

Institution-Building as a Bridge Between Peacekeeping and Peacebuilding: Connecting the Security and Peace Nexus¹

BACKGROUND PAPER

CHALLENGES ANNUAL FORUM 2015:
Institution- and Capacity-Building for
Peace: Implications of the UN Review
Panels' Recommendations for Future
Missions

5-6 Oct 2015, Yerevan, Armenia

Introduction

This brief background paper will outline recent commentary and recommendations on peacebuilding, institution-building and capacity development in United Nations (UN) peacekeeping and examine the range of such mandates provided by the Security Council. It will explore the range of UN guidance available to peacekeepers in this area and draw out some of the lessons that we have learned and challenges we face as 'early peacebuilders' with three key roles: to articulate, enable and implement peacebuilding goals. The paper will end with some questions for discussion.

What the Recent High-Level Reviews Say About Institution-Building

The range of recent high-level reviews conducted around the UN's role in peace operations, peacebuilding and women, peace and security provide an opportunity to re-examine how we conceive UN peacekeeping's role in institution-building and what we understand from the wide ranging experience, lessons and good practices that we have been engaged in across our missions.

The High Level independent Panel on Peace Operations (HIPPO) offers a cautionary note about what we can expect from peacekeeping operations in this area and distinguishes between peace operations' role in sustaining peace, as compared to long-term, generational efforts to strengthen state institutions.² It also warns against supply-driven and overly technical approaches to institution-building.³ It gives examples of non-integrated capacity-building efforts by the UN and talks about the importance of

LEANNE SMITH Ms Leanne Smith is the Chief of the United Nations Policy and Best Practice Section, and former Deputy Chief of the Peacekeeping Situation Centre at the United Nations Department of Peacekeeping Operations (DPKO). She has been practicing law, diplomacy and public policy across a variety of fields including the Australian judicial system, the NGO sector, regional human rights organizations, the Australian Foreign Service and the United Nations in Southeast Asia, the Balkans, Afghanistan and Sudan. Ms Smith has a Master's in Public Policy Graduate of the Woodrow Wilson School of Public and International Affairs at Princeton University.



¹ This paper is a commissioned background paper for the Annual Challenges Forum of Peace Operations 2015. The views expressed are those of the author and not necessarily those of the Challenges Forum Partnership including the Hosts of the Annual Forum 2015.

² United Nations, *Uniting our Strengths for Peace, Politics, Partnerships and People*, Report of the High-Level Independent Panel on United Nations Peace Operations, 16 June 2015, para. 128.

³ United Nations, *Uniting our Strengths for Peace, Politics, Partnerships and People*, Report of the High-Level Independent Panel on United Nations Peace Operations, 16 June 2015, para. 132.

partnership.⁴

The Secretary-General's Follow Up Report on HIPPO points to institutions as important vehicles for mediation and political settlements, 'Societies with effective, inclusive and accountable institutions are more likely to withstand crises and peacefully manage disputes'.⁵

The Advisory Group of Experts Report on the 2015 Peacebuilding Review (AGE) called for retaining conflict and governance related issues in the post 2015 Development Agenda through the inclusion of Sustainable Development Goal 16, to 'promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels'. The AGE report also realistically assesses that a cohesive nation-state and an inclusive system of governance will require enormous work in the aftermath of conflict—clearly pointing to an early role for UN peacekeeping.

The SG Report on Women, Peace and Security calls on all international partners to support national institutions of government particularly with the collection of data on incidents and trends of conflict related sexual violence as well as women, peace and security more generally.⁶

Through each of these reviews, the UN and UN peacekeeping is encouraged to take a principled, lessons-based, coordinated and practical approach to how we engage in institution-building and capacity development.

Range of Institution-Building and Capacity Development Mandates Provided by the Security Council

Mandates for institution-building and capacity development have been with peacekeeping for some time—perhaps the earliest direct reference being in Resolution 1244 for the UN Mission in Kosovo (UNMIK) in 1999. In some cases prior to and since 1244, missions have been mandated with transitional executive or semi-executive authority which, although mandated for very good reason, at least on a temporary basis actually substitute capacity in the countries in which we operate.⁷

In some ways institution-building mandates form the basis for what we now describe as multidimensional missions. We recall the experiences of missions such as UNMIT that had an explicit mandate to build institutions in Resolution 1704 (2006). However others too have been

In some ways institution-building mandates form the basis for what we now describe as multi-dimensional missions.

⁴ United Nations, *Uniting our Strengths for Peace, Politics, Partnerships and People*, Report of the High-Level Independent Panel on United Nations Peace Operations, 16 June 2015, para. 157.

⁵ United Nations, *The Future of United Nations peace operations: implementation of recommendations of the High-level Independent Panel on Peace Operations*, Report by the Secretary-General (A/70/357-S/2015/682), 2 September 2015, para. 10.

⁶ United Nations Security Council, *Report of the Secretary-General on women and security*, (S/2014/693), 23 2015, para. 120:86.

⁷ For example UNMIK, UNMIT, and today MINUSCA

mandated by the Council to undertake a diverse range of institution-building and capacity development roles. An extensive study of the peacebuilding mandates of peacekeeping operations was completed by the Center for International Cooperation in 2010.⁸

Across our 16 current peacekeeping missions, an internal analysis of Security Council mandate language shows at least 64 separate mandated tasks related to institution-building and capacity development.⁹ The table below shows a sample of these mandates.

INSTITUTION-BUILDING MANDATE	MANDATED PEACEKEEPING MISSION
National Border Control/Customs/Coastguard	ONUCI, MINUSTAH
Rule of Law: Police, Corrections, Judiciary	MINUSTAH, ONUCI, UNISFA, MINUSMA, MONUSCO, MINUSCA, UNMIL
SSR and DDR	UNMIL, ONUCI, MINUSMA, MONUSCO, MINUSTAH
Electoral Institutions	UNMIK, UNMIL
National Human Rights Institutions	MINUSTAH, MINUSCA
Extension of State Authority/Local Administration/Governance	UNMIK, UNMIL, ONUCI, MONUSCO, MINUSTAH
Administration of Natural Resources	UNMIL
National Dialogue and Reconciliation	MINUSCA, MINUSTAH, ONUCI, UNMIL
Resettlement and IDPs	MINUSTAH

However, given some of the new operating and security environments we find peacekeeping being deployed to, such as in Mali, institution-building mandates as core elements of multidimensional missions are facing some of the strongest challenges yet. This, for some, raises questions about whether UN peacekeeping is able to deliver on these tasks in such environments.

Across our 16 current peacekeeping missions...at least 64 separate mandated tasks related to institution- building and capacity development.

Range of UN Guidance and Lessons for Peacekeeping Operations on Institution-Building and Capacity Development

Much guidance is available to peacekeeping personnel on institution-building and capacity development, from the strategic and broad to the specific and technical. This guidance can be found on the UN Peacekeeping Resources Hub.¹⁰ By way of example, there is a recently approved *UN Guidance Note for Effective Use and Development*

⁸ Center for International Cooperation "Peacebuilding Components of Peacekeeping Operations: A Review of Security Council Mandates", 2010.

⁹ Note that this total excludes UNMISS as its mandate is now highly constrained under current political conditions – this number would be much higher under the previous mandate.

¹⁰ <http://research.un.org/en/peacekeeping-community>

of *National Capacity in Post-conflict Contexts (2013)* that DPKO contributed to as well as an Early Peacebuilding Strategy detailed further below.¹¹ The Office of Rule of Law and Security Institutions has done much work in this area of guidance development for their specific areas of responsibility, such as the DPKO-DFS Guidelines on Police Capacity Building and Development released earlier this year. DPKO has also done several lessons learned studies and internal evaluations on our work in building institutions and capacity on specific mandate responsibilities such as policing, and for particular mission experiences, notably UNMIT.¹²

Some key lessons, reflected in such guidance include that we must draw on countries with their own experience of transition to assist others, especially those from the global South. That we should prioritise the feasible within the context of national priorities and that we need to balance quick wins and long-term results in our efforts. Peacekeeping must engage in early and integrated planning with UN and other partners to define its institution-building role and our contribution to broader efforts.

In addition to guidance and lessons specifically on institution-building, the role of peacekeeping and importance of this issue for longer term peacebuilding is clearly reflected in other mainstream departmental guidance such as the Policy on UN Transitions in the Context of Mission Drawdown and Withdrawal (2013). The Transition Policy has five key principles: Early planning; UN integration; national ownership; national capacity development; and effective communication. It considers institution- and capacity-building as key prerequisites for the effective handover of mission responsibilities. In paragraph 34 the Policy states:

All UN actors should prioritise capacity development from the outset of their presence and build on existing national capacities in all aspects of mandate implementation and support, in line with the recommendations of the Civilian Capacities Review...this may include... collocating UN and host government staff, where appropriate, and subject to General Assembly approval, donating UN built./owned facilities for subsequent utilisation, and strengthening local procurement to the extent possible...¹³

...we must draw on countries with their own experience of transition to assist others, especially those from the global South.

Peacekeepers as Early Peacebuilders

In June 2011 DPKO and DFS adopted a strategy to assist peacekeepers to prioritise, sequence and plan early peacebuilding tasks, including institution-building. The strategy is based around the principle that

¹¹ Departments of Peacekeeping Operations and Field Support, 'Peace:Keepit.Buildit. The Contribution of UN Peacekeeping to early peacebuilding: A DPKO-DFS Strategy for Peacekeepers' June 2011

¹² For example DPKO-DFS Evaluation of the use of civilian police experts to support capacity building in the National Police of Timor-Leste 2013 and UN Peacekeeping Operations in Post-Conflict Timor Leste: Accomplishments and Lessons Learned, UN Policy Best Practices Section, New York, 2005.

¹³ EOSG, Policy on UN Transition in the Context of Mission Drawdown or Withdrawal, 4 February 2013.

there is not in fact a linear path from peacekeeping to peacebuilding, but that peacekeepers are in fact early peacebuilders with real comparative advantages and contributions to make to complex peacebuilding objectives.

We consider peacekeeping's contribution to peacebuilding to hinge around three key roles: advancing the political objectives of the peace process and the mission's mandate (articulating); providing the security umbrella to allow other peacebuilding actors to function (enabling); and laying the foundation for longer term institution-building (implementing). It is in this third area that peacekeepers play a direct role in institution-building. As the Strategy notes:

The nature and scale of a peacekeeping operation's role in the area of institution-building will depend on its mandate, the local context, the availability of resources and an assessment of the availability of capable, credible and legitimate partners within the host nation. Mandated activities should be focused, based on peacekeeping's comparative advantage and capacities to deliver effectively, tailored to achieve the clearly defined early peacebuilding benchmarks and end state, and built on pre-existing structures if these are assessed to be sufficiently accountable.¹⁴

For UN peacekeeping to be successful in early peacebuilding, including institution-building, there are a number of criteria and risk factors we must take into consideration. We will require political will at the national, regional and international levels. This includes clear and achievable peacebuilding mandates supported by adequate financing. We will need good local knowledge from strategic, ongoing and well-rounded assessments. Strong leadership, including at the political level, is essential. Broad national ownership and capacity must be present—for this too, popular engagement in the prioritisation of peacebuilding and institution-building tasks must be ensured. The HIPPO's recommendations on the need for peacekeeping missions to engage communities more widely and regularly is pertinent in this regard.

For peacekeeping's ability to have *early* impact, we must be able to deploy rapidly to areas most in need, with the appropriate skills and equipment as has been highlighted most recently at the Peacekeeping Summit held on 28 September. Finally and importantly, whatever we do, we must do in partnership, acknowledging our own temporal role and the mandates and comparative advantages of other partners in the UN system and beyond.

...for this too, popular engagement in the prioritisation of peacebuilding and institution-building tasks must be ensured.

¹⁴ Departments of Peacekeeping Operations and Field Support, 'Peace:Keepit.Buildit. The Contribution of UN Peacekeeping to early peacebuilding: A DPKO-DFS Strategy for Peacekeepers' June 2011

Challenges of UN Peacekeeping Engagement in Institution-Building in Countries with Unresolved Conflict

A key dilemma for the 'early' peacebuilding role of peacekeeping when it comes to institution-building is the deployment of peacekeeping operations into contexts where the conflict may be still unresolved. In such circumstances, reconciliation will more than likely be in the very early stages and as such the ability to ensure broad and inclusive national ownership, beyond the current elites, will be severely restricted. This goes to our ability to help develop strong foundations for institutions to be perceived by their populations as legitimate, representative and equitable in terms of the services they provide. For these reasons it is clear that institution-building is not merely a technical exercise but a highly political one, both in the short- and long-term.

Governance deficiencies are primarily political, especially in fragile and conflict-affected states in which political settlement is still being negotiated. Technical deficiencies in institutions certainly exist, but they are rooted in underlying political conditions and structures that prevent simple fixes.¹⁵

As a former international technical adviser to a national government I am also keenly aware that political challenges around institution-building and capacity development can also be highly sensitive, personal and have unforeseen consequences. When we try to bring best practice to a country where that practice does not fit, we can raise expectations about what is achievable both for the international community and the local population. When we put in place institutions that require a level of financing that national budgets will never be able to afford, we do the same. When we impose international technical advisers into those national institutions who are earning dozens of times more in terms of salary than the national staff, we send a message about double standards and encourage a brain drain away from those national institutions to international organisations. We must be conscious of both our intended and unintended impacts as we seek to engage in this endeavour.

Capacity development creates 'winners' and 'losers' and affects power relations for better or worse. Identifying, analysing and navigating these power relations and incentive structures...must be undertaken carefully to arrive at politically appropriate and technically sound capacity development¹⁶

...it is clear that institution-building is not merely a technical exercise but a highly political one, both in the short- and long-term.

We must be conscious of both our intended and unintended impacts as we seek to engage in this endeavour.

¹⁵ UNDP, 'Restore or Reform? UN Support to Core Government Functions in the Aftermath of Conflict, 2014 p.19

¹⁶ United Nations Guidance Note for Effective Use and Development of National Capacity in Post Conflict Contexts, 29 July 2013

Questions for discussion

Some questions we might seek to factor into the panel discussion that draw from the current policy debates include:

- What role should there be for peacekeeping operations in institution-building when the politics of the conflict remain unresolved?
- If one of the comparative advantages of peacekeeping for supporting institution building is our ability to provide a security umbrella – what then in a case like Mali where asymmetric threats undermine our ability to do so?
- How might the HIPPO’s proposal for two stage mandating help our missions better assess when the time is right to embark on what kind of institution-building?
- What might political and state-building compacts between the international community and the host state, and associated benchmarks contribute to fostering stronger national ownership and earlier progress on institution-building?
- In the context of the HIPPO recommendations on engaging communities, how might better defined restoration and extension of state authority mandates help peacekeeping support more effective, accessible and accountable institutions?