Challenges Facing UN Peace Operations in Africa: The Cases of South Sudan and Libya

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I Introduction

1.   Over the last few years, United Nations peace operations, a large number of which are deployed in Africa, have come under increased scrutiny, leading to calls for leaner and more effective operations.

2.   This trend can be explained by a combination of factors. One major impetus has been the global financial crisis, which has made the major financial contributors wary of the large, open-ended operations that marked the early part of the century. Another consideration is the mixed track record of some peace operations: many were given ambitious mandates that did not match their limited resources and expertise, leading to overstretch and a limited capacity to deliver. In other cases, the conditions for their deployment (consent and a viable political process) were not met, or they had a lack of flexibility and capacity to tailor their assistance to specific situations on the ground.

3.   Changes in the nature of conflicts have presented additional challenges, pressing the UN and its peace operations (peacekeeping and special political missions) to change their approach. While civil wars still pose threats, their number has declined in the last twenty-five years. Yet many countries that have emerged from civil war have either relapsed into conflict or experienced continued violence**.** What these countries need goes beyond monitoring ceasefire agreements, providing basic security or even overseeing the negotiation of a peace agreement and organizing elections. They also require sustainable and legitimate institutions – a larger and more difficult challenge that requires time and resources. As highlighted in the UN report *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*, while some peace operations have managed to make progress in providing security and stability, they have faced greater difficulties when it comes to designing and implementing peace-building strategies.

4.   Against this backdrop of greater scrutiny of UN peace operations, two historical political developments have recently taken place in Africa – first, the creation of the Republic of South Sudan, and second, the fall of the regime in Libya. The present paper provides background for a discussion on the challenges facing recent peace operations in Africa. It focuses on recent developments in South Sudan and Libya that led to the establishment of UNMISS and UNSMIL, and discusses some of the challenges facing the two missions.

5.   Political developments in Libya and South Sudan are discussed in part II. Despite uncertainty regarding the future of peace operations and the various challenges and constraints they are facing, it was clear early on that the international response to the new developments in these countries would be led by the United Nations. In designing its response in each case, the UN was eager to draw on key lessons of past operations. The design and mandates of the two missions are addressed in Part III. While these lessons may have been internalized by the UN, it remains an enormous challenge to heed them in implementation. Part IV of this paper focuses on the following key challenges faced by these missions: 1) the UN operation's relationship with the government; 2) the viability of the political process; 3) how to give teeth to the principle of national ownership; 5) how well-equipped the UN is to carry out long-term statebuilding, particularly when this is added on to other mandates; and, finally, 6) whether the UN's resources are adequate to the task.

II Political developments in South Sudan and Libya

South Sudan

6.   In South Sudan, more than 98 percent of voters in a referendum that took place in January 2011 voted for separation from the North and the creation of the Republic of South Sudan. This ushered in a new era for the South Sudanese, full of promises but also important challenges. Years of armed struggle and political neglect by the centre had resulted in very weak political and administrative institutions, poverty, underdevelopment, high illiteracy and mortality rates, and a practically nonexistent infrastructure. The availability of funds from the oil sector and other sources had, in the absence of proper scrutiny, generated corruption and created resentment. In 2010, elections were held that were contested by some but gave the Sudan People's Liberation Movement (SPLM) a majority in Parliament. Today, while the SPLM Government still derives legitimacy from its history of armed struggle, it has been criticized for monopolizing power and resources. The Sudan People's Liberation Army (SPLA), the armed branch of the SPLM, has also been accused of behaving like a rebel group, by taking sides in some inter-communal conflicts, which not only persist but also have generated increasing casualties in recent months. In addition to these internal problems, the new Government of South Sudan will have to deal with tensions on its northern and southern borders.

7.   The challenges facing South Sudan are enormous: in addition to addressing security and humanitarian problems, there is a need to build institutional capacity at all levels, and strengthen the political process by converting the SPLA from a rebel group into a national army.

Libya

8.   In mid-February, just as the results of the referendum in South Sudan were being announced, the popular unrest that had been sweeping the Arab World since the beginning of 2011 reached Libya. Unlike Egypt and Tunisia, where the violence had been relatively contained, the confrontation between demonstrators and the regime in Libya turned violent early on, taking on aspects of a civil war soon after the first demonstrations. After more than forty years of a dictatorship that believed in "statelessness" and was suspicious of "modern state structures", there were no credible institutions, such as an army, political parties or civil society organizations, to play a mediating role or channel the demonstrators' anger and demands. There was also deep distrust of the Government.

9.   As a result, an eight-month internal conflict pitted well-armed militias, led by the National Transitional Council (NTC), against loyalist forces, ending with the death of Qaddafi in October 2011. Since then, the NTC has been in charge, following recognition by the international community. Among the challenges facing the NTC are the enormous one of replacing the defunct "Jamahiriya" with a viable entity in the longer term, and creating the minimum conditions for stability in the shorter term. At this early stage of its life, tensions within the NTC (between Islamists and secularists, as well as based on tribal allegiance) and between the NTC and external rebels groups could, if not contained, cripple its short term capacity to stabilize the country and prevent relapse into civil war. To succeed, it will need to pacify and integrate Qaddafi's loyalists collect arms, unify rebel groups, rebuild the economy – particularly the oil sector – and organize fair and transparent elections. In this connection, the NTC constitutional declaration (of October 2011) sets a tight timetable: interim Government within 30 days, electoral law within 90 days, and elections within 240 days.

10.   The challenges facing Libya are as daunting as those in South Sudan. Although Libya can count on greater and more readily available wealth, a much more developed infrastructure, high literacy rates and high income per capita, the NTC has to lead the transition to democracy on much shakier political grounds than is the Government of South Sudan and does not enjoy the same legitimacy as the SPLM. Leading an eight-month insurgency against a dictator does not compare with the SPLM's years of struggle against "occupation" and the fact that the ballots have already confirmed the SPLM's accession to power.

III UNSMIL and UNMISS

11.   At the request of the two Governments, respectively, the UN deployed the United Nations Mission in South Sudan (UNMISS) in July 2011 and the United Nations Support Mission in Libya (UNSMIL) in September 2011. While UNMISS is a large peacekeeping operation with a significant military component, UNSMIL is a special political mission. UNSMIL was deployed for an initial period of three months, essentially to scope, assess and advise on what it should be doing in support of the Libyan government while providing some urgent assistance. UNMISS was established for an initial one-year, renewable period, with clearly identified priorities. Both missions are deployed under Chapter 7.

12.   In designing the mandates of these two missions, there has been a clear effort to draw on the lessons of past peace operations. One key lesson is that to consolidate the peace, it is necessary to start addressing peace-building priorities immediately. The mandates of both

missions are, therefore, broadly centered on peace-building. While UNSMIL's mandate has not yet fully taken shape, it has been asked to provide urgent advice and assistance to the Libyans in areas identified by the Libyan government, coordinate the efforts of the international community, and, in consultation with the Libyans, to lay the ground for a future mandate. The mission's focus is on the following immediate peace-building priorities: security and rule of law; inclusive political dialogue, national reconciliation, constitution-making and electoral processes; extension of state authority, including through strengthening emerging accountable institutions and the restoration of public services; human rights; and economic recovery. UNSMIL has 250 authorized staff, 50 of which had been deployed at the time of writing.

13.   The mandate of UNMISS sets out the Mission's principal objective as helping the Government strengthen its capacity "to govern effectively and democratically" and "foster longer-term state-building and economic development". UNMISS is tasked with providing advice and support on: political transition, governance, establishment of state authority, inclusive constitutional process, elections, etc. The two main priorities in this area are to convert the SPLA into a national army and to extend the State's presence and legitimacy throughout the territory. In addition to state building, the protection of civilians is an important feature of UNMISS's mandate. The Security Council has authorized 7000 military and 900 civilian police personnel for UNMISS, in addition to "an appropriate civilian component".

14.   Another key lesson from past operations relates to the need to prioritize national ownership. For this reason, the UN planning process in each case placed great emphasis on the need for the UN to follow the national lead. In-depth planning took place in the field rather than at Headquarters, ensuring that Headquarters-based planners did not prejudge the needs on the ground from a distance. The Libyan planning process has been phased, beginning with a pre-assessment process at Headquarters and followed by a three-month deployment of UNSMIL, whose main task is to plan for the future UN role. In the case of UNMISS, a planning mission was deployed on the ground for a significantly longer period than the customary several-week Technical Assessment Mission. The mission's mandate placed peace-building at centre stage and set out certain general peace-building objectives, but it called for UNMISS to work with the Government, the UN system and other international stakeholders to develop a more specific plan for UN System support for peace-building tasks.

IV Challenges ahead

15.   Regardless of how well past lessons have been taken into account, UNSMIL and UNMISS are each likely to encounter a number of key challenges. Some of these are discussed below.

<u>The UN's relationship with the government</u>

16.   The first challenge is the UN's ability to strengthen the political process, in a situation where the government does not owe its legitimacy to a UN-sponsored peace process, or owes it only in part. The UN has a solid track record in several aspects of the early stages of peace-building, such as helping to put in place an all-inclusive political process and supporting the drafting of a constitution and the organization of elections. More often than not, the UN's

support has been effective because: 1) it has been based on a peace agreement that it had helped negotiate; 2) the UN has subsequently dealt with a transitional government that was pieced together as a result of that agreement and owed its legitimacy to it; and 3) the UN was able to reach out to key stakeholders and civil society organizations directly or indirectly involved in the implementation of that agreement. This, naturally, has enhanced the UN's credibility and legitimacy and ensured, at least in the early stages, that it has the trust of the parties and the capacity to persuade them to comply with international standards.

17.   The situation may be somehow different in Libya and South Sudan and may affect the dynamics between the two governments and the UN. The UN has the consent of the two governments, both of which requested its presence. It is also appreciated in Libya (for its role in supporting independence in 1951 and, more recently, for authorizing a no-fly zone) and in South Sudan (for its long involvement and recent role in organizing the referendum). At the same time, in both countries there is a homegrown transitional process and the two nascent governments do not suffer from an intrinsic legitimacy deficit, as has been the case in other contexts where the UN has been deployed. Both governments already have a high degree of legitimacy, which they gained mainly by defending a national cause -- the NTC for having led the struggle against an oppressor, and the SPLM Government for having led a liberation movement. It remains to be seen how this reality will shape these governments' relationships with the UN in the coming months and whether they will be ready to cooperate fully on all aspects of their respective mandates.

18.   In Libya, for example, the NTC's decision to hold elections in eight months goes against the lesson the UN has learned the hard way in the last twenty years, namely that elections have a greater chance of success if they are well prepared and not rushed. It is not clear if the United Nations was consulted on this matter, but this decision points to a Libyan determination to chart its own course, without seeking advice, on at least some critical issues in the transition.

19.   In view of the above, how can the UN maximize its role and advice in the months ahead? Will these governments heed, or even seek, the UN's advice with regard to sensitive issues such as human rights monitoring, governance reform, compliance with international standards, promotion of an inclusive process, and the running of the transition? Or will they resist this in the name of national ownership? How should the Organization posture itself to maximize the chances that these governments strike a balance between national ownership and compliance with international standards?

Viability of the political process

20.   A second challenge is that the UN may find itself in a difficult position if the government, which it is meant to help, is not representative enough to rally popular support behind the transitional process. The risk in this case is the creation of fertile ground for spoilers, who could undermine the whole process. This is a challenge that the UN may face at one stage in Libya, but also in South Sudan, if it turns out that the transitional government, which may have enough autonomy to prevent UNSMIL implement certain aspects of its mandate, does not have enough legitimacy to rally popular support behind the process.

21.   How can the UN play a role in helping to broaden the political settlement and make it more representative? How can it do so while fully respecting national ownership and without giving the impression that it is interfering in the political process?

National ownership

22.   A third challenge concerns the issue of national ownership. This principle has been part of the UN's rhetoric for some time, and is a stated goal of all peace operations. In the case of Libya and South Sudan where, as discussed above, the issue of the government's legitimacy is distinct from other contexts, and where the bulk of the UN's efforts will be directed at sensitive tasks such as state-building and building democracy, it will be more critical than ever to ensure that mere lip service is not paid to this goal. Both nations will need to move their respective countries forward, at their own pace, without pressure and interference from the outside. International actors who see their interests as being at stake will have high expectations for speedy delivery, and will have their own views of priorities and how things should be done. UNMISS and UNSMIL will need to constantly underscore that it will take time for these processes to bring about sustainable results – i.e. hold these actors back from pushing prematurely for "results" – while maintaining the interest and engagement of the international community. How, and for how long, will the two missions manage to achieve this, especially as the inevitable flood of national and regional envoys arrive on the scene? Are the usual mechanisms (Groups of Friends, Contact Group, etc.) equipped to deal adequately with this challenge?

Long-term state-building

23.   Another challenge relates to the ability of the UN to implement its peace-building mandate. UN peace operations have accumulated significant experience in establishing transitional governments, organizing elections and, in some cases, constitution-making. They are less well equipped, however, and have thus far had more of a more mixed record, when it comes to building effective institutions. Much of the UN's thinking in terms of peace-building focuses on the "immediate aftermath of conflict" and less on long-term state-building, even if the UN has drawn some general lessons from its limited state-building experience. One lesson is that the prescriptive approach adopted in contexts such as the Balkans does not work and that national ownership is a fundamental aspect of state-building. Another lesson is that the UN has a comparative advantage when it comes to "preparing the ground" for state-building by relying on the support of partners and coordinating their efforts, rather than actually carrying out peace-building tasks. A third lesson is that it is important to start addressing long-term peace-building priorities immediately after the end of a conflict. But it is still not clear how effective the UN can be at "preparing the ground" for state-building.

24.   In South Sudan, the UN is being asked to play a greater peace-building role, notably by helping build a national army. Yet, the experience in the Democratic Republic of the Congo and elsewhere has shown how difficult a task this can be, even when bilateral donors are actively involved and when national ownership is given due importance. Why would the chances of success in peace building be greater this time? How effective can UN support to a locally-driven

peace-building strategy be if the host government does not have the capacity to deliver?

<u>Achieving multiple objectives</u>
25.   Yet another challenge is how the multiplicity of tasks required in these countries can be achieved. One solution is to give the UN multiple mandates, as in the case of UNMISS: its focus is mainly on peace-building while, at the same time, the mission has a key military role and protection of civilians mandate. But how can the mission ensure that the capacity (not to mention the resources, at a time of financial restraint) is in place to carry out these multiple, complex responsibilities satisfactorily – i.e. such that one aspect of the mandate does not take capacity and energy away from the others? Is a single mission, no matter how large, capable of focusing effectively on these disparate issues at the same time?

26.   An alternative approach is to narrow the scope of the UN mandate. UNSMIL, for example, was initially tasked with providing urgent support in a number of different areas over a short period of time (security, transitional process, elections, governance, human rights, early recovery, and so on). It could end up having a much narrower, more achievable mandate, but the question will still remain as to how all the other needs that fall outside of UNSMIL's mandated will be achieved. Will the government have the capacity to do all these things on its own? Can it count on bilateral support, and will this support be coordinated and effective? What role can regional organizations play in this regard, and how can the UN support their role?

<u>Resources</u>

27.   Finally, in the current environment of financial restraint, another challenge that must be raised is how to fulfill peace-building mandates at a time when funds for peace-building are limited. UNMISS, which is a peacekeeping mission, has the advantage of being funded through assessed contributions. Nevertheless, is concern over resources hampering its activities? UNSMIL, which is a special political mission, faces the additional challenge of securing funding through the regular budget. Is this issue influencing the design of the mission's future mandate?

V Conclusion

28.   In this climate of greater scrutiny of peace operations, the effectiveness and, ultimately, success of UNMISS and UNSMIL will have important implications for the United Nations. More important will be the impact of these operations on the democratic wave that is has been spreading in the wider Middle East, and in North and Sub-Saharan Africa. There is no question that if democracy were to take hold in South Sudan this would have an important impact on Sudan and the surrounding countries. Equally, the outcome of events in Libya will undoubtedly influence the future of the Arab Spring. At a time when the UN is trying to reshape its response to ever-evolving conflicts, these two missions are important test cases for its capacity to respond to new challenges.

VI Bibliography

- Assefaw Bariagaber, "United Nations Peace Operations in Africa: A Cookie-Cutter Approach?", *Journal of Third World Studies,* Vol. 23, Issue 2, Fall 2006.

- Malte Brosig, "The Multi-actor Game of Peacekeeping in Africa", *International Peacekeeping,* Vol. 17, No 3, June 2010, pp. 331-332.
- Alex De Waal, "Mission without end? Peacekeeping in the African political marketplace", *International Affairs,* 85: 1, 2009
- Volker C. Franke and Andrea Warnecke, "Building Peace: An Inventory of UN Peace Missions since the End of the Cold War", *International Peacekeeping,* Vol. 16, No 3, June 2009.
- Ian Johnstone, "Peacekeeping's Transitional Moment", in *Annual Review of Global Peace Operations, 2011,* Centre on International Cooperation, Lynne Rienner Publishers, London, 2011.
- Ian Johnstone, "Emerging Doctrine for Political Missions", in *Review of Political Missions, 2010*, Centre on International Cooperation, Lynne Rienner Publishers, London, 2010.
- Bruce Jones, Richard Gowan, and Jake Sherman, *Building on Brahimi, Peacekeeping in an era of Strategic Uncertainty,* Centre on International Cooperation, NYU, April 2009.
- Bruce Jones with Richard Gowen and Juke Sherman, *After 1973: Planning for stabilization in Libya,* NYU Centre on International Cooperation (Website).
- Ian Martin, "All Peace Operations are Political", in *Review of Political Missions, 2010*, Centre on International Cooperation, Lynne Rienner Publishers, London, 2010.
- Jake Sherman, "Strategic Summary", in *Review of Political Missions, 2011*, Centre on International Cooperation, Lynne Rienner Publishers, London, 2011.
- UN Department of Peacekeeping Operations and Department of Field Support, *A New Partnership Agenda, Charting a New Horizon for UN Peacekeeping,* United Nations, New York, July 2009.
- UN Department of Peacekeeping Operations and Department of Field Support, *The New Horizon Initiative: Progress Report No 1,* New York, October 2010.
- UN Department of Peacekeeping Operations and Department of Field Support, *United Nations Peacekeeping Operations, Principles and Guidelines,* United Nations, January 2008.
- United Nations, *Civilian Capacity in the Aftermath of Conflict: Independent Report of the Senior Advisory Group,* 22 February 2011.
- United Nations, *Civilian capacity in the aftermath of conflict, Report of the Secretary-General,* 19 August 2011.
- United Nations, *Progress Report of the Secretary-General on peacebuilding in the immediate aftermath of conflict,* 16 July 2010.
- United Nations, *Report of the Secretary-General on peacebuilding in the immediate aftermath of conflict,* 11 June 2009.
- United Nations, *Report of the Secretary-General on South Sudan,* 2 November 2011.
- Vendewalle, Dirk, *A History of Modern Libya*, Cambridge University Press, 2006.
- Paul D. Williams, "Keeping the Peace in Africa: Why "African" Solutions Are Not Enough", *Ethics and International Affairs,* Carnegie Council for Ethics in International Affairs, 2008.
- Paul D. Williams, "Lessons Learned from Peace Operations in Africa", *Africa Security Brief,* No 3, March 2010.
- The World Bank, *World Bank Development Report 2011, Conflict, Security and Development,* The World Bank, Washington, DC, 2011.