESENCE: UN POLICE

126. Police reform or the creation of a new police force straddles a whole range of issues: reform, the establishment of a new security sector, the international responsibility for maintaining law and order, and the development of rule-of-law institutions, as well as elements of public administration.
127. The studies restate the issue that all peace operations show clear evidence of the challenge posed by managing and supervising police personnel from a wide range of countries with different backgrounds and competences as well as policing approaches. The attempt to achieve geographical balance has led to a 'cocktail' of nationalities within the force, thus inviting further charges of ineffective civil policing. One suggestion is that it would be preferable to maintain a

¹⁷ See *inter alia*, UNICEF and Office of the Special Representative for Children and Armed Conflict contribution to Department of Peacekeeping Operations, 1999.

geographical balance throughout the entirety of ongoing peace operations. This would allow a reduction in the number of countries contributing to a single operation and the deployment of larger contingents. It would also permit the recruitment of police officers from cultural or linguistic backgrounds similar to those of, or more appropriate for, the mission country.

128. Furthermore, the East Timor and Kosovo studies emphasise that experimentation with deploying UN Police in national units or as composite units comprising police from similar backgrounds should continue, whilst taking into account the shortcomings that were identified when this approach was tried in the Baucau District of East Timor.
129. **Slow deployment and public safety.** The deployment of UN Police has repeatedly been slow and irregular, as has their establishment of a law-and-order presence. This has had a negative impact on the enforcement of law and order and, importantly, on the credibility of rule-of-law institutions.
130. In addition, the UN Civilian Police have generally tended to be poorly trained and equipped, understaffed and under-resourced. Better staff need to be deployed faster. The East Timor study in particular underlines the necessity of reinforcing on-call arrangements.
131. Using the military (peacekeeping troops) to bridge the period from the beginning of an operation, in the immediate law-and-order lacunae that exist on the arrival of peacekeeping forces and until law-and-order mechanisms are established, is a theme in three of the studies, explicitly in East Timor and Kosovo and more implicitly in Sierra Leone. The Kosovo study highlights some of the discussion surrounding the role of the military in performing policing functions in a security vacuum. KFOR's mandate was an improvement over that of its Bosnian counterparts (the Implementation Force, IFOR, and the Stabilization Force, SFOR) as it had a clear provision to ensure public safety. A further lesson was learned in real time: KFOR as a combat force was poorly configured and unsuited to an extensive policing role in late 1999. This led to the introduction of specialised units, such as the Italian *Carabinieri*, to enhance its policing capabilities in criminal investigations and to counter organised crime.
132. This suggests that military forces undertaking temporary policing functions must be equipped with specialised units to deal with a range of activities for which they would otherwise be ill-equipped, such as criminal investigations and tackling trafficking, terrorism and organised crime. A similar problem is alluded to in the East Timor study: INTERFET had to perform law-and-order functions in the security hiatus that followed the post-referendum period.
133. The Kosovo study points out that future international engagements should at all costs avoid a security and judicial vacuum in which criminal elements or armed factions are able to seize authority and assets unchecked. This can create significant political and policing problems later on. Mandates do, however, need to define clearly the responsibilities of military support operations in relation to public safety.
134. The merging of the respective functions of the police and the military poses a dilemma. Some of the respondents for the study argued that it was essential for soldiers to act as policemen at an early stage of the operation. A senior respondent commenting on the Balkan example, however, described that as a mistake, even impossible, 'because soldiers just don't think as policemen'. This report would submit that compromises in different professional cultures could be overcome by precise role definition with a clearly delineated timetable.

135. **Training.** In relation to the mentoring and training role, the Kosovo study underlines that past regional experience could have been put to better use in the Kosovo context. A three-step screening process, as developed in Bosnia, should be used when creating a local police force. Step one involves initial selection (and screening), training and recruitment; step two is a probationary phase, in which performance reports and further background checks are made; while step three is a certification phase, following further background checks and performance monitoring.
136. Institution-building should be conducted in a training academy and be separated from executive policing functions to ensure that local police personnel are trained to a satisfactory standard prior to undertaking policing activities.

4.4 THE INTERNATIONAL PEACEKEEPING PRESENCE

137. The studies also highlighted lessons missed relating to mission planning, namely that troop-contributing countries, permanent members of the Security Council and the UN Secretariat are partners in the fielding of peace operations and thus all efforts should be made to ensure that they have a common understanding of a mission's principal challenges and objectives.
138. Very specific recommendations arise out of an examination of the role of troop-contributing countries in Sierra Leone. Countries contributing troop contingents above a specified threshold (based on absolute numbers or percentages) should be able to deploy a dedicated liaison officer to DPKO to ensure that major contingents' needs are being addressed efficiently.
139. Furthermore, reforms to the wet-lease regime¹⁸ should be institutionalised. These include:
- pre-deployment inspections of contingents' equipment by DPKO staff;
 - pragmatic compromises on wet-lease equipment specifications on the part of the UN Secretariat on a case-by-case basis;
 - payment by the UN Secretariat for goods not made available by the troop-contributing countries, using funds that were earmarked for those goods in the first place;
 - requests for direct bilateral assistance by the UN Secretariat where required and appropriate; and
 - visits by senior staff from contingents' national defence headquarters.
140. Additional mechanisms should be created, or existing ones given higher priority, to ensure that troop-contributing countries are informed of plans for a new mission or significant changes to an existing one at the earliest possible moment. Furthermore, Sierra Leone underlined that the activities of the Force component must be based on a fully developed plan (Concept of Operations).

¹⁸ 'Wet-lease' is the system by which a troop contributor provides major equipment, is responsible for maintenance, and is reimbursed for the equipment and its maintenance support—as opposed to 'dry lease', when a troop contributor provides major equipment, the UN is responsible for maintenance, the equipment may also be operated by a third party, and the troop contributor is reimbursed for the major equipment only.

5. THE HUMANITARIAN–PEACEKEEPING– DEVELOPMENT INTERFACE¹⁹

5.1 HUMANITARIAN ASSISTANCE AND DEVELOPMENT

141. **Humanitarian assistance.** Problems related to the co-ordination of humanitarian assistance are often related to mandate, which in turn impacts on the implementation of key humanitarian objectives. The troubled co-ordination within the humanitarian sector in Sierra Leone since 1996 was the result not least of poor inter-organisational relations within the country. It is proposed that the introduction of the so-called ‘Doss model’²⁰ for co-ordinating humanitarian assistance, particularly in times of conflict, needs to be assessed.
142. UNAMA’s humanitarian co-ordination mandate in Afghanistan was narrower than that of previous UN agencies established there. There were strong agency interests and the mission found itself in a crowded and largely unregulated aid landscape, as well as under growing pressure from the Afghan Transitional Administration to control the assistance. The study found that, given these circumstances, the light and facilitative approach adopted by Pillar II seemed appropriate. Furthermore, the establishment of secretariats for co-ordination in relevant ministries was a useful innovation, which was also supportive of the mission’s capacity-building objective, though they were soon overtaken by other co-ordination structures presided over by the Transitional Administration and the World Bank.
143. **Planning for development.** Development aspects need to feature prominently in the humanitarian relief phase. Both the East Timor and the Kosovo studies identified the need for participatory strategic planning for development to begin in parallel with humanitarian intervention. The East Timor study noted that UNTAET did not rely on existing planning documents to develop such a participatory approach, nor did it engage East Timorese interlocutors. Furthermore, the drafting of a comprehensive strategy during the humanitarian phase would be more effective while donor interest is still high, funds remain unallocated and key personnel are in place to oversee the transition. The ability of organisations to second, transfer or re-employ experienced staff to successor departments or agencies in order to facilitate continuity and the transfer of expertise was also found to be vital.

5.2 PEACEKEEPING AND HUMANITARIAN DELIVERY²¹

144. With the increased involvement of military forces in humanitarian assistance since the early 1990s, analysis in the area of merging political, military and humanitarian roles appears to be limited, and clarity over practical policy guidelines has not been satisfactorily achieved. The general view appears to be that increased military engagement in humanitarian assistance is inevitable. It has been questioned whether this is an appropriate direction for peace operations,

¹⁹ This section will not duplicate the excellent analysis of these issues to be found in Centre for Humanitarian Dialogue, ‘Politics and Humanitarianism: Coherence in Crisis?’, February 2003.

²⁰ This refers to the Sierra Leone UNDP Resident Co-ordinator, Alan Doss, who also acted as Humanitarian Co-ordinator as well as DSRSG.

²¹ For a more detailed expose of this debate see Barry, Jane and Anna Jefferys. ‘A Bridge Too Far: Aid Agencies and the Military in Humanitarian Response.’ Humanitarian Practice Network Paper. London: Overseas Development Institute, January 2002; and Save The Children Alliance Draft Position Paper on Humanitarian–Military Relations in the Provision of Humanitarian Assistance, 2003.

given that differences in aims and approach do not assist in increased co-operation and co-ordination.

145. From an operational perspective, the four key issues appear to be:
- the make-up, constellation and training of the military peacekeeping force and its respective national cultures, its approach to interaction with humanitarian agencies and its intentions with regard to involvement in humanitarian assistance;
 - the delineation of respective roles within mandates;
 - the nature of the relationship between the military, the UN system and other humanitarian agencies; and
 - the nature and effectiveness of co-ordination arrangements between humanitarian agencies.
146. The relationship between peacekeeping and direct humanitarian action constitutes a dilemma. The provision of humanitarian assistance by peacekeepers has been seen by the military leadership in a number of operations (including Sierra Leone) to be a positive and worthwhile subsidiary action for a force. Members of the humanitarian community, however, do not generally agree with this position, unless the force is the only body able to provide that assistance and unless that assistance is truly life-saving (for example, in situations where the force is the first actor to reach war-affected communities after a long period of neglect). Those who do hold this position argue that humanitarian assistance by peacekeepers is not cost-effective because military forces are much more expensive 'workers' than traditional humanitarian actors.
147. Another argument suggests that this approach is not sustainable because work conducted by the military has an inherently short-term focus and is not derived from an in-depth knowledge of the permanence of communities. In addition, some contingents can afford to do this work and others cannot, making force interventions unacceptably *ad hoc*. Finally, it is argued that, when a force becomes responsible for providing assistance and protection, its relationship to the community becomes distorted. Those who dispute that position argue that military efficiency means that humanitarian work carried out by the force will be completed rapidly and with a measure of discipline, that the benefit of work by the force is immediately felt by communities, rather than becoming dissipated in bureaucracy, and, finally, that the benefits to the force (winning community approval) compensate for the down sides.²²
148. In Sierra Leone, this discussion is particularly relevant as the UN Mission in Sierra Leone (UNAMSIL) will shortly have a complement of 13,000 troops in a country where peace is for the time being well established. Some from the military side of UNAMSIL believe these troops would be a valuable workforce in rehabilitation efforts. Other arguments for and against roughly match those given above, with those against adding that the priority for setting people to work in Sierra Leone should go to the more than 50,000 ex-combatants who have registered with the reintegration programme.

²² The Security Council mission of October 2000 viewed direct action by peacekeepers positively. See United Nations. 'Report of the Security Council Mission to Sierra Leone.' UN document S/2000/992, 16 October 2000, para. 8.

149. In Afghanistan the profound difference between military and humanitarian mandates is highlighted by a debate surrounding the establishment of Joint Regional Teams (JRTs).²³ These are essentially a mechanism proposed by the US military to enable the central government to extend its authority beyond Kabul and to support the reconstruction process, but the concept has caused some concern, particularly among civilian aid actors. They fear that their work will be compromised insofar as JRT actions are blurring the lines between the military and civilian aid spheres.
150. Interestingly, the Afghanistan study states that UNAMA's leadership envisaged the mission's role as one of mediating and facilitating communication between the military and civilian spheres rather than affirming the boundaries between them. The JRT concept goes beyond previous civil–military practice in Afghanistan. Humanitarian agencies have a problem in Afghanistan where agendas are of a different nature: JRTs will bring the military in closer contact with assistance actors, while at the same time the Coalition is actively prosecuting a war against terrorism in Afghanistan.
151. The responsibilities of an international force vary by circumstance and specific mandate. In essence, it should have an explicit mandate of core duties that foster security and protect civilians by establishing and enforcing a safe and stable environment. The Brahimi Report pointed out that mandate and capabilities should be matched to the potential instability of the situation, as part of the mission's conscious strategy to manage 'spoilers'. In particular, it argued that civilian protection is implicit but should be recognised and reflected in the makeup, if not the mandate, of an operation. Humanitarian agencies have a mandate to directly implement humanitarian programmes. Many feel that their impartiality is substantially undermined if the military exerts a degree of control over them. An argument put forward is that the military should not 'erode' humanitarian space by engaging in assistance work, except in rare circumstances, for example when the logistical capacities of humanitarian agencies are overwhelmed by circumstances on the ground or the level of insecurity prevents access to civilian populations in need. One example would be the extreme circumstances of Iraqi Kurdistan in 1991. Humanitarian agencies feel that the military need to consult more widely and in greater depth on the selection and implementation of projects.

6. POSTSCRIPT

152. In taking the longer view, this section serves as a postscript, raising some questions of policy, by taking a brief look at how the situation has developed in some of the operations and territories under review since the field research was conducted.

EAST TIMOR

153. Developments since the writing of the East Timor report have underscored the concerns expressed in the report about the weak institutional foundations of the new state, in particular in relation to rule-of-law and security institutions. A joint government–UNDP report on Support to the Justice System in East Timor noted the widespread dissatisfaction with the present functioning of the East Timorese justice system and the monumental challenges that lie ahead in trying to overcome this dissatisfaction. A recent Joint Assessment Mission of UNDP, the

²³ For an excellent discussion of the arguments surrounding the establishment of the JRTs, see Stapleton, Barbara J. 'A British Agencies Afghanistan Group Briefing Paper on the development of Joint Regional teams in Afghanistan.' British Agencies Afghanistan Group (BAAG), January 2003.

UN Mission of Support in East Timor (UNMISSET) and the Government of East Timor has also been critical of aspects of police development during the UNTAET period.

154. Subsequently, the response to two events—a riot in Dili on 4 December 2002, and the killing of at least six people in a remote area in the district of Ermera, apparently carried out by infiltrated pro-Indonesian militia working with a locally-based security group—raised serious questions about the capacity of the East Timorese Police Service (ETPS) and its ill-defined relationship with its international counterpart, the UN Police (UNPOL), with the UN Peacekeeping Force (PKF), and with the FDTL.
155. On 4 December, the use of force by the ETPS in a manner that was both excessive and ineffective, and apparent uncertainty in UNPOL and the PKF about their role in such circumstances created a climate of mutual suspicion and finger-pointing between these different institutions, which investigations carried out separately by the government, Parliament and UNPOL have only exacerbated. The deployment of the FDTL to carry out arrests following the killings in Ermera again highlighted the limited capacity of the ETPS, as well as exposing the lack of clarity about the role of the FDTL in internal security and its leadership's shaky adherence to the international standards now formally enshrined in domestic law.

KOSOVO

156. While UNMIK has made steady progress in transferring authority to local institutions, nothing has yet been done to resolve the issue of Kosovo's 'suspended sovereignty' and achieve a final political settlement for the disputed province (although this would in any case be a matter for the Security Council and not UNMIK). Since the completion of the Kosovo country study in December 2002, a number of notable developments demonstrate that political tensions may continue as long as the province's status remains unresolved.
157. Most recently, the dissolution of the Federal Republic of Yugoslavia (FRY) on 4 February 2003 has led both Serbs and Albanians to re-emphasise their contradictory demands. As Kosovo was formally part of the FRY under Resolution 1244, Western diplomats had feared that its impending disappearance would reinvigorate the pro-independence rhetoric of Kosovo Albanian leaders. In the event, these leaders were provoked by the provision in the Constitutional Charter of the new 'state community' of Serbia and Montenegro that defines Kosovo as an integral part of Serbia. While US and European Union (EU) diplomats dissuaded Kosovo Albanian leaders from tabling a declaration of independence in the Kosovo Assembly, the provision remains unacceptable to the vast majority of Kosovo's inhabitants. This issue could cause some disquiet later in the year, when Serbian politicians prepare a new constitution for Serbia.
158. Serbia's Prime Minister Zoran Djindjic²⁴ had prepared for Kosovo Albanian reactions to the break-up of the FRY by warning, in December 2002, that if the Albanians organised a referendum on independence, the Serbs in Bosnia might do the same, in which case the 1995 Dayton Peace Accord would have to be revised. The following month, Kosovo Serb politicians acted on Belgrade's signal by organising a new Association of Serb Municipalities (Djindjic backed this move). The association warned that if the province became independent, then the Serb-controlled area in the north would secede and join Serbia proper. Djindjic then demanded the return of Serbian security personnel to Kosovo, as provided for under Resolution 1244. In

²⁴ At the time of 'going to press', the news just came in of Djindjic's assassination. This will obviously have far reaching repercussions throughout the region and impact on many of the issues raised in the Kosovo Study.

the past, the UN and KFOR had rejected such demands on the ground that a return would inflame tensions. Djindjic's latest plea was also rejected.

159. Less predictably, Djindjic called for negotiations on Kosovo's future, declaring that the new institutions were leading the province inevitably towards independence. Serbia's Deputy Prime Minister, Nebojsa Covic, accused SRSG Michael Steiner of misrepresenting the situation in Kosovo and making no progress on repatriating 230,000 displaced Kosovo Serbs and others.
160. A new element also emerged on the Albanian side. Western military intelligence sources disclosed that they were taking threats of violence from a group called the Albanian National Army (ANA) very seriously. On 10 February 2003, seven ethnic Albanians from southern Serbia, adjacent to Kosovo, were arrested in connection with possible terrorism charges. There were reports that ANA men had set up roadblocks in Kosovo and the ANA (or people claiming to be from it) claimed responsibility for a bomb attack in Macedonia.
161. On 17 and 18 February, four Kosovo Albanians were arrested in connection with indictments by the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague. One of the four is the Vice-President of the Democratic Party of Kosovo (PDK). These were the first arrests of Kosovo Albanians on ICTY charges, which related to the 'imprisonment, violence and murder against Serb and Albanian civilians in the KLA Lapushnik prison camp in Kosovo, in 1998'.²⁵ This is the first public ICTY indictment that addresses the killing of Serbs in Kosovo, and as such may help the tribunal to recover credibility among Serbs.
162. Belgrade's rediscovery of Kosovo above all reflects the political turmoil attending the dissolution of the FRY and its replacement by a new state community in which very few citizens have much faith. The emergence of the ANA may have the same cause. Beneath the rhetoric, however, it is unlikely that either side's position is radicalising. There is no reason to suppose that Djindjic believes Serbia is willing or able to make the enormous political, administrative and economic accommodations that would demonstrate a genuine wish to reincorporate Kosovo on any terms acceptable to some 90% of Kosovo's population or (therefore) to the international community. It remains the case that, in the words of one Western diplomat in Pristina last September, 'Time is on the Albanians' side. They've got everything to play for. And Belgrade is sending signals that it doesn't want Kosovo. There is no talk about reconciliation. They [the Serbian leadership in Belgrade] have sunk to our lowest expectations'.
163. Practically, two points may be made. First, insofar as Djindjic's warnings were meant to fortify international disapproval of possible independence moves in Pristina, they were unnecessary: in the current international climate, Western capitals have less appetite than ever for tackling the issue of Kosovo's final status. There is, moreover, no valid legal or moral basis on which to draw analogies between Kosovo and Republika Srpska (Bosnia's Serb-controlled entity), and the international community should emphatically reject any attempts at such linkage.
164. Second, it would be sensible in the current climate for UNMIK and KFOR to remain highly vigilant against unilateral policy moves and security threats from either of the main ethnic communities in Kosovo.

²⁵ International Criminal Tribunal for the Former Yugoslavia, Office of the Prosecutor, Press Release, 18 February 2003, available at <http://www.un.org/icty/pressreal/2003/p729-e.htm>.

SIERRA LEONE

165. Since the field research for the Sierra Leone study was conducted in September 2002, changes have occurred to the size and structure of the UNAMSIL peace operation and to the process of post-conflict reconstruction as a whole. Moreover, the intra-state conflicts in Liberia and Côte d'Ivoire have intensified, raising fears that the sub-region faces yet another round of intractable political violence.
166. October 2002 saw pledges of additional US support for the International Military Assistance Training Team (IMATT), which will be crucial if the government of Sierra Leone is to enjoy secure borders. The continued risks to stability have been highlighted by cross-border raids perpetrated by members of the Liberian security forces and their adversary, the Liberians United for Reconciliation and Development (LURD), both of which have attacked villages in Kailahun in search of food and other supplies.
167. The construction of the US\$9 million Special Court commenced in late October 2002, while the court's Chief Prosecutor, David Crane, undertook extensive visits to the provinces to collect core evidence of violations of human rights that will be used against former members of the Revolutionary United Front (RUF), the Civil Defence Forces (CDF) and the Sierra Leone Army.
168. Some key problems concerning the peace operation remain, not least the issue of underfunding. In November 2002, UN Assistant Secretary-General Hédi Annabi appealed to donors on behalf of Secretary-General Kofi Annan for more financial resources to complete the reintegration of former combatants. While roughly 32,000 have been processed, a further 24,000 continue to await reintegration opportunities. The Multi-Donor Trust Fund tasked with funding the reintegration programme faced a shortfall of some \$10 million at the end of 2002. Failure to address this problem comprehensively risks exporting instability elsewhere in West Africa. Indeed, in late 2002, the UN Panel of Experts on Liberia stated that it believed there to be 1,250–1,500 former RUF personnel fighting in elite units for the government of President Charles Taylor. More recently, evidence has emerged that former RUF fighters are engaged on behalf of rebel groups in Côte d'Ivoire.
169. Eight international judges for the Special Court were sworn in to office in early December 2002 and are set to preside over an estimated 25–30 cases over the next two to three years. However, while the post-conflict judicial process seems to be well under way, the Truth and Reconciliation Commission (TRC) has run into a number of administrative and budgetary difficulties. Moreover, concerns have been raised about the selection process for TRC personnel. The TRC will need to work hard to restore its credibility and garner the necessary international support to ensure the success of the project.
170. Following further cross-border raids in late December 2002, UN Secretary-General Kofi Annan warned on 6 January 2003 that sub-regional conflicts, in particular those of Liberia and Côte d'Ivoire, risked complicating the phased withdrawal of UNAMSIL which will see a reduction in the size of the UN peacekeeping force from 17,500 to 13,000 by May 2003. Echoing Annan's sentiments, the Security Council on 10 January expressed its concern at the slow pace of the extension of governmental authority over some regions of the country, especially the diamond mining districts of Kono and Tongo.
171. As a sharp warning against complacency on the part of the government and the international community, an apparent coup plot was foiled on 15 January 2003. While a number of arrests

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003

were made, the parliamentarian and former Armed Forces Ruling Council leader Johnny Paul Koroma remains on the run. It is unclear at present how the government intends to proceed with the prosecution of the alleged conspirators.

172. Nonetheless, while issues concerning security and funding are inevitable in such a delicate post-war environment, the broad legacy left by the peacekeeping operation is undeniably a positive one. Most importantly, the disarmament and resettlement programmes have been completed largely successfully.
173. However, while Sierra Leone recovers from the horrors of the past 12 years, it must be at the forefront of the minds of all those attempting to rebuild the country that low-intensity war continues to plague West Africa, and, without the concerted vigilance of the international community over the longer term, could one day return to Sierra Leone.

LEGACY

174. These postscripts, current at the time of writing, raise important issues for the longer term. The fundamental question remains: what legacy do international actors want to leave, politically, economically and culturally?
 - The political legacy is affected by choice of interlocutors. There can, for example, be profound consequences if the head of an operation engages with certain political personalities to the detriment of others.
 - The economic legacy is fundamental. In all operations unemployment looms high, especially after the withdrawal of a substantial international operation. The agricultural sector is often neglected in largely agrarian societies. In addition, enormous wage differentials create resentment.
 - The cultural legacy underpins much of this. Populations in the places under review have little faith in public institutions. This requires a sustained and long-term commitment to capacity- and institution-building. An important element to remember is that populations are often still very traumatised, and this can have a subtle and far-reaching impact on the relationship between the international community and its local counterparts.
175. A strategy is needed that addresses the causes of a conflict. In East Timor there was a lack of coherence in policy for dealing with the militia, with different units of UNTAET at odds over whether the rule of law or reconciliation should be paramount. In Sierra Leone, all sides disregarded their obligations under the peace agreement. The UN peace operation should have been more resolute in defining a coherent strategy and even used force to ensure compliance.

SCOPE OF MANDATES

176. Another overarching issue concerns the scope of mandates and the need to look at peace operations in a regional or 'transnational' context. This goes to the heart of an important recognition of the Brahimi Report, namely, that wars and conflict zones are inherently not just about the particular country but are regional or 'transnational'.²⁶ A ceasefire or restoration of security within a country is not sustainable if the remainder of the region is unstable. Mandates, especially when dealing with the security dimension, need to take the regional nature of

²⁶ Rubin, Barnett *et al.* 2001. *Afghanistan: Reconstruction and Peace-Building in a Regional Framework*. KOFF Peacebuilding Reports, No. 1. Centre for Peacebuilding of the Swiss Peace Foundation), June 2001.

conflicts into account. This was especially borne out in Sierra Leone, but also particularly in the Balkan conflicts with the ‘spillover’ from Bosnia to Kosovo and Macedonia.²⁷

7. PROPOSALS FOR FOLLOW-UP

177. There are a number of areas to which the country studies and this report could not do justice. Rather than taking a broad perspective, these studies focused instead on presenting an in-depth analysis of particular aspects of peace operations. A number of issues are at the forefront of the agenda of individual donors and the Security Council, as well as of internal policy discussion within the UN, its agencies and departments. Further studies would assist in defining a road map for the implementation of some of the recommendations contained within this study (see Annex A, Summary of Recommendations).

1. A funding analysis of the cost implications of recommendations listed in this study that demand either no or only minor institutional reform.
2. A review process that could explore alternative operating procedures for support services, particularly for a ‘light footprint’ model, by examining existing missions and their local support structures (this for the consideration of the Secretariat).
3. The co-ordination of humanitarian assistance and development activities: an example worth further study is that of the role of the multi-titled DSRSG in Sierra Leone—the resident co-ordinator/DSRSG/humanitarian co-ordinator.
4. A plan for developing and ‘operationalising’ a robust and comprehensive rule-of-law strategy.
5. A study examining the role of human rights as defined in mandates, as well as its structural and functional role.
6. The establishment of a number of units that would, we submit, be an expansion of existing capacity, rather than involve major structural changes. These are:
 - Integrated planning units. Where should they be based, how should they function and whose experiences should feed into them?
 - Institution-building units within the UN Secretariat.
7. Public administration and public sector reform: a study of HOW to incorporate external experts into the planning and implementation process of governance missions.
8. An examination of the relationship between donors, the Security Council and the UN Secretariat.
9. A detailed assessment of the viability of the ‘Doss model’ (from Sierra Leone) for co-ordinating humanitarian assistance, particularly in times of conflict.
10. A closer examination of the need for flexible but robust Rules of Engagement in order to ensure that the UN military’s role in public safety is clearly delineated and defined.

²⁷ For an excellent discussion, see Woodward, *ibid.*:6–7.

ANNEX A

SUMMARY OF RECOMMENDATIONS

1. PLANNING AND PROCESS

1.1 Pre-Operational/Pre -Mission Planning

- i. The **strategic planning capacity** within the Secretariat and DPKO in particular should be strengthened. This should involve *inter alia* exploring how other organisations (Member States, multinationals) undertake or approach strategic issues and in particular how they anticipate potential flashpoints and problem areas. Member States need to ensure that relevant departments within the UN Secretariat have the necessary resources and personnel. (*UN Secretariat: DPKO; Member States*)
- ii. **An institution-building unit** could be established, possibly within the UN Secretariat, linked to both DPA and DPKO, that acts as a focal point both for institution-building activities and for relevant expertise in this area. This study suggests, however, that a more natural home would be within the UNDP Bureau of Crisis Prevention and Recovery, given UNDP's evolving expertise in security sector reform and governance activities. . (*UNDP; UN Secretariat: DPKO, DPA; Member States*)
- iii. **As wide a range of expertise** as possible needs to feed into the planning process—specialist technical and planning knowledge, country-specific/anthropological expertise, senior mission personnel and local stakeholders. Systematic and priority emphasis needs to be given to local expertise and knowledge of the peoples of the affected country. (*UN Secretariat*)
- iv. **Outsourcing.** A roster of external planning experts with specific technical and management expertise, such as infrastructure experts or water and electrical engineers, should be maintained. Furthermore, planning, organisational and operations management experts should advise on mission structure and management procedure. At the same time, relationships should be developed with organisations or companies, in particular in the private sector, which could provide specific expertise, with a view to subcontracting them. (*UN Secretariat, UN Agencies*)
- v. To ensure timely and effective **deployment of human resources**, the recruitment process needs to be broadened from using regional UN offices to using private recruitment agencies and utilising the private sector. More responsibility for recruitment should be delegated to the SRSG or relevant departments. (*UN Secretariat: DPKO*)
- vi. Appropriately **skilled staff** should be brought in from outside the UN, especially **for capacity-building** efforts and to ease the transition to local structures. (*UN Secretariat, UN Agencies*)
- vii. Use should be made of **institutions external to the UN** to assist in complex or politically sensitive planning and strategic development (such as security sector reform activities). (*UN Secretariat: DPKO; UN Missions*)

- viii. UN peacekeeping operations need **coherent military leadership and core troops** from a leading nation to provide the backbone of the operation. Civilian-led security co-ordination functions also need to be factored into the planning process early on. (*Security Council; UN Secretariat: DPKO; Member States*)

Points for consideration in the planning process include:

- *Planning needs to be sensitive to the political and social context into which a peace operation will be ‘inserted’. Conceptual distinctions should be made as to which elements are scenario-dependent and which are non-scenario dependent.*
- *Different layers of planning need to be implemented simultaneously.*
- *Missions need to be on the ground and structures for achieving integration (notably funding and decision making) instituted as soon as possible.*

1.2 Transitional and ‘Real-time’ Planning

- ix. Options to help a mission respond to ongoing challenges during the life of an operation and to strengthen the relationship between the DPKO Best Practices Unit and field operations include establishing:
- a **mandate implementation team** with the task of monitoring programmes, identifying problems and adjusting strategies as necessary. This unit could simultaneously perform the role of a **Lessons Learned Unit** to provide real-time feedback on mission performance, closely co-ordinating with the Best Practices Unit, and ongoing evaluations;
 - and/or linked to the above, a **dedicated planning unit**, removed from daily operational demands, to enable the mission to take on medium- or longer-term perspectives and advise the senior management on mandate implementation; and
 - a **planning and management unit in support of the SRSG** to facilitate co-ordination and information-sharing, monitor the overall mission performance against the mandate and agreed objectives, and make recommendations for alterations to structure, staffing and allocation of resources in the light of evolving mission challenges. (*UN Secretariat*)
- x. An **‘Inspectorate’ system should be established** at the New York level, staffed on a rotating basis for six-month periods by individuals with extensive peacekeeping experience (an ‘Inspector-General’) and managed by the Best Practices Unit, to ensure the implementation of necessary changes as well as the provision of requisite assistance from the UN Secretariat. Care should be taken to define its position and relationship with the existing OIOS. (*UN Secretariat*)
- xi. Systematic efforts should be put in place to **formally debrief key personnel**, especially senior staff (SRSGs and DSRSGs), in order to feed into ongoing improvement of mission performance and all stages of the planning process **in both** the Best Practices Unit and the mission concerned. At the same time a **short end-of-mission report** format should be developed for both senior staff and other key staff to feed into the Best Practices Unit. (*UN Secretariat*)
- xii. **A database should be set up that is accessible** by planners and mission staff alike—an online information resource with access to reports on previous peace operations, lessons-learned reports, and a facility to access previous or current staff with relevant experience.

Organisations external to the UN are in fact developing appropriate software that would render such a database possible. (*UN Secretariat: BPU*)

1.3 Exit Strategy

- xiii. Planning for a viable **exit strategy** needs to be **factored into the planning process**, and clear operational and strategic priorities need to be set. (*UN Secretariat, DPKO*)
- xiv. **Expectations need to be managed** of what a mission can reasonably achieve. A coherent but flexible public information campaign should include the views and perceptions of local stakeholders and reach a broad cross-section of the population. It should define a mission's limits from the outset in order to avoid overblown expectations and to pave the way for transition. (*UN Secretariat: DPKO; UN Missions*)
- xv. The exit strategy should **focus** not only on an orderly departure of UN personnel but also **on transitional policy**, on leaving a sustainable legacy, and on ensuring that structures are in place that allow for the continuation of what the mission began, including development activities. (*UN Secretariat, DPKO, Member States, UN Missions*)
- xvi. **Sequencing.** Institutions need to be developed in a complementary and sequential way, in particular rule-of-law and security sector institutions. (*DPKO, UN Agencies*)

1.4 Mandate

- xvii. Security Council mandates for peace operations need to take account of the situation on the ground, be realistic in terms of timelines and be practical in terms of what is achievable. Missions need to have sufficient 'space' for political manoeuvre and operational flexibility. (*Security Council*)

1.5 Architecture/Structure of a Mission

- xviii. The **role of deputies and other senior staff** needs to be clearly defined in order to avoid a management impasse that would have a negative effect on the rest of the mission. (*UN Secretariat, Member States*)
- xix. Human rights advisers and a **Human Rights Unit** need to form an integral part of mission structure and feed into overall policy formulation, answerable to the SRSG. At the same time, this unit should have an institutional identity linked to the High Commissioner for Human Rights. (*UN Secretariat, OHCHR, UN Missions*)
- xx. **Missions should be disaggregated** and split into one structure for peacekeeping and humanitarian assistance, and another for governance and public administration. Sectoral responsibilities could be outsourced to other UN agencies or Member States while the UN performs certain core functions. (*UN Secretariat, Member States*)

1.6 Management/Administration

- xxi. The SRSG and/or Deputy SRSG need to have **proven management experience**. It is important to review the pre-mission briefing and training for incumbent SRSGs and to ensure

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003

that mechanisms are in place to pass on previous lessons learned with regard to good and bad practice. (*UN Secretariat: DPKO, DPA*)

- xxii. **A Deputy SRSG for Administration and Management** should be deployed to larger missions as a matter of standard practice to ensure that the mission's infrastructure and administrative service served the political agenda of the UN. (*UN Secretariat, Member States*)
- xxiii. A non-UN 'oversight' body should be considered as a step towards enhancing accountability and **establishing a system of checks and balances for the SRSG**. This could consist of select P5 Security Council members with representation in the affected country, as well as representatives from regional organisations. (*UN Secretariat, Member States*)
- xxiv. **A systematic skills survey** should be conducted as a matter of course in the early stages to ensure the maximum inclusion of the diaspora as well as skilled local people in the affected country. This in turn demands a recruitment presence early on in the mission. (*UN Agencies, DPKO*)

1.7 Co-ordination

- xxv. At the New York level, **high-level councils should be established** as a mechanism to review mission implementation and to provide support to the SRSG, particularly in missions that require close co-ordination between international organisations. (*UN Secretariat, Member States*)
- xxvi. The **UN Situation Centre** could become the hub for co-ordination where high-ranking DPKO officials or their designated staff are located. The emphasis should be on taking decisions rather than solely providing an information collection and dissemination service. (*UN Secretariat: DPKO*)
- xxvii. To assist co-ordination efforts, effective communication structures and procedures should be put in place. **Communication experts** should assist in designing these structures at the planning stage for a mission and monitor their implementation within a mission structure. (*UN Secretariat, Member States*)
- xxviii. At the field level, **liaison officers** could be used to enhance inter-organisational and inter-agency co-ordination. (*UN Missions and Agencies*)
- xxix. In order to enhance the linkages between the security and civilian parts of an operation, **standardised procedures for information exchange should be developed** as well as monitoring and implementation mechanisms for the SRSG and the Force Commander. These include briefings, inclusion in planning meetings and exchange of correspondence. (*DPKO, Member States*)

2. PUBLIC ADMINISTRATION/GOVERNANCE

2.1 Development of Institutions and Capacity-Building

- xxx. The development of a civil service needs to be accorded a high priority, as well as the provision of infrastructural support to such a service. (*UN Secretariat, Member States*)
- xxxi. A detailed **study** is required to properly assess the reasons for **the variable performance of different sectors** within the public administration and draw on its implications for future missions. (*UN Secretariat: BPU; Member States*)

Points for consideration in developing a public administration:

Establishing a new public administration is complex and demands a continual revision of priorities and approaches in the field. The following factors need to be borne in mind:

- *the selection of appropriate local partners at the structural level, such as organisations, networks and political interest groups, and empowering those groups with the knowledge, resources and status that accompany the establishment and operation of a public administration;*
- *the delegation or decentralisation of authority for implementation purposes;*
- *the deployment of appropriately skilled personnel with previous experience in the public sector;*
- *the capacity to understand when to take full control of certain activities, complemented by an understanding of the implications of so doing; and*
- *developing agreements with other elements of the multilateral system regarding handover of support responsibilities and clarifying the role of development agencies in public administration who play an important role in the transition.*

2.2 Local Power Structures and Power-Sharing

- xxxii. There needs to be **a clearly defined strategy for the gradual transfer of authority**. Taking international control should be a time-bound measure where the point is clearly specified at which local assumption of responsibility for the sector's management resumes. (*UN Secretariat: DPKO, DPA; UN Missions*)
- xxxiii. The population's **trust in state bodies** has to be fostered. International efforts should therefore focus on civic education and school education as important starting points. (*UN Missions*)

Points for consideration:

- *Both planners and implementers need to understand local social structures and ideas of political authority and legitimacy.*
- *It is important to question whether power-sharing is indeed the most effective way forward and/or whether the way it is approached serves the ultimate aim of sowing the seeds for democratic institutions and 'good governance'.*

3. RULE OF LAW AND POST-CONFLICT JUSTICE

- xxxiv. There is an overriding need to develop a clear, robust and practicable **strategy for** establishing and ‘operationalising’ **rule -of-law institutions**. (*Member States, UN Secretariat*)
- xxxv. At an operational level, there is a recurring **call for greater co-ordination** within various aspects of the mission, at both the planning and the implementation stages, as well as for the setting of priorities. (*UN Agencies: OHCHR, UNDP etc.; UN Missions*)
- xxxvi. The provision of **adequate financial and logistical support** for justice sector initiatives is critical, particularly in relation to post-conflict justice initiatives. (*UN Secretariat, Member States*)
- xxxvii. Care should be taken to work closely with local judicial counterparts and equip them with the right tools, particularly to ensure that legal translations into local languages are of a high quality. (*UN Secretariat: DPKO, OLA; UN Agencies: OHCHR, UNDP; UN Missions*)
- xxxviii. The **rehabilitation of infrastructure** should only be part of a more coherent policy to reform the rule -of-law sector.
- xxxix. The fundamental importance of **traditional justice mechanisms and land and property issues** needs to be factored into the rule -of-law reform strategy.

4. THE SECURITY SECTOR

4.1 Development of a New Security Culture

- xl. Attention needs to focus at the outset on **building civilian oversight mechanisms** to oversee and manage a defence force, as well as a police force. (*UN Missions, Member States, UN Secretariat: DPKO*)
- xli. **Incorporating security sector reform expertise.** Donors and UN missions must have a sustained commitment to the development of a new security culture. Some Member States and UN agencies have developed considerable expertise in this area. The theory and practice of security sector transformation or governance should feed into the UN Secretariat and down to the operational level and be part of mainstream strategic planning. (*Member States, UN Secretariat: DPKO*)
- xlii. It is proposed that a civilian-led unit (e.g., a National Security Advisor’s Office) be established within a mission in order to monitor security threats, develop strategies and advise the government or administration. (*UN Secretariat*)
- xliii. The **conceptual understanding of security** needs to be broadened both among UN staff and within civic education and public information campaigns. (*UN Secretariat, UN Missions*)
- xliv. **Recruitment processes** for a new police force or military require a greater degree of transparency to ensure social acceptability and accountability. (*UN Missions*)

4.2 Disarmament, Demobilisation and Reintegration (DDR)

- xliv. The studies underline the need for **a comprehensive review of DDR processes** that should focus on a range of issues such as the strengths and weaknesses of a national as opposed to an international management structure, operational guidelines, and the comparative strengths and weaknesses of those implementing disarmament and demobilisation, particularly with regard to the identification and registration of combatants. This should be followed up by future reviews. *(Member States, UN Agencies)*

Points to bear in mind for DDR:

Reintegration of ex-combatants requires sustained funding and human resource commitment. Above all, it demands a combination of different strategies that are context-specific and cover economic development, reconstruction and reconciliation efforts.

4.3 The International Law-and-Order Presence: UN Police

- xlvi. Mandates need to define clearly **the responsibilities of military support** operations in relation **to public safety**. Military forces undertaking temporary policing functions must be equipped with specialised units to deal with a range of activities for which they would otherwise be ill equipped. *(Security Council)*
- xlvii. **Institution-building in the security sector** should be conducted in a training academy and be separated from executive policing functions to ensure that local police personnel are trained to a satisfactory standard prior to undertaking policing activities. *(UN Secretariat: DPKO; UN Civilian Police)*
- xlviii. Experimentation with **deploying UN Police in national units** or as composite units comprising police from similar backgrounds should continue. However, shortcomings that were identified when this approach was tried in the Baucau District of East Timor should be taken into account. *(UN Secretariat: DPKO; Member States)*
- xlix. While it is recognised that the international force may have a bridging role to play, better qualified and skilled international civilian police need to be **deployed faster** and on-call arrangements should be reinforced. *(DPKO, Member States)*
- i. **A three-step screening process**, as developed in Bosnia, should be used when creating a local police force. Step one involves initial selection (and screening), training and recruitment; step two is a probationary phase, in which performance reports and further background checks are made, while step three is a certification phase, following further background checks and performance monitoring. *(UN Secretariat: DPKO)*
- ii. **Geographical balance** should be maintained throughout the entirety of a peace operation. This would allow a reduction in the number of countries contributing UN Police to a single operation and would allow the deployment of larger contingents. It would also permit the recruitment of police officers from a cultural or linguistic background appropriate to that of the mission country. *(UN Secretariat: DPKO)*

4.4 The International Peacekeeping Presence

- lii. Additional mechanisms should be created, or existing ones given higher priority, to ensure that **troop-contributing countries are informed** at the earliest possible moment of plans for a new mission or significant changes to an existing one. (*UN Secretariat: DPKO; Troop-Contributing Countries*)
- liii. All efforts should be made to ensure that troop-contributing countries, permanent members of the Security Council and the UN Secretariat **share an understanding** of a mission's principal challenges and objectives. (*Troop-Contributing Countries, Security Council, UN Secretariat: DPKO*)
- liv. Countries contributing troop contingents above a specified threshold (based on absolute numbers or percentages) should be able to **deploy a dedicated liaison officer** to DPKO to ensure that their contingents' needs are being addressed efficiently. Furthermore, **reforms to the wet-lease regime** should be institutionalised. They include:
 - pre-deployment inspections of contingents' equipment by DPKO staff;
 - pragmatic compromises on wet-lease equipment specifications on the part of the UN Secretariat on a case-by-case basis;
 - payment by the UN Secretariat for goods not made available by the troop-contributing countries, using funds that were earmarked for those goods in the first place;
 - requests for direct bilateral assistance by the UN Secretariat where required and appropriate; and
 - visits by senior staff from contingents' national defence headquarters.

5 THE HUMANITARIAN–PEACEKEEPING–DEVELOPMENT INTERFACE

5.1 Humanitarian Assistance and Development

- lv. There is a clear need for participatory **strategic planning for development to begin in parallel with humanitarian intervention**, by drafting a comprehensive strategy during the humanitarian phase while donor interest is still high, funds remain unallocated and key personnel are in place to oversee the transition. Furthermore, organisations should second, transfer or re-employ experienced staff to successor departments or agencies in order to facilitate continuity and a transfer of expertise. (*OCHA, Humanitarian and Development Agencies*)
- lvi. The **viability of the 'Doss' model** for co-ordinating humanitarian assistance, particularly in times of conflict, should be assessed. (*UN Secretariat: DPKO, OCHA, UNDP*)
- lvii. **Humanitarian and development co-ordination centres** should be established in all future complex emergencies to facilitate inter-agency co-ordination. While they should be supported by the Office for the Co-ordination of Humanitarian Affairs (OCHA), such co-ordination offices should remain inter-agency and cover humanitarian and development activities. Where possible, they should include a Geographic Information Service (GIS) to facilitate analysis and

the targeting of aid. (*OCHA, UNDP, Inter Agency Standing Committee (IASC), Member States*)

- lviii. Future missions mandated to administrate the economic sector should seek to create conditions that will enhance a region or country's employment or growth. Depending on circumstance, this may involve introducing new legislation and regulations to erode the legal and political uncertainties that would otherwise limit a region's economic progress. (*DPKO, Member States, World Bank*)
- lix. Integration of the political and economic assistance tracks would be strengthened by the early appointment of a high-level official for economic recovery. This would help provide strategic direction and present a unified UN role vis-à-vis the donors, the international financial institutions and the aid agencies. (*Member States, DPKO, World Bank*)

5.2 Peacekeeping and Humanitarian Delivery

- lx. **Operational guidelines should be adopted** for the delineation of the roles of humanitarian agencies and peacekeepers. This should ensure that the military has an explicit mandate that encompasses core duties to foster security and protect civilians by establishing and enforcing a safe and stable environment and that humanitarian agencies have a mandate to directly implement humanitarian programmes. (*OCHA, DPKO, NGOs*)

ANNEX B

ACRONYMS

ANA	Albanian National Army
BPU	Best Practices Unit (UN)
CDF	Civil Defence Forces (Sierra Leone)
DDR	Disarmament, demobilisation and reintegration
DPKO	Department of Peace-keeping Operations (UN)
DSRSG	Deputy Special Representative of the Secretary-General
ETPS	East Timorese Police Service
ETTA	East Timorese Transitional Administration
FDTL	Forças de Defesa de Timor Leste (East Timor Defence Force)
FRY	Federal Republic of Yugoslavia
ICTY	International Criminal Tribunal for the former Yugoslavia
IFOR	Implementation Force (Bosnia)
IMATT	International Military Assistance Training Team (Sierra Leone)
IMTF	Integrated Mission Task Force
JRT	Joint Regional Team
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
KPC	Kosovo Protection Corps
KPS	Kosovo Police Service
LURD	Liberians United for Reconciliation and Development
NGO	Non-governmental organisation
OCHA	Office for the Co-ordination of Humanitarian Affairs (UN)
OHCHR	Office of the High Commissioner for Human Rights (UN)
OIOS	Office of Internal Oversight Services
OLA	Office of the Legal Adviser (UN)
PDK	Democratic Party of Kosovo
PKF	Peacekeeping Force
RUF	Revolutionary United Front (Sierra Leone)
SFOR	Stabilization Force (Bosnia)
SRSR	Special Representative of the Secretary-General
SSR	Security sector reform
TRC	Truth and Reconciliation Commission
UNAMA	United Nations Assistance Mission in Afghanistan
UNAMSIL	United Nations Mission in Sierra Leone
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNMIK	United Nations Interim Administration Mission in Kosovo
UNMISSET	United Nations Mission of Support in East Timor
UNPOL	UN Police
UNTAET	United Nations Transitional Administration in East Timor
USAID	US Agency for International Development

A Review of Peace Operations: A Case for Change
Overall Introduction and Synthesis Report
Conflict, Security and Development Group
King's College London
10 March 2003