

Progress on UN peacekeeping reform: HIPPO and beyond

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Clingendael Report



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Cover photo: A Brazilian U.N. peacekeeper walks with Haitian children during a patrol in Cite Soleil
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Executive Summary

This study finds that progress on a number of important issues discussed in the HIPPO report varies across different areas:

1. *Working methods of the Security Council:* Here progress is limited as its permanent members, particularly, show little willingness to seek meaningful cooperation with other important stakeholders;
2. *Focused and adequate Security Council mandates:* Recent mandate renewals show that the so-called 'Christmas tree mandate' dilemma, where template language for many tasks routinely appear in mission mandates, has not yet been overcome;
3. *Force generation:* A variety of initiatives have been taken to improve the process of force generation. However, underlying problems remain and budget reductions and the adjustments of missions that follow will impede the chances for successful change;
4. *Asymmetric threats to peace operations:* Many of the HIPPO recommendations on safety and security of personnel are progressing. Changing bureaucratic processes and preparing troop-contributing countries, however, often requires long-term investment; and
5. *SEA:* Since the HIPPO report, new scandals involving widespread SEA by UN peacekeepers have spurred renewed action. The new Secretary-General has personally committed to improving the UN's efforts.

It will not be easy to make great progress on the more difficult issues, such as the working methods of the Security Council, or the mismatch in force generation between what is on offer and what is required. However, there are still enough smaller, often more technocratic and incremental, steps that can contribute to improving the effectiveness of peace operations.

1. *Working methods of the Security Council:* All stakeholders in peace operations could continue to press the Security Council to allow changes enabling an inclusive approach to peace operations.
2. *Focused and adequate Security Council mandates:* The Security Council could set realistic timelines for mandate design, including a validation mechanism, allowing frank inputs and real involvement of other stakeholders, resulting in focused and tailored mandates.
3. *Force generation:* The Secretariat and member states can reduce force generation and deployment times still further; while member states need to deliver on their pledges.

4. *Asymmetric threats to peace operations*: All stakeholders could accept and contribute to the strengthening of an integrated approach on this challenge, and on information and intelligence gathering and sharing.
5. *SEA*: Member states have to support initiatives not only rhetorically but also financially, and they have to take appropriate measures to prevent SEA and ensure criminal accountability of its perpetrators.

Abbreviations and acronyms

AH	Attack helicopter
APC	Armoured personnel carrier
C34	Special Committee on Peacekeeping Operations of the United Nations
CAR	Central African Republic
DPKO	Department for Peacekeeping Operations
IED	Improvised explosive device
HIPPO	High-level Independent Panel on Peace Operations
ISR	Intelligence, surveillance and reconnaissance
MINUSMA	Multidimensional Integrated Stabilization Mission in Mali
MSC	Military Staff Committee
SEA	Sexual exploitation and abuse
UNMISS	United Nations Mission in South Sudan
VRA	Victims' Rights Advocate

1 Introduction

UN peace operations increasingly find themselves deployed in countries where there is no peace to keep, where insurgencies are ongoing, and where peacekeepers face asymmetric threats. In these environments, UN peace operations are asked to perform increasingly challenging tasks to assist governments and to stabilise countries. This requires adequate UN mandates, as well as appropriate military and civilian means. There is also a continuing urgent need to address the issues of sexual exploitation and abuse by UN peacekeepers.

Almost 15 years after the Brahimi Report, in October 2014, then-Secretary-General Ban Ki-moon established the High-level Independent Panel on Peace Operations (HIPPO) to find answers to these challenges. Its findings were published in June 2015 in its report: *Uniting Our Strengths for Peace: Politics, Partnership and People*. In over 100 pages and more than 100 recommendations, the report called for change. Although HIPPO recognised many improvements in the field of peace operations made in the preceding decade, it flagged a wide range of ‘significant chronic challenges’. In particular, it mentioned: increasing demands on operations in the absence of sufficient resources; insufficient unity of effort among the different parts of the UN system; too much use of template answers and too little attention paid to tailoring solutions to support political processes and strategies; and too much focus on technical and military approaches over prevention and mediation.¹

1 United Nations, General Assembly and Security Council, ‘Identical letters dated 21 August 2000 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council’, A/55/305-S/2000/809, 21 Aug. 2000; United Nations, Secretary-General, ‘Secretary-General appoints High-Level Independent Panel on Peace Operations’, Press release, SG/SM/16301-SG/A/1521-PKO/451, 31 Oct. 2014; and United Nations, General Assembly and Security Council, ‘Identical letters dated 17 June 2015 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council’, A/70/95-S/2015/446, 17 June 2015.

HIPPO's report met with a mixed reception. Some analysts were disappointed at the technocratic nature of HIPPO's recommendations, having hoped for more revolutionary inputs, while others recognised an 'incrementalist' approach towards improvement.²

Implementation of the HIPPO recommendations started with the Secretary-General's response, *The future of United Nations Peace Operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations*.³ Subsequently, progress on the implementation of the recommendations was tracked both by think tanks⁴ and the General Assembly.⁵

Issues of concern

This study looks at five key issues that were addressed in the HIPPO report and which require attention to make UN peace operations more effective in the face of current challenges:

1. *Working methods of the Security Council*: ways in which to improve the working methods of the Security Council, especially in terms of better involvement of troop-contributing countries;
2. *Focused and adequate Security Council mandates*: ways in which to ensure focused and adequate Security Council mandates for UN missions that fit the specific situation and the specific phase in the conflict cycle;

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- 2 Della-Giacoma, J., 'The UN panel on peace operations: getting the politics right', *Global Peace Operations Review*, 19 June 2015, <<http://peaceoperationsreview.org/thematic-essays/the-un-peace-ops-panel/>>; Einsiedel, J. von and Chandran, R., *The High-level Panel and the Prospects for Reform of UN Peace Operations* (United Nations University, Centre for Policy Research: Tokyo, 2015); Nadin, P., 'From Brahimi to Ramos-Horta: a 15-year peacekeeping quest', *Pass Blue*, 23 June 2015, <<http://passblue.com/2015/06/23/from-brahimi-to-ramos-horta-a-15-year-peacekeeping-quest/>>; Call, C. T., 'The good, the bad, and the sad of the High-Level Report on UN peace operations', Council on Foreign Relations, 28 Jul. 2015, <http://blogs.cfr.org/patrick/2015/07/28/the-good-the-bad-and-the-sad-of-the-high-level-report-on-un-peace-operations/>; and Van der Lijn, J., Smit, T., and Höghammar, T., 'Peace operations and conflict management', *SIPRI Yearbook 2016*, pp. 269–319.
 - 3 United Nations, General Assembly and Security Council, 'The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations', Report of the Secretary-General, A/70/357-S/2015/682, 2 Sep. 2015.
 - 4 Boutellis, A. and Connolly, L., *The State of UN Peace Operations Reform: An Implementation Scorecard*, New York: International Peace Institute, Nov. 2016.
 - 5 United Nations, General Assembly, 'Overview of the financing of the United Nations peacekeeping operations: budget performance for the period from 1 July 2015 to 30 June 2016 and budget for the period from 1 July 2017 to 30 June 2018, Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations', Report of the Secretary-General, A/71/809, 22 Feb. 2017.

3. *Force generation*: ways in which to improve force generation in order to achieve a larger number and better quality of troops and equipment provided by troop- and police-contributing countries, including through better training;
4. *Asymmetric threats to peace operations*: ways in which to deal with and adapt to the challenges of asymmetric threats to UN missions, both in terms of mandate (use of force) and force protection; and
5. *Sexual exploitation and abuse (SEA)*: ways in which to prevent SEA and implement the zero-tolerance policy regarding SEA by UN peacekeepers.

This study aims to provide an overview of the implementation of the HIPPO recommendations up to this point in time, and developments regarding these topics, and stipulate policy margins on the way forward.

Outline

This study consists of five sections, each dealing with one of the above issues. Each section follows the same structure. It starts with describing the challenge at hand. Next it outlines the HIPPO recommendations on the issue. This is followed by an overview of the implementation of the HIPPO recommendations and recent developments since publication of the report. Each section concludes with the main future steps recommended regarding the issue at hand.

2 Working methods of the Security Council

Rob de Rave and Rianne Siebenga

The challenge

Under the UN Charter, the Security Council has primary responsibility for the maintenance of international peace and security, whether it is authorising, withdrawing or renewing UN peace operations. The most challenging issues for improving the effectiveness of UN peace operations relate to the strategic alignment among the Security Council, the UN Secretariat and troop- and police-contributing countries in their so-called UN peacekeeping partnership. The troop- and police-contributing countries, especially, have expressed their growing frustration about their role in this UN peacekeeping partnership and have been pushing for more involvement during the lifecycle of peace operations.⁶ The Security Council's working methods provide the framework for 'guiding and overseeing' UN peace operations in cooperation with the UN Secretariat and troop- and police-contributing countries (for a discussion on the content of mandates, see Section II).

The current application of these working methods by the Security Council, however, is open to criticism for a number of reasons:

- (1) There is a lack of effective dialogue through so-called 'triangular consultations' among the Security Council, troop- and police-contributing countries and the UN Secretariat. These consultations are infrequent and, when they do take place, troop- and police-contributing countries complain that there is no agenda.⁷
- (2) The applied timelines for new or renewed mandates do not allow for substantive discussion.⁸ Most discussions regarding mandates among all Security Council members happen only after a first draft resolution has been circulated by the penholder to the full Security Council, routinely a week before the expected adoption. The time pressure generated by the pattern of late circulation to all Security Council members makes it difficult to significantly reflect on and change the proposed text. Effectively, this process precludes the collective development

6 Security Council Report, *Update report. Peacekeeping: relationship with TCCs/PCCs*, No. 4, 25 June 2009.

7 United Nations, 17 June 2015 (note 1), p. 61.

8 *Ibid.*, p. 62.

of strategic thinking and impedes substantive consultations with troop- and police-contributing countries.

- (3) The actual design of mandates is limited to three penholders only (UK, France, USA), which is one of the things that hinders the development of these skills by other Security Council members and the wider UN membership. This lack of involvement and knowledge further limits possibilities to engage in the mandating process.⁹

Years of efforts to improve cooperation in this UN peacekeeping partnership have resulted in well-expressed intentions, but have not resulted in substantial changes in the Security Council's working methods. Reasons for this are:

- (a) A resistance on the part of the permanent members of the Security Council to share responsibilities assigned to it by the UN Charter. In the wider UN context, this formal attitude is not restricted to the permanent members of the Security Council. A strict explanation of the Charter concerning many aspects of UN peace operations is upheld by many members of the UN peacekeeping partnership to prevent changes perceived as being inconvenient to their own agendas.
- (b) With regard to UN peace operations, the Security Council's permanent members do not wish to make the mandating process more complicated or restrict their room for manoeuvre by opening the door to more stakeholders.
- (c) Distrust of Security Council permanent members towards troop and police-contributing countries about their intentions to be involved in the mandating process.¹⁰ Some worry about the essentially economic interest of a number of the troop- and police-contributing countries in UN peace operations for which UN reimbursements constitute a source of income. This may not only limit a sincere interest in thematic peacekeeping issues, such as the protection of civilians, security sector reform and the introduction of modern technology in UN peacekeeping operations, but is also perceived to affect their stance on issues like mission downsizing, as this has direct implications for the level of reimbursement for their reduced contribution to the number of troops and police.
- (d) Stalemating and a lack of agreement among the troop- and police-contributing countries in the Special Committee on Peacekeeping Operations of the United Nations (C34) hampers their influence on key issues such as triangular cooperation.

All in all, too many stakeholders are either comfortable with the status quo or not in a position to change how the UN peacekeeping partnership functions. In this situation, the Security Council is able to maintain its position of power by doing business as usual and by allowing troop- and police-contributing countries piecemeal participation in crucial parts of the peace operations process. In turn, troop- and police-contributing

9 Security Council Report, *Research report. The Security Council and UN Peace Operations: Reform and Deliver*, No. 2, 5 May 2016, p. 5.

10 Security Council Report, 25 June 2009 (note 6).

countries limit the effectiveness of UN peace operations by applying caveats for their troops and by blocking initiatives in the C34 that are perceived as a threat to their interests.¹¹

The focus of the Non-Aligned Movement on safety and security issues for their soldiers in missions is exemplary. On the other hand, it demonstrates a strong reluctance to the introduction of modern technologies and intelligence, as this is perceived by some troop- and police-contributing countries as a potential (partial) alternative to the deployment of their infantry battalions. Formally, the Non-Aligned Movement's resistance is based on the idea that modern technologies, such as unmanned aerial vehicles, can be used to spy on the host state and the surrounding region and that policies for the use of modern technologies are not mature enough.¹²

A second-tier effect of the lack of progress in changing the Security Council's working methods is the diversion of discussions about sensitive peace operation issues to other committees, particularly the Fifth Committee and C34.¹³ Taking up the discussion on triangular cooperation in the C34 provides individual members with another opportunity to polarise discussion by taking an extreme position and, as a result, frustrating the committee's work and rendering it without power to influence the more powerful stakeholders.¹⁴

A well-functioning UN peacekeeping partnership is a prerequisite for the success of UN peace operations. Frustration within this partnership puts peace operations at risk. In the end, improved cooperation will be expressed and symbolised by changes being institutionalised in the working methods of the Security Council. So far, the Security Council has not put sufficient effort into reviewing its working methods; triangular cooperation in particular remains an unresolved issue.

In reviewing the working methods of the Security Council, special attention should be given to the current role of the Military Staff Committee (MSC). According to the UN Charter, the purpose of the MSC is 'to advise and assist the Security Council on all questions relating to the military requirements for the maintenance of international

11 Novosseloff, A., 'No caveats, please?: Breaking a myth in UN peace operations', Global Peace operations Review, New York University, Center on International Cooperation, 12 Sept. 2016, <<http://peaceoperationsreview.org/thematic-essays/no-caveats-please-breaking-a-myth-in-un-peace-operations>>.

12 Ibid.

13 Novosseloff, A., 'Triangular cooperation key to all', Global Peace operations Review, New York University, Center on International Cooperation, 10 Nov. 2015, <<http://peaceoperationsreview.org/thematic-essays/triangular-cooperation-key-to-all/>>.

14 Ibid.

peace and security, the employment and command of forces placed at the UN's disposal, the regulation of armaments, and possible disarmament'.¹⁵ Due to the changing nature and complexity of UN peace operations, the roles and functions of the MSC have changed significantly since 1946. With the creation of the Department for Peacekeeping Operations, the UN Secretariat rather than the MSC has become the centre for the UN's military management activities. This evolutionary process has left the MSC in an advisory capacity with respect to the work of the Security Council. The question arises as to whether the role that the MSC has grown into should change so that it can contribute to the improvement of UN peace operations.¹⁶

The HIPPO recommendations

Central to the thinking behind the HIPPO report is the notion that involving the Security Council, the Secretariat and the troop- and police-contributing countries in crafting the right mandate could help begin to resolve a number of capability- and implementation-related challenges. It makes a strong statement describing UN peace operations as a political partnership requiring triangular cooperation from start to finish to ensure a shared understanding of the situation, the political goal and required resources.¹⁷

According to HIPPO, troop and police contributors are insufficiently consulted on mandate formulation and renewal.¹⁸ This lack of effective dialogue through triangular consultations has generated frustration on all sides and has affected mandate implementation. The HIPPO report states that forging a common and realistic understanding of the mandate requires the Security Council to institutionalise a framework for triangular cooperation which allows for engagement early in the mandate formulation process.

For new missions, potential contributors must be provided with the information required to make improved decisions on whether or not to engage their personnel. In the case of mandate renewals, HIPPO challenged the Security Council and the Secretariat to ask for assessments from troop- and police-contributing countries since they can often provide valuable perspectives for consideration by the Security Council, especially on mission progress and whether mandates are realistic.

15 United Nations, Charter, Chapter VII, Art. 47.

16 Security Council Report, 5 May 2016 (note 9), p. 15.

17 United Nations, 17 June 2015 (note 1), p. 29.

18 Ibid., p. 62.

In general terms, HIPPO called on the UN peacekeeping partnership to show willingness to reach consensus on the future direction and needs of UN peace operations. It argued that this requires a commitment by those who work in the General Assembly and Security Council to go beyond the diplomatic trench lines of the last decade and find solutions on how best to deal with today's threats and strengthen UN peace operations for tomorrow. Old and divisive arguments should be replaced with a new commitment to make UN peace operations more inclusive, more effective, and ultimately more relevant to the needs of member states and the people suffering in conflict-affected countries.

On the basis of its extensive findings, HIPPO recommends that 'The Security Council and Secretariat should strengthen efforts to establish inclusive and meaningful consultations with troop- and police-contributing countries to ensure unity of effort and a common commitment to the mandate. These consultations should take place at senior levels, including with specialized personnel, experts and high-level military officials from capitals as needed.'¹⁹

Recent progress

Even after HIPPO's strong appeal and the report's recommendations, there is still a structural lack of initiative on the side of the Security Council to take further steps on this issue. In a December 2015 presidential statement, following the first debate on peace operations after the HIPPO report, the Security Council recognised that, despite the existence of the mechanism of triangular cooperation, current consultations among the three stakeholders do not meet expectations and have yet to reach full potential.²⁰ This statement does not express a genuine willingness to rewrite the Security Council's working methods to enable inclusion of the troop- and police-contributing countries from start to end during missions.

Meanwhile, troop- and police-contributing countries keep referring to triangular cooperation as an unresolved issue. During an open debate within the Security Council on its working methods, Ambassador Syed Akbaruddin, speaking on behalf of India (one of the largest troop- and police-contributing countries) expressed it concisely: 'Consultations among Council, Secretariat and troop-contributing countries remains an improvement that many have asked for in various forums but which remains to be implemented years after their necessity was acknowledged. I would ask now: when will its time come?'²¹

19 Ibid., pp. 62-63.

20 United Nations, Security Council, Presidential Statement 26, 31 Dec. 2015.

21 United Nations, Security Council, 7740th meeting, S/PV.7740, 19 July 2016, p. 22.

Changing the working methods will in the end be symbolic of the Security Council's willingness to let other stakeholders in on meaningful cooperation. For the time being, the permanent members of the Security Council are resisting change to current practices such as by limiting the number of penholders, sharing little information, and distributing resolutions late in the mandating process. As a consequence, they continue to exclude relevant stakeholders. Reflecting on the period since the HIPPO report was published, there has been no substantial progress on the issue of improving the working methods of the Security Council. The issue of triangular cooperation, especially, remains unresolved.

Recommended future steps

The Security Council is one of UN's main bodies resisting change, especially when it comes to changing its working methods to improve peace operations and enable triangular cooperation. The steps needed to improve the working methods of the Security Council are:

- (1) *Address the root causes of distrust:* However difficult this might be, members of the UN peacekeeping partnership could address the root causes in order to alleviate distrust and misperceptions among them. Openness and honesty of all stakeholders is crucial to understanding each other's point of view, breaking down existing barriers and in achieving meaningful cooperation.
- (2) *Keep up pressure on the Security Council to review its working methods in order to enable improved triangular cooperation:* Notwithstanding the underlying tensions and controversial interests of different stakeholders in peace operations, the Security Council, and particularly its permanent members, could put more effort into improving triangular cooperation and review their working methods. A great part of the UN peacekeeping partnership considers this to be fundamental to achieving improvement. The troop- and police-contributing countries and the Secretariat could maintain pressure on the permanent members of the Security Council to evoke a genuine change in their behaviour and their role within the UN peacekeeping partnership.
- (3) *Aim high, shoot low when proposing reforms:* Any viable changes in terms of working methods within the UN system could be aimed at proliferating existing structures, since these are likely to remain, and tailoring them to fit the purpose.
- (4) *Improve the mandating process:* Assess the procedural mandating process and propose a timeline with milestones to allow for substantive discussions on the content.
- (5) *Gradually expand the pool of penholders:* Arrangements could be made to transfer knowledge on the writing process from the traditional penholders to other members of the Security Council.

- (6) *Develop a method to 'validate' new and renewed mandates:* Such a 'validation' method could constitute one of the milestones in the mandating process timeline. Representation of stakeholders within this 'validation' body would not necessarily have to be limited to the Secretariat, the Security Council and the major troop- and police-contributing countries, but could also include representatives from the wider UN peacekeeping partnership – for example, regional organisations, the host country and/or finance-contributing countries. Such a step would be an extra instrument to ensure an integrated approach in mandates and represent a compromise between the reluctant attitude of the Security Council permanent members and increasing triangular cooperation. A role could also be considered for the Military Staff Committee in validating mandates before adoption, for example as leading entity in this process.

3 Focused and adequate Security Council mandates

Rob de Rave and Rianne Siebenga

The challenge

The Security Council establishes a peace operation by adopting a Security Council resolution, which sets out that mission's mandate and size. Any attempt to improve peace operations needs to start, therefore, with improving the mandates. Several reports, such as the Brahimi Report and the Capstone Doctrine, have criticised the content of peace operation mandates,²² culminating in the 2015 HIPPO report. Although the content of mandates is strongly influenced by the way in which they are developed (primarily by the working methods of the Security Council, see Section I), this section discusses issues related to the content and to contributions by different stakeholders.

Criticism of peacekeeping mandates focuses predominantly on the following issues:

- (a) Mandates lack country and context specificity.²³
- (b) The list of mandated tasks is too extensive and formulated too broadly.²⁴
- (c) Mandates lack clear guidance on mission priorities.²⁵
- (d) Mission requirements are underestimated in mandates.²⁶ This is one of the reasons why missions are structurally under-resourced.
- (e) The Security Council does not use all instruments available in the UN Secretariat to address crisis and conflict situations. Mandates address already existing conflict situations, while more attention should be focused on conflict prevention.²⁷
- (f) Mandates lack unequivocal Security Council support for the political resolution of a crisis or conflict.²⁸

22 United Nations, 21 Aug. 2000 (note 1); and United Nations, Department of Peacekeeping Operations and Department of Field Support, *United Nations peacekeeping operations: Principles and guidelines*, New York, 2008.

23 United Nations, 17 June 2015 (note 1), p. 9.

24 *Ibid.*, p. 60.

25 *Ibid.*, p. 60.

26 *Ibid.*, p. 13.

27 *Ibid.*, p. 11.

28 United Nations, 17 June 2015 (note 1), p. 27; and United Nations, 2 Sep. 2015 (note 3), p. 4.

- (g) There is a tendency to preserve previously ‘agreed language’ of mandates and add new paragraphs as proposed by Security Council members, without removing provisions that are no longer relevant.²⁹

There are countless reasons for the ‘poor’ design of mandates, but the most important are:

- (1) The use of template language on the goal, strategy and execution of peace operations in order to overcome different views within the Security Council or among its permanent members;³⁰
- (2) A lack of restraint by Security Council members and those lobbying them in pushing national interests, for example by seeking the inclusion of favoured issues, sometimes irrespective of their relevance to the situation;³¹
- (3) The absence of a transparent and open exchange of ideas on the mandate between the Security Council and UN Secretariat in the preparatory phase, leading to optimistic and, worse, opportunistic planning;³²
- (4) Inadequate (military) assessment and planning capacity within the UN Secretariat and among the Security Council members, which hinders realistic input into the mandate design process.³³ The limited planning capacity in the UN Secretariat is in part due to and aggravated by a lack of agreement and stalemating in the C34, leading to flawed policy guidance on key peacekeeping issues to the UN Secretariat;
- (5) The failure to tap into and include the experience and expertise of the host nation, troop- and police-contributing countries, regional organisations and others throughout the mandating process;³⁴
- (6) Reluctance among Security Council members to tackle crises early on.³⁵ Conflict prevention efforts are limited by members of the Security Council that prefer adherence to the principle of non-interference in the internal affairs of member states over the peaceful settlement of disputes and respect for human rights.

In order for mandates to function as a good starting point for a UN peace operation, they need to be mission-phase specific and tailored to the increasingly complex circumstances with which UN missions are confronted. All parties involved in the UN peacekeeping partnership agree that a revision of mandates, both in terms of the

29 United Nations, 17 June 2015 (note 1), p. 60.

30 Security Council Report, ‘May 2016 monthly forecast. In hindsight: Better negotiations for clearer mandates, 29 Apr. 2016, <http://www.securitycouncilreport.org/monthly-forecast/2016-05/in_hindsight_better_negotiations_for_clearer_mandates.php>.

31 *Ibid.*

32 United Nations, 17 June 2015 (note 1), p. 61.

33 *Ibid.*, p. 57.

34 *Ibid.*, p. 62.

35 *Ibid.*, p. 33.

process and content, is a prerequisite for the improvement of mission effectiveness. However, the shape and manner in which this revision should take place remains a sore point of disagreement, notably between the permanent members of the Security Council. Currently, the process to improve mandates is not keeping pace with the changing circumstances of current and future peace operations.³⁶

The HIPPO recommendations

The HIPPO report describes the process through which the Security Council authorises, designs and oversees peace operations (the mandating process) as one of the more challenging issues to be resolved in order to improve the performance of UN peace operations. This is because the content of mandates needs to change and because there are many stakeholders involved in the mandating process, between whom the dynamics are precarious. HIPPO therefore addresses mandates and the mandating process in a much wider context. Throughout its report, HIPPO describes factors imperative for a realistic design of mandates and provides recommendations to stakeholders on how to improve the process.

The recommendations regarding peace operation mandates in the HIPPO report address three main topics:

1. The Security Council and UN system should act earlier in crisis situations to improve mission success and use its political leverage to support mandates.
2. Mandates must be (come) short, clear, prioritised and sequenced.
3. The Secretariat must provide clear and frank assessments to the Security Council about the situation on the ground and mission needs.³⁷

A fundamental criticism of the Security Council in the HIPPO report is that it does not engage in emerging crisis situations early enough and often acts only when other options have been exhausted.³⁸ This late response by the Security Council has a negative impact on the quality of mission mandates, as mandates covering existing conflict situations are generally far more complex than those addressing emerging crisis situations. Furthermore, the Security Council often does not use its political leverage to embed UN peace operations in a political process,³⁹ consequently downgrading the missions it mandates to a more or less technical or military exercise, ignoring the much broader problem. The Panel recommends, therefore, that the Security Council, supported by the UN Secretariat, should seek to play a timelier role in addressing

36 United Nations, Security Council, Presidential Statement 22, 25 Nov. 2015.

37 United Nations, 17 June 2015 (note 1), pp. 60-61.

38 Ibid., p. 33.

39 Ibid., p. 40.

emerging conflicts and use the full spectrum of UN tools more flexibly to respond to situations on the ground.⁴⁰

HIPPO criticises the fact that mandates and missions are produced only after the Security Council has expressed the intention to set up a peace operation. The expansive technical assessments by the Secretariat, which follow the Security Council's initiative, generate thick and comprehensive reports. In turn, these drive so-called 'Christmas tree mandates', in which template language is used for 'too many', routinely assigned mission tasks. 'Overloaded' mandates frustrate prioritisation and sequencing efforts during implementation and hinder the execution of the mandate in more diffuse settings. The HIPPO report states that, 'The Security Council should resist inclusion of mission tasks in mandates unless they are founded upon a clear and convincing rationale, justified by well-identified needs and the feasibility of timely implementation.'⁴¹ HIPPO also recommends that the Security Council should make use of a two-stage mandating process for new peace operations as a regular practice, requiring the Secretary-General to return to the Security Council with proposals for prioritised mission tasks within a six-month period after mission start-up.⁴² This gives the Secretariat, by means of the mission leadership, more time to develop a situation-specific political strategy.

The Brahimi report already stated that, in advising the Security Council, the Secretariat must not set force requirements according to what it presumes to be acceptable to the Council.⁴³ The result of this self-censoring approach by the Secretariat is a structural under-resourcing of missions and setting up for failure rather than success. The HIPPO report aligns with this recommendation and emphasised that 'The Security Council should authorize mandate tasks based on a clear analysis of the situation and political strategy, taking into account needs assessments and feasibility of implementation. Mandates must be aligned with capacities.'⁴⁴ This requires the Secretariat to have at its disposal a robust (military) staff capability to provide quality (military) assessments and clear (military) strategy options instead of a small integrated operations team focused on the strategic-political level with little military planning capacity.

Recent progress

Within the UN system, the Security Council is the primary body to take up the issues raised by the HIPPO report concerning the content of mandates and the Council's

40 Ibid., p. 24.

41 Ibid., p. 60.

42 Ibid., p. 13.

43 United Nations, 21 Aug. 2000 (note 1), p. 11.

44 United Nations, 17 June 2015 (note 1), p. 61.

working methods, including the mandating process. On 20 November 2015, the Security Council held a debate on the maintenance of international security and peace, focusing in particular on the topics of sequenced mandates and ways to bring the Security Council's collective political leverage to bear on behalf of political solutions. In the resulting presidential statement, the Security Council encouraged the Secretary-General to take steps within his own authority to contribute to improving UN peace operations, but did not indicate how the Security Council itself would further consider the HIPPO recommendations regarding its own responsibilities.⁴⁵ The Security Council's reflection on its own role is limited to its willingness to 'consider sequenced and phased mandates, where appropriate, when evaluating existing UN peace operations.'⁴⁶

Despite the promise made in the presidential statement, mandates formulated after November 2015 have demonstrated limited progress in terms of prioritisation and phasing tasks, and the Security Council's (political) engagement in early conflict prevention progressed to an even lesser extent. Cautious attempts to phase and prioritise mandates can be witnessed in UNMISS, which was given a two-stage mandate as of 2015, and MINUSMA.⁴⁷ The degree to which these mandates tangibly incorporate sequencing and prioritisation, however, remains superficial as the mandates themselves are too extensive and vague to derive specific, measurable priorities from. In the case of the UNMISS mandate renewal in December 2015, providing support to elections was added without removing tasks for an already overstretched mission, while the electoral process had come to a standstill in the mandated period. The only reference in the resolution regarding prioritisation was that protection of civilians must be given priority in decisions about the use of available capacity and resources within the mission. Since this task was asking more than the full dedication of UNMISS at the time, it was a statement instructing unwilling troop and police contributors to obey mission obligations rather than giving guidance to the mission leadership.

In line with the HIPPO recommendation to strengthen the Secretariat's information position, the Secretary-General has established, within existing resources, a small, centralised analysis and planning capacity in the Executive Office. This new unit is expected to draw on and compile information and analysis across the UN system to prepare strategic considerations and options for possible UN responses. Although this is a good first step in achieving a more thorough assessment capability at the strategic-political level, it will not answer the need for a more robust planning capacity at the military operational level.

45 The last UNSC Open Debate on 'The Reform of UN Peacekeeping, Implementation and Follow-up', has taken place on 20 September 2017. The outcome is not included here.

46 United Nations, Security Council, Presidential Statement 22, 25 Nov. 2015.

47 UN Security Council Resolution 2327, 16 Dec. 2016; and UN Security Council Resolution 2364, 29 June 2017.

Recommended future steps

Since the HIPPO report was published, progress on improving mandates has been limited. The permanent members of the Security Council, especially, are reluctant to let other stakeholders in on the mandating process. On the other side, the UN member states fundamentally disagree on key issues concerning peacekeeping operations, leaving them with little leverage to force the permanent members of the Security Council to adapt the mandating process. Nonetheless, UN members could maintain pressure on the revision process to achieve more effective mandates by taking into account the following considerations:

- (1) *Continue the push for reform*: The permanent members of the Security Council are at the centre of the reforms and are the members that need to be convinced of a new approach. Progressive, like-minded non-permanent members could align and partner on specific issues and on new or existing initiatives as this will generate more success than going at it alone.
- (2) *Limit and prioritise the tasks assigned to new missions*: In discussing mandates, Security Council members could argue in favour of a revision of mandate set-up, propose prioritisation of existing mandates and actively engage in attempts to phase new mandates while limiting the tasks assigned to missions. Security Council members could lead by example and not fall into the trap of doing business as usual. It is therefore imperative that Permanent Representatives to the UN and the relevant departments in member states demonstrate restraint and cautiously weigh up which 'hot topics on the national agenda' are pursued. Showing such discipline will then hopefully provide a 'good' example for the future process of slimming down mandates.
- (3) *Ensure the UN Secretariat provides transparent, unbiased and frank advice*: The Secretariat could provide integrated, mission-phase specific assessments on which mandates can be based, applying the principles laid down in the United Nations Policy on Integrated Assessment and Planning.⁴⁸ The members of the Security Council could critically assess the Secretary-General's scheduled reports on peace operations and challenge the Secretariat to present frank, transparent and unbiased advice on mission mandates and their renewals.
- (4) *Improve the planning process of the UN Secretariat further*: As effective missions require thorough planning, member states could support the Secretary-General in his effort to further strengthen his capacity to assess and plan UN peace operations.

48 The Integrated Assessment and Planning Handbook (December 2013) was developed to implement the Policy on Integrated Assessment and Planning (approved by the Secretary General on 19 April 2013). The C34 requested in its 2017 annual report (A/71/19) to update the policy before summer 2017 and referred to the fact that such a revision should have taken place before 1 March 2015. By mentioning the policy several times in its report, on the initiative of the EU delegation, the C34 puts emphasis on the importance of a holistic and integrated approach to peace operations.

The current small, centralised analysis and planning capacity in the Executive Office is drawn for the most part out of existing Secretariat capacity and, for the time being, financed mostly by donors. Extra capacity is needed within the Secretariat to strengthen planning and assessment at 'working level'.

- (5) *Introduce mandate 'validation'*: Towards the end of the mandating process, a 'validation' of the concept mandate could be introduced. A mix of stakeholders could comment on the achievability of the (limited and prioritised) goals in the mandate before final adoption by the Security Council. This working method can also provide a practical answer to the call for more structured triangular cooperation (see Section I).
- (6) *Consider assigning tasks in mandates to identifiable organisational structures in peace operations*: In order to enhance the management and monitoring of mission success, the Security Council could consider splitting the tasks assigned in mandates into parts that can be designated to identifiable organisational structures within a UN mission (Deputy Special Representative of the Secretary-General, Force Commander and Police Commissioner level), without losing sight of an integrated approach at the Special Representative of the Secretary-General level.

4 Force generation

Jaïr van der Lijn

The challenge

The UN has struggled to find sufficient forces and capabilities for its peace operations, particularly as they start. Those uniformed capabilities deployed have often been criticised for being under-resourced and insufficiently trained, lacking interoperability and having weak command and control structures. Fortunately, the UN's capability gaps do not apply to all types of capabilities and to all missions. Some capabilities are more easily available than others and some missions are more popular than others.⁴⁹

Today's needs give some insight into future demands. Recent missions have required military components to become more dynamic and agile, requiring enhanced mobility, strong and secure supply chains, strengthened communications, superior situational awareness, greater interoperability between units, better force protection, more durable equipment and greater self-sustainability. Rapidly deployable, high-end, specialist capabilities and enablers, such as aviation, explosive ordnance disposal companies, women peacekeepers, and training and capacity-building programmes have therefore been in high demand. In the face of community violence, transnational organised crime and public disorder, police components have needed to move away from the 'numbers' deployed in formed police units towards more specialised police capacities, while special skill sets are essential to assist in the rebuilding or restructuring of police services. Qualified corrections officers have been in high demand to support national prison services. More generally, as many operations are deployed in Francophone countries, French speaking personnel are currently in high demand, while in the future – with potential operations in Libya, Syria and Yemen – Arab speakers may be needed more.⁵⁰

As of May 2017, the capability gaps are mainly limited to two missions: MINUSMA and UNMISS. Partly due to mandate changes, both missions require additional capabilities. MINUSMA seeks an attack helicopter (AH) unit, a riverine police unit, and an intelligence, surveillance, and reconnaissance (ISR) unit, while UNMISS needs a

49 United Nations, UN Department of Peacekeeping Operations, 'Current and Emerging Uniformed Capability Requirements for United Nations Peacekeeping', Dec. 2016; and United Nations, 17 June 2015 (note 1), p. 8.

50 Ibid.

transport company, a special forces company, and an armed reconnaissance company. The shortage of medium utility helicopter (MUH) and AH units, especially in MINUSMA, is particularly critical as it limits missions' radius of action and their ability for casualty and medical evacuation. Additionally, MINUSMA, especially, continues to face serious equipment shortages – armoured personnel carriers (APCs) and other protected vehicles – for some troop-contributing countries, leaving them vulnerable to improvised explosive devices (IEDs) and mines.⁵¹

Even though, with the start of the Trump administration, the international peacekeeping context has changed, leading to a strong focus on reducing costs and troop numbers, the UN is likely to continue to face persistent and critical capability gaps for a number of its operations. Despite troop reductions and the closure of missions, specialised and high-performing capabilities are still needed.⁵² In fact, as operations will try to compensate for reduced force levels with a more flexible, mobile and agile force profile, it is even likely that the high-end capabilities, already high in demand, will be required even more.⁵³ Moreover, as the operational environments of missions become more complex, this gap – between what missions require and what personnel-contributing countries have to offer – is likely to increase further.⁵⁴

One of the main problems is that, in general, those countries with the required capabilities have them already deployed elsewhere, or are hardly or not at all interested in participating in UN peace operations. African and South Asian countries provide the bulk of troops and police, but African countries, in particular, often do not have the required equipment, key enablers and specialised capabilities that are in high demand. As a consequence, the UN continues to depend on a limited number of countries willing to provide these capabilities, is not always in a position to reject borderline quality pledges, and sometimes faces shortfalls in missions.⁵⁵

The HIPPO recommendations

The UN Secretariat and a number of member states have pushed for a more strategic approach to force generation and the HIPPO report supported these efforts. It

51 United Nations, UN Department of Peacekeeping Operations and Department of Field Support, 'Current and Emerging Uniformed Capability Requirements for United Nations Peacekeeping', May 2017.

52 Ibid.

53 Interview MONUSCO official, Kinshasa, 24 Jul. 2017.

54 United Nations, Dec. 2016 (note 49); and United Nations, 17 June 2015 (note 1), p. 8.

55 Avezov, X., Van der Lijn, J. and Smit, T., *African Directions: Towards an equitable partnership in peace operations*, SIPRI, Feb. 2017; and Van der Lijn, J. and Avezov, X., *The Future Peace Operations Landscape: Voices from stakeholders around the globe*, SIPRI, Jan. 2015.

emphasised three issues. First, given the current mission environments, it called for missions to become more flexible, agile and mobile. As operational realities evolve, missions should continuously re-evaluate and adjust their capabilities, concepts of operations and force compositions during the different stages of their deployment. This would also require personnel-contributing countries to become more flexible and adaptive. Secondly, HIPPO therefore stressed that the need for greater consultation by the UN Secretariat with current and potential contributors should be combined with a wider willingness among member states to commit capabilities. Innovative approaches to obtain specialised capabilities and a framework to improve performance were emphasised, and should be combined with a training partnership. HIPPO underlined that planning for missions should be initiated at an earlier stage to allow for consultation with potential contributors, while the progress in these consultations should inform the military planning and make it more realistic. Thirdly, HIPPO demanded the removal of obstacles to rapid deployment. It advised that the UN should have better national and regional standby arrangements available. However, when making use of regional bridging operations, the UN and regional organisations should apply common standards to prevent logistical burdens on the UN system, such as happened in Mali and the Central African Republic (CAR). Within this context, HIPPO also argued that a UN ‘vanguard’ capability and rapidly deployable integrated headquarters for new missions should be considered.⁵⁶

Recent progress

Over the past few years, the UN Secretariat has made progress towards a more strategic approach to force generation: away from a ‘numbers-based approach’ toward a ‘capability-driven approach’ to peacekeeping and with a more long-term perspective.

Great progress has also been made in better communicating gaps and pledges. For this purpose, in 2015 a Strategic Force Generation and Capabilities Planning Cell was established. Furthermore, in order to improve consultation and cooperation with troop and police-contributing countries, annual meetings – the 2014 Summit meeting on UN peacekeeping organised by US vice-president Joe Biden, the Leaders’ Summit on Peacekeeping organised in 2015 by US president Barack Obama, followed by the UK-organised follow-up Defence Ministerial in September 2016, and the Vancouver Ministerial planned for 14–15 November 2017 – have created opportunities to communicate to key decision-makers the uniformed capability needs of UN peace operations. These summits have also become moments for member states to visibly pledge their peacekeeping commitments.

56 United Nations, 17 June 2015 (note 1), p. 8, p. 10 and pp. 49–61.

Additionally, a Peacekeeping Capability Readiness System has been created and populated with available pledges of uniformed capabilities to replace the outdated UN Standby Arrangements System. On a quarterly basis, a capability gaps list is also published documenting the current and emerging uniformed capability requirements. Lastly, as an improvement of the pre-deployment site survey of the past, a system of assessment and advisory visits has been established to support member states to adequately meet the operational gaps, and conform to the UN capability and readiness standards.⁵⁷

With the aim of setting up systems to generate more flexible, agile and mobile forces, the UN Secretariat has introduced the approach of joint and multilateral rotational contributions. The latter is intended to limit the duration of deployments to reduce the strain on the countries providing key enabling capabilities. It was first applied to aviation assets in early 2016 when five troop-contributing countries contributed a C-130 transport aircraft on a rotational basis. On a similar basis, the UN sought troop-contributing countries to replace the German MUH and AH units in MINUSMA in mid-2018 and might apply similar setups for field hospitals, ISR units and special forces. The Vancouver 2017 Ministerial will focus further on, among other things, such so-called 'smart' pledges.⁵⁸

The UN Secretariat has recognised that one of the challenges for troop-contributing countries in providing high-end capabilities such as helicopters is the reimbursement modalities. For example, troop-contributing countries face high up-front operational readiness costs, while reimbursement is uncertain as this depends on whether their assets are actually utilised. Therefore, in order to maximise the utilisation of assets, a new initiative seeks to enhance the efficiency and cost-effectiveness of UN aviation.⁵⁹

The HIPPO concept of a 'vanguard capability' has been further developed and finalised by the UN Secretariat and was discussed at the Defence Ministerial in London. Some

57 Smith, A. and Boutellis, A., *Rethinking Force Generation: Filling the Capability Gaps in UN Peace-keeping*, Providing for Peacekeeping No. 2, New York: International Peace Institute, May 2013; United Nations, May 2017 (note 51); UN Force Link: The Online Strategic Movements and Force Generation Knowledge Center, Peacekeeping Capability Readiness System, <<https://cc.unlb.org/default.aspx>>; and Interview UN DPKO official, New York, 13 Apr. 2017.

58 United Nations, May 2017 (note 51); Government of Canada, 2017 UN Peacekeeping Defence Ministerial conference, <https://www.canada.ca/en/department-national-defence/campaigns/peacekeeping-defence-ministerial.html>; Interview UN DPKO official, New York, 13 Apr. 2017; Boutellis, A. and Karlsrud, J., *Plug and Play: Multinational Rotation Contributions for UN Peacekeeping Operations*, Norwegian Institute of International Affairs, 2017; Interview European member state 1 representatives, New York, 13 Apr. 2017; and Interview European member state 2 representatives, New York, 13 Apr. 2017.

59 United Nations, May 2017 (note 51); Interview European member state 1 representatives, New York, 13 Apr. 2017; and Interview European member state 2 representatives, New York, 13 Apr. 2017.

delays resulted from the fact that these units require different forms of reimbursement and therefore the budget first had to be accepted by the General Assembly. Currently, pledges are being selected and verified, after which the vanguard capability should be operational at the end of 2017. Its headquarters will be set up with staff officers from the troop-providing countries and dedicated UN staff. For the moment, however, questions remain about its civilian personnel.⁶⁰

Lastly, with a mission-specific force generation conference for MINUSMA organised in May 2017, the Secretariat piloted another attempt to strengthen long-term, five-year strategic planning. The Secretariat was able to communicate its expected requirements for the mission and potential troop-contributing countries could signal indicative pledges. The results appear to be positive as, among other things, member states may step forward to replace the German MUH and AH units. Equipment gaps were also discussed, but these remained more difficult to solve.⁶¹

Many in the UN Secretariat hope that the Trump administration's focus on reducing costs and troop numbers can be used to restructure operations and that, with better pledges available, the UN will be in a position to select the most suitable offers and hold those deployed more accountable for their performance. These UN officials do not fear that it will be difficult to generate the more flexible, mobile and agile units required to compensate for the expected force reductions, as traditional troop-contributing countries are arguably able to provide them also. However, even if this turns out to be the case, which is questionable since mobility is expensive and less funding is likely to have the opposite effect, some capability gaps may never be filled. For example, only a limited number of countries have the required ISR units, and they are unable or unwilling to provide them.⁶²

Recommended future steps

The question remains whether the above efforts will also in practice lead to faster-deployed, higher-quality and more suitable capabilities, and whether countries will start to effectively deliver on their pledges.⁶³ Moreover, the removal of obstacles to rapid

60 Boutellis, A. and Connolly, L., Nov. 2016 (note 4); Interview UN DPKO official, New York, 13 Apr. 2017; Interview UN DPKO official, telephone, 8 Aug. 2017; and Koops, J. and Novosseloff, A., 'United Nations rapid reaction mechanisms: Toward a global force on standby?', *Contemporary Security Policy*, 2 Aug. 2017.

61 Interview UN DPKO official, telephone, 1 Aug. 2017; and Interview UN DPKO official, telephone, 8 Aug. 2017.

62 Boutellis, A. and Connolly, L., Nov. 2016 (note 4); Interview UN DPKO official, New York, 13 Apr. 2017; and Interview UN DPKO official, telephone, 8 Aug. 2017.

63 Interview UN DPKO official, New York, 13 Apr. 2017.

deployment in particular still needs more attention. In that field, particularly, additional steps could be taken:

- (1) *Shorten force generation and deployment times*: The HIPPO recommendation that 'the Secretariat should present options to the Security Council and the General Assembly outlining what reductions in force generation and deployment times could be achieved by different additional measures or resources' still needs to be implemented.⁶⁴
- (2) *Broaden the performance evaluation framework*: The Secretariat could expand the current performance evaluation framework for peacekeeping to include civilian components. Such broader performance standards could be a step towards implementing the HIPPO recommendation to develop options to reimburse member states' capabilities rather than personnel and equipment numbers.⁶⁵
- (3) *Deliver on pledges*: In spite of generous yields of pledges, personnel-contributing countries still need to deliver better on their promises. More transparency is required to hold these countries accountable.⁶⁶
- (4) *Continue the recent force generation developments*: Recent developments, such as attempts to strengthen a strategic, long-term approach to force generation for UN peace operations, could be encouraged more. In addition, the opportunities for 'smart', joint and multilateral rotational contributions, as well as improved reimbursement regulations, could be further cashed in on.
- (5) *Strengthening an equitable and balanced global-regional partnership*: Although the Secretariat could further facilitate traditional finance-contributing countries to contribute niche capabilities, and member states can provide training and equipment to traditional personnel-contributing countries, this will not be sufficient. A sustainable equitable global-regional partnership is required in which, as part of a long-term commitment, permanent capabilities are built in personnel-contributing countries beyond equipment maintenance and training. In-mission partnering and mentoring would also make a long-term contribution. For this purpose, troop-contributing countries could twin their deployments more often. Many traditionally troop-contributing countries and traditionally finance-contributing countries would learn a lot from each other if deployed together. Moreover, this would increase their common understanding regarding the challenges in peace operations (see also Section IV).⁶⁷

64 United Nations, 17 June 2015 (note 1), p. 59; and Boutellis, A. and Connolly, L., Nov. 2016 (note 4).

65 Boutellis, A. and Connolly, L., Nov. 2016 (note 4).

66 Interview analyst, New York, 10 Apr. 2017.

67 International Peace Institute, *UN Peace Operations in Violent and Asymmetric Threat Environments*, Meeting Note, Mar. 2016; Interview UN DPKO official, New York, 12 Apr. 2017; Interview European member state 1 representatives, New York, 13 Apr. 2017; Interview European member state 2 representatives, New York, 13 Apr. 2017; Avezov, X., Van der Lijn, J. and Smit, T., Feb. 2017 (note 55); and Daniel, D., Williams, P., and Smith, A., *Deploying Combined Teams: Lessons Learned from Operational Partnerships in UN Peacekeeping, providing for peacekeeping*, No. 12, New York: International Peace Institute, Aug. 2015.

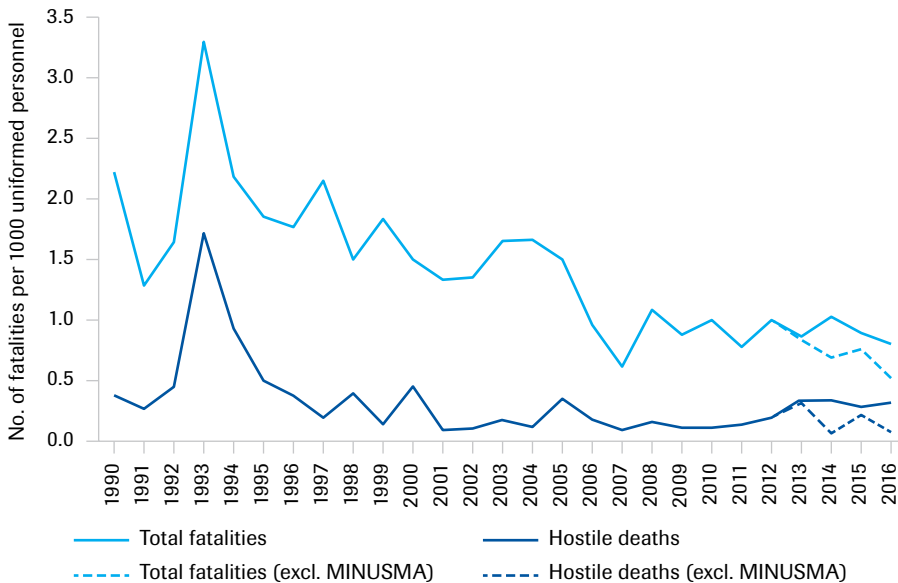
5 Asymmetric threats to peace operations

Jaïr van der Lijn

The challenge

Contemporary UN peace operations often operate in high-risk environments in which they face complex and asymmetric security threats or violent extremists who target the mission. Despite limited capabilities, missions are being asked to protect civilians or stabilise the security situation within settings of ongoing violent conflict. They sometimes face ‘spoilers’, or are asked to proactively dissuade ‘spoilers’. In such environments, they are confronted with, among other challenges: bomb or mortar attacks, ambushes, improvised explosive devices (IEDs), and hostage situations.

Figure 1 Fatality ratios for uniformed personnel in UN peace operations, 1990–2016



Data: SIPRI Multilateral Peace Operations Database (29 May 2017). Graphic: SIPRI.

Despite these increasingly difficult conditions, peace operations have managed to protect themselves reasonably well. In the past five years, there has been a noticeable increase in the total number of fatalities and fatality ratios (the number of fatalities per year per 1,000 personnel) linked to malicious acts (see Figure 1). However, although the current levels are relatively high, these numbers are not unprecedented. In fact, the current ratios are significantly lower than those in several years in the 1990s, and their recent increase emanates primarily from one mission: the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). If MINUSMA were excluded from the analysis, the ratio for fatalities due to malicious acts would be markedly lower. In fact, 2016's ratio would be the lowest for the whole 1990–2016 period.⁶⁸

However, asymmetric threats remain a priority. Given the fact that the UN is considering potential peace operations in areas that share many of the characteristics of (northern) Mali – such as Libya, Somalia, Syria and Yemen – it is imperative that the UN continues to improve its preparedness, capacities and capabilities to counter threats to the security and safety of its personnel. Moreover, the risk of malicious attacks for police- and troop-contributing countries is unevenly spread, which contributes to tensions between them and also means there is still a lot of room for further improvement.⁶⁹ Some 96 per cent of MINUSMA's fatalities due to malicious acts in the period 2013–16 are borne by African personnel-contributing countries. The Chadian ratio for this period stands out with a staggering 7.2 fatalities due to malicious acts per 1,000 troops deployed, while during the same period the annual ratio for all UN peace operations never exceeded 0.35. Guinea and Niger are the two other large contributors in MINUSMA that suffer above average fatalities due to malicious acts.⁷⁰

The HIPPO recommendations

Although HIPPO was specifically established to find solutions to, among other things, how UN peace operations should deal with asymmetric and unconventional threats, its report did not move the discussion substantially forward.⁷¹

68 Van der Lijn, J. and Smit, T., 'Peacekeepers under threat? Fatality trends in UN Peace Operations', *SIPRI Policy Brief*, Sep. 2015; and Van der Lijn, J. and Smit, T., 'Peace operations and conflict management', *SIPRI Yearbook 2017*, pp. 163–207.

69 Ibid.

70 SIPRI Multilateral Peace Operations Database, <<http://www.sipri.org/databases/pko/>>. Fatality ratios by troop contributing countries are for the period 25 Apr. 2013 to 30 Nov. 2016.

71 United Nations, Security Council, 7196th meeting, S/PV.7196, 11 June 2014.

HIPPO concluded that, given the UN's lack of 'fast deploying and interoperable forces, a robust military logistics system, strong command and control and ready reserves',⁷² 'UN troops should not undertake military counter-terrorism operations'.⁷³ It also cautioned against UN peace operations' mandates to 'degrade, neutralize or defeat a designated enemy' and advised to 'maintain a clear division of labour and distinct roles' in case a UN operation is deployed in parallel with counter-terrorism or counter-insurgency operations.⁷⁴ However, HIPPO ignored the fact that UN peace operations can be an easy target for terrorist acts, such as the bombing of UN headquarters in Bagdad, and are on occasion pulled into supporting military counterterrorism operations, albeit on the margins. Consequently, peace operations may require counter-terrorism capabilities for self-defence purposes and because, even if unintentionally, they may be drawn into military counter-terrorism.⁷⁵

Moreover, HIPPO concluded that in case UN peace operations are deployed in operating environments with asymmetric threats, they should be provided with the necessary capabilities and training, and an appropriate concept of operations and rules of engagement. For this purpose, troop- and police-contributing countries should deploy with the required capability and political will, to enable missions to respond to threats, and to use force proactively in self-defence, to protect civilians and to dissuade spoilers.⁷⁶ Yet, this is precisely one of the main reasons why HIPPO was set up: Peace operations *are* deployed in asymmetric threat environments, in the absence of the required capabilities and political will. So, what now?

In the absence of satisfactory answers to these more strategic questions about the use of force and the future of peace operations, HIPPO dealt with some more concrete issues concerning the safety and security of peacekeepers. It recommended that the Secretariat should: (1) implement expeditiously the decision to integrate the security resources of the Department of Safety and Security and of missions under a single integrated management model. Moreover methodologies for security risk assessments and incident reporting should be updated; (2) review implementation of the UN security management system and determine whether it is 'fit for purpose' for 'contemporary' threat environments; (3) provide missions without military components with small military or police contingents as guard units, if needed; (4) establish a medical performance framework for UN peace operations; (5) develop a comprehensive crisis

72 United Nations, 17 June 2015 (note 1), p. 31.

73 Ibid., p. x.

74 Ibid., pp. 31-33.

75 Della-Giacoma, J., 19 June 2015 (note 2); United Nations, 'Mali: UN condemns "horrific" terrorist attack on hotel in Bamako', *UN News Centre*, 20 Nov. 2015, <http://www.un.org/apps/news/story.asp?NewsID=52612#.VtWyn4ShIS8>; and Interview member of HIPPO, New York, 12 Apr. 2017.

76 United Nations, 17 June 2015 (note 1).

management policy for its peace operations, and ensure crisis management plans and procedures are in place and reviewed and exercised regularly; (6) centralise fatalities management to ensure better information management and oversight of administrative processes. Lastly, the General Assembly was asked to regularly review and adjust the rates of compensation for death and disability, while host nations were pushed to pursue those responsible for attacks against the UN.⁷⁷

Recent progress

In his report on the implementation of the HIPPO recommendations, then-Secretary-General Ban Ki-moon agreed with HIPPO that peace operations are not suitable for military counter-terrorism operations.⁷⁸ In his Plan of Action against Violent Extremism, however, he is in favour of integrating prevention of violent extremism measures with peace operations.⁷⁹ This dividing line between kinetic and non-kinetic approaches appears to be more difficult in practice. Consequently, the discussion about the role of peace operations in counter-terrorism, countering violent extremism and preventing violent extremism has not been concluded.

In the field of safety and security, the Secretary-General also generally concurred with HIPPO. As peace operations deploy in asymmetric threat environments they must be capable of operating as effectively and safely as possible. He viewed 'increasing use of armoured vehicles and technology, improved communications, information gathering and analysis, training and quality medical care, as well as guard units', as the most effective ways.⁸⁰ For this purpose, among others, a small Strategic Planning and Monitoring Cell has been set up in the Office of the Secretary-General. Special and political missions already received guard units, such as in CAR, Iraq and Somalia, but, upon redeployment from Tunis, the UN Support Mission in Libya will also receive one. A medical performance framework is being set up. The UN has developed a comprehensive system-wide crisis management policy and the UN Operations and Crisis Centre is currently working on implementation with the different stakeholders. Centralised fatalities management is a priority of the Assistant Secretary-General for Peacekeeping Operations, but the administrative processes are still too slow. Lastly, a review of the implementation of the UN security management system to determine whether it is 'fit for purpose' for contemporary threat environments was dropped in the

77 Ibid., pp. 78-81.

78 United Nations, 2 Sep. 2015 (note 3).

79 United Nations, General Assembly, 'Plan of action to prevent violent extremism', Report of the Secretary-General, A/70/674, 24 Dec. 2015.

80 United Nations, 2 Sept 2015 (note 3).

Secretary-General's report.⁸¹ In general, all activities regarding safety and security, and medical standards and capabilities, are 'under way'. Most recommendations taken up in the Secretary-General's report have been started, but not completed.⁸²

The Secretary-General also emphasised the importance of adopting widely-available and cost-effective technologies for improving the safety and security of personnel and assets, by means of implementing the key recommendations of the Expert Panel on Technology and Innovation in United Nations Peacekeeping. However, technology cannot be expected to solve all problems. Human intelligence and interaction with the local population also remains very important. Moreover, the fusion of intelligence is central and missions need to be able to absorb such high-tech intelligence. The latter proved to be difficult in the case of the All Source Information Fusion Unit in MINUSMA, and created frustration on all sides.⁸³ It has since then been integrated in the Intelligence Unit of MINUSMA's military component.

Regarding the challenge of IEDs and ensuring security, the Uniformed Capabilities Steering Group, co-chaired by the Department for Peacekeeping Operations (DPKO) and Department of Field Support, supports UN missions to protect themselves against IEDs and identifies their capabilities, needs and training requirements. This includes the introduction of the concept of high mobility units in theatre to keep the initiative and be better able to identify threats and stay ahead of the curve. Moreover, the UN provides on-demand specialised training and guidance, such as in the area of IEDs. Donors provide both equipment and training. However, personnel-contributing countries continue to be responsible for the training, tactics, techniques and procedures necessary for the protection of their peacekeepers.⁸⁴

Lastly, a variety of policies and documents have been developed, such as an intelligence policy. However, this currently needs to be operationalised in the military and police component doctrines. Although many of the required documents exist, they are not always implemented. This only shows how ensuring that peace operations are fit to face asymmetric threats is a slow process, as it takes time and a different mind-set before the current changes in standards lead to concrete effects on the ground. All in all, despite the progress in particularly the policy, equipment and capabilities

81 International Peace Institute, Mar. 2016 (note 67); Interview UN DPKO official, telephone, 1 Aug. 2017; and Interview UNOCC official, email, 15 Aug. 2017.

82 United Nations, 22 Feb. 2017 (note 5).

83 United Nations, 2 Sept. 2015 (note 3); Interview UN DPKO official, New York, 12 Apr. 2017; and Interview UN DPKO official, telephone, 1 Aug. 2017.

84 United Nations, 2 Sept. 2015 (note 3); Interview UN DPKO official, New York, 12 Apr. 2017; and Interview UN DPKO official, telephone, 1 Aug. 2017.

areas, UN peace operations continue to be ill-prepared and ill-equipped for asymmetric threat environments.⁸⁵

Recommended future steps

Following publication of the HIPPO report, a number of important questions regarding the overarching debates on the use of force remain: (a) What are the implications for UN peace operations of operating in asymmetric threat environments, particularly when operating in parallel with a non-UN counterterrorism force and in the field of preventing violent extremism?; (b) Does the UN have the necessary resources and personnel to operate safely and effectively in these environments?; (c) Is it worthwhile deploying in these environments considering the high security costs – in the UN Assistance Mission in Afghanistan it is 40 per cent of the total budget – and the limited possibilities due to the ‘bunkerisation’ of missions?; (d) Should the UN support host governments in addressing violent extremism and, if so, when and how?; and (e) How is it possible to create more conceptual and definitional clarity on ‘terrorism’ and ‘violent extremism’, as these labels determine the range of options for missions?⁸⁶ In practice, however, additional steps could be taken to enable missions to operate better in asymmetric threat environments:

- (1) *Strengthen the integrated approach*: A more integrated approach at the strategic level for the UN system as a whole is required to move beyond short-term, security-focused counter-terrorism in peace operations. Synergies could be sought between peace operations and other organisations and instruments, such as the Counter-Terrorism Committee and its Executive Directorate, as well as the newly established UN Counter-Terrorism Office. A further operationalisation of the Secretary-General’s Plan of Action to Prevent Violent Extremism (PVE) is needed for that purpose. Peace operations could increase their focus on building the capacity of host states for counter-terrorism and PVE within their rule of law and security sector reform efforts. PVE advisers assisting the mission leadership might also contribute to a more comprehensive approach. Lastly, more attention might be given to indirect ways in which peace operations could contribute to the long-term prevention of violent extremism. Impartial monitoring and public reporting of violations by human rights components might contribute to the image of the mission as an impartial actor and may also reduce the potential for radicalisation. Also, funds and programmes

85 Interview UN DPKO official, telephone, 1 Aug. 2017; and Interview member of HIPPO, New York, 12 Apr. 2017.

86 International Peace Institute, Mar. 2016 (note 67).

to assist development projects may address some of the root causes of violent extremism.⁸⁷

- (2) *Deepen understanding of operating environment*: The Secretariat and member states could further improve and integrate information and intelligence gathering and sharing within missions before deployment and at a tactical level during the mission. This requires, among other things, foot patrols and increased contact with the local population. In parallel, the analysis capacity within the Secretariat and missions could be strengthened further, and become more open to local knowledge. This would improve self-defence and increase situational awareness, which in turn would make camps more secure, provide early-warning systems, mitigate the threat of IEDs, and improve capacity for casualty and medical evacuation.⁸⁸
- (3) *Generate more sophisticated and predictable uniformed capabilities*: Peacekeepers in asymmetric threat environments require different kinds of equipment, training and posture. For example, their vehicles need to be IED resistant and their personnel need to have counterinsurgency rather than conventional warfare training, focused on winning the hearts and minds of the local population. Although human intelligence remains of great importance, UN peace operations can also make better use of cost-effective technologies, near real-time satellite imagery, counter-IED technology and Western experiences gained in Iraq and Afghanistan. Member states could contribute these specialised and niche capabilities. The Secretariat could also facilitate member states to provide training and equipment to traditional personnel-contributing countries, but this should be seen as part of a long-term process, within the context of a sustainable, equitable global-regional partnership in which permanent capabilities are built in personnel-contributing countries. However, more or better capabilities alone are not sufficient. In the end, a robust force posture, the willingness to act and more funding are required (see Section III).⁸⁹

87 'Open debate on peace operations', *What's in Blue*, 4 Nov. 2016; International Peace Institute, Mar. 2016 (note 67); Boutellis, A. & Chowdhury Fink, N., *Waging Peace: UN Peace Operations Confronting Terrorism and Violent Extremism*, New York: International Peace Institute, October 2016; United Nations, General Assembly, 'Report of the Special Committee on Peacekeeping Operations', 2017 substantive session (New York, 21 February-17 March 2017), A/71/19, 20 Mar. 2017; United Nations, General Assembly, Resolution 71/291, 15 June 2017; and Interview European member state 2 representatives, New York, 13 Apr. 2017.

88 International Peace Institute, Mar. 2016 (note 67); Abilova, O. and Novosseloff, A., *Demystifying Intelligence in UN Peace Operations: Toward an Organizational Doctrine*, New York: International Peace Institute, July 2016; Interview analyst, New York, 10 Apr. 2017; and Interview European member state 2 representatives, New York, 13 Apr. 2017.

89 International Peace Institute, Mar. 2016 (note 67); Interview UN DPKO official, New York, 12 Apr. 2017; Interview European member state 1 representatives, New York, 13 Apr. 2017; Interview European member state 2 representatives, New York, 13 Apr. 2017; and Avezov, X., Van der Lijn, J. and Smit, T., Feb. 2017 (note 55).

- (4) *Improve coherence and implementation of existing policies:* Many documents and policies are not being implemented because, for example, the responsible person has moved on. It is important that UN policies are implemented and taken on board by police- and troop-contributing countries in a more systematic way. In the long term, this will increase the interoperability of countries deploying in peace operations.⁹⁰

90 Interview UN DPKO official, telephone, 1 Aug. 2017.

6 Sexual exploitation and abuse

Timo Smit

The challenge

The sexual exploitation and abuse (SEA) of civilians by members of UN peace operations continues to be a major cause for concern. Acts of SEA constitute gross violations of human rights and the universal values that the UN represents. They also undermine the efforts of the UN peace operations to make, build and sustain peace, which require legitimacy and trust from the people they are supposed to protect. Recurring revelations of widespread SEA have caused great damage to the reputation and credibility of the UN as a whole, and to UN peace operations –its flagship enterprise – in particular.⁹¹

In 2003, then-Secretary-General Kofi Annan articulated a zero tolerance policy against SEA, including transactional sex.⁹² Yet in 2015, HIPPO concluded that grave shortcomings persist with regards to prevention, enforcement, accountability, and ensuring justice for victims.⁹³ In the same year, an External Independent Review Panel (hereafter External Panel) produced a damning report on the UN's response to allegations of grave acts of SEA by non-UN forces in the Central African Republic (CAR). It found that the UN had focused on protocols rather than on victims, and had perpetuated a culture of impunity by its passive, fragmented and bureaucratic response.⁹⁴

91 For a comprehensive overview and discussion of the issue, see Van der Lijn, J., Smit, T., and Höghammar, T. (note 2), pp. 305-315.

92 United Nations, Secretariat, Secretary-General's bulletin Special measures for protection from sexual exploitation and sexual abuse, ST/SGB/2003/13, 9 Oct. 2003.

93 United Nations, 17 June 2015 (note 1), p. 80.

94 Deschamps, M., Jallow, H. B. and Sooka, Y. 'Taking Action on Sexual Exploitation and Abuse by Peacekeepers', Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic, 17 Dec. 2015; and Whalan, J., *Dealing with Disgrace: Addressing Sexual Exploitation and Abuse in UN Peacekeeping*, New York: International Peace Institute, Aug. 2017.

Although SEA is often associated with soldiers, it is not exclusively a military problem. In fact, between 2008 and 2013, civilian staff accounted for 17 per cent of all personnel in peacekeeping operations and 33 per cent of all allegations of SEA.⁹⁵ In 2016, the number of allegations implicating civilian staff was less disproportionate. Of the 103 allegations of SEA reported against members of UN peace operations, 73 concerned military personnel, 7 UN police, and 23 civilian staff.⁹⁶ However, given that civilians constituted 16 per cent of the total number of personnel in UN peace operations, the relative number of allegations against civilian staff was still higher (1.2 per 1,000) than those against military (0.8 per 1,000) and police (0.5 per 1,000).⁹⁷

The available data further indicate that the occurrence of SEA and its perpetrators are distributed unevenly among UN peace operations and contributing countries.⁹⁸ In his most recent annual report on the issue, the Secretary-General made explicit reference to four UN peacekeeping operations that have had the highest number of reported cases of SEA, namely the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the UN Stabilization Mission in Haiti (MINUSTAH) and the UN Mission in South Sudan (UNMISS).⁹⁹ In the period 2010–13, out of the 64 substantiated allegations against uniformed personnel in UN peace operations, 38 involved personnel from Africa, 12 from the Americas, 10 from Asia, 2 from the Middle East, and 1 each from Europe and Oceania.¹⁰⁰ Of the 80 allegations in 2016, 72 implicated nationals from African countries, 6 from Asian countries, and 2 from Latin American countries.¹⁰¹

Although certain categories of personnel- and troop-contributing countries appear to be overrepresented in the statistics on SEA allegations, further research is required to assess, for example, the extent to which this variation is disproportionate in terms of the

95 United Nations, Office of Internal Oversight Services, Evaluation of the Enforcement and Remedial Assistance Efforts for Sexual Exploitation and Abuse by the United Nations and Related Personnel in Peacekeeping Operations, IED-15-001, 15 May 2015.

96 Note that this pertains allegations that were reported only. United Nations, Conduct in UN Field Missions website, <<https://conduct.unmissions.org/data>>.

97 Based on the number of personnel in UN peacekeeping operations and Special Political Missions at 31 Dec. 2016. SIPRI, Multilateral Peace Operations Database, <www.sipri.org/databases/pko>.

98 While these data give an indication of the prevalence of the problem – and this goes for all statistics on SEA that the UN produces – they should be used with caution and not as conclusive evidence. The data used here reflect only reported allegations of SEA, and do not account for under-reporting, the size of missions and national contingents, and variation among individual troop- and police-contributing countries.

99 United Nations, General Assembly, Special measures for protection from sexual exploitation and abuse: a new approach, Report of the Secretary-General, A/71/818, 28 Feb. 2017, p. 10.

100 United Nations, Office of Internal Oversight Services (note 95).

101 United Nations, Conduct in UN Field Missions (note 96).

size and duration of deployments, as well as to identify potential explanations for this based on solid evidence.

The HIPPO recommendations

In its final report, HIPPO described the issue of SEA as one of the key areas in which existing policy must be put into practice in order to empower UN peace operations to deliver more effectively in the field. Hence, most of its recommendations focused on the 'urgent and robust' implementation of measures that had already been introduced to enhance accountability and strengthen the UN's policy of zero tolerance for SEA. HIPPO recommended that:¹⁰²

- (a) The Secretariat and member states implement the measures to strengthen accountability for SEA that had been proposed by the Secretary-General, as well as the recommendations made by the Office of Internal Oversight Services in 2015.¹⁰³ In particular, they should establish immediate response teams to secure evidence and support investigations, and complete investigations into SEA allegations within six months;
- (b) Member states investigate and prosecute, promptly and thoroughly, credible allegations of SEA, and report on the status and outcome of these efforts in a systematic and proactive manner.¹⁰⁴ They should also support the establishment of an effective and well-resourced programme to support victims of SEA and children born out of it;
- (c) The Secretariat develops transparent policies with regards to troop and police contributions from countries with poor human rights records, and refuses forces listed in the Secretary-General's annual reports on children and armed conflict, and on conflict-related sexual violence;
- (d) The UN presences immediately inform the relevant regional organisations and governments when it receives reports of SEA by non-UN forces acting under a mandate authorised by the Security Council.

Recent progress

Since HIPPO presented its final report, the UN has made progress on a number of pre-existing initiatives to prevent and respond to SEA in its peace operations. In addition, several new measures and initiatives have been proposed in response to the findings

¹⁰² United Nations, 17 June 2015 (note 1), p. 84.

¹⁰³ United Nations, Office of Internal Oversight Services (note 95).

¹⁰⁴ On this point, HIPPO added that the Secretary-General should include this information in his reports to member states.

of the Expert Panel and along with the introduction of a new strategy by the new Secretary-General. At the same time, many measures and initiatives still need to be implemented fully or require further consideration and approval from member states.

Notable developments since the HIPPO report

The shocking revelations of misconduct by UN and non-UN peacekeepers in the CAR that emerged in 2015 and the findings of the Expert Panel served as a catalyst for a more proactive approach by the UN to address SEA. Then-Secretary-General Ban Ki-moon responded by removing the Head of MINUSCA and repatriating an entire 120-strong military unit from the Republic of Congo following allegations of widespread SEA by its members.¹⁰⁵ The Secretary-General also established a high-level steering group and appointed a Special Coordinator to ensure a more coherent approach to combatting SEA across the UN system.¹⁰⁶ He further introduced additional measures and initiatives, focusing particularly on prevention and victim assistance.¹⁰⁷

The Security Council followed up on these developments by adopting its first-ever resolution on SEA in UN peace operations in March 2016. In this resolution, the Security Council endorsed the decision to repatriate military or formed police units in light of credible evidence of 'widespread and systemic' SEA. It requested the Secretary-General to henceforward remove from missions entire troop contingents or formed police units from countries that fail to investigate allegations, hold perpetrators accountable, or report back on the progress and outcome of their investigations. It also made explicit reference to non-UN forces authorised under a Security Council mandate, urging member states participating in such operations to adopt similar measures to prevent impunity and enforce accountability for SEA.¹⁰⁸

The new Secretary-General, Antonio Guterres, has shown a strong personal determination to address SEA within the UN. In his first week, he established a high-level Task Force to develop a 'game-changing', system-wide strategy on preventing and

105 United Nations, Secretary-General, Secretary-General's remarks to Security Council consultations on the situation in the Central African Republic, 13 Aug. 2015, <<https://www.un.org/sg/en/content/sg/statement/2015-08-13/secretary-generals-remarks-security-council-consultations-situation>>; and UN News Centre, 'New allegations of sexual abuse emerge against UN peacekeepers in Central African Republic', 4 Feb. 2016, <<http://www.un.org/apps/news/story.asp?NewsID=53163#.WYDduGOwO20>>.

106 United Nations, General Assembly, Combatting sexual exploitation and abuse, Report of the Secretary-General, A/71/97, 23 June 2016, pp. 3-4.

107 United Nations, General Assembly, Special measures for protection from sexual exploitation and abuse, Report of the Secretary-General, A/70/729, 16 Feb. 2016.

108 UN Security Council Resolution 2272, 11 Mar. 2016; see also Whalan (note 94).

responding to SEA.¹⁰⁹ The new strategy was presented in February 2017, and focuses on four main areas of action: (a) putting victims first, (b) ending impunity, (c) engaging civil society and external partners, and (d) improving strategic communications to increase awareness.¹¹⁰

Prevention

Since April 2016, all personnel in UN peace operations are vetted for prior misconduct against data from the Conduct and Discipline Unit's Misconduct Tracking System. This system used to contain only records on civilian staff and experts on mission, but has been expanded to include all personnel categories. In addition, troop- and police-contributing countries must certify that their contingent members have no record of prior misconduct and have received pre-deployment training, including on the UN's standard of conduct and policies on SEA. All personnel in UN missions have to complete a mandatory e-learning program on the UN standards of conduct with regards to SEA.¹¹¹ Finally, existing frameworks for risk assessment are applied to all UN peace operations to identify if missions have an increased risk of SEA, in which case specific measures to mitigate this risk are to be made mandatory.¹¹² In his strategy, Secretary-General Guterres' explicitly confirms that forces listed in his annual reports on children in armed conflict and conflict-related sexual violence will not be accepted into UN peace operations. Proposals will also be developed to improve risk-mitigation and prevention of online SEA.¹¹³

Enhanced accountability to end impunity

Guterres' strategy emphasises increased accountability for SEA in order to end impunity through improving reporting, strengthening investigative capacities, increasing transparency, and improved follow-up on substantiated allegations to enhance (criminal) accountability. Several previously proposed measures to this end have already been implemented.

109 United Nations, Secretary-General, 'The Secretary-General announces task force on UN response to sexual exploitation and abuse', 6 Jan. 2017, <<https://www.un.org/sg/en/content/sg/personnel-appointments/2017-01-06/secretary-general-announces-task-force-un-response>>.

110 United Nations, 28 Feb. 2017 (note 99).

111 United Nations, 23 June 2016 (note 106), pp. 9-13; and United Nations, 28 Feb. 2017 (note 99), p. 32.

112 United Nations, 16 Feb. 2016, (note 107), p. 20; and United Nations, 28 Feb. 2017 (note 99), p. 33.

113 United Nations, 28 Feb. 2017 (note 99), p. 16-18.

Since 2015, investigations by UN investigative entities into allegations of SEA must be completed within six months, or within three months if greater urgency is required. Member states have been requested to adopt the same timelines for their investigations. Since July 2016, troop-contributing countries are required to embed National Investigative Officers within their military units, in order to ensure that investigations into allegations of SEA concerning members of military contingents can be initiated swiftly.¹¹⁴ Most UN peace operations have established immediate response teams to gather and preserve evidence prior to the initiation of investigations, as well as standing task forces and focal points on SEA to ensure that victims of SEA are assisted and allegations are responded to promptly and appropriately.¹¹⁵

Also since 2015, the UN has been suspending payments to troop- and police-contributing countries when there has been credible evidence that members of their contingents had engaged in SEA. Troop- and police-contributing countries do not receive payment related to the individuals suspected of SEA from the moment they are notified of an allegation until they have completed their investigation.¹¹⁶ The General Assembly has approved that suspended payments are to be transferred to the victims' assistance Trust Fund when allegations are substantiated.¹¹⁷ At the request of the Security Council, the Secretariat has developed guidance on operationalisation of the punitive measures of replacing entire uniformed units or contingents in the case of widespread SEA and/or inadequate follow-up on such allegations by police- and troop-contributing countries.¹¹⁸ These operational guidelines have recently been shared with member states. The Secretary-General has also asked member states once more to extend extraterritorial jurisdiction over crimes committed by their citizens while on deployment with the UN. The fact that not all member states (can) exercise such jurisdiction remains an important obstacle to ensuring criminal accountability for SEA perpetrated by civilian staff in UN peace operations.¹¹⁹

Improved reporting and increased transparency

Since 2016, the tables of allegations involving uniformed personnel in the Secretary-General's annual reports on SEA include country-specific information, such as the countries of origin of suspected perpetrators and the action taken by their governments.

114 United Nations, 28 Feb. 2017 (note 99), Annex III, p. 37; United Nations, 16 Feb. 2016, (note 107), pp. 16-17; and United Nations, 23 June 2016 (note 106), p. 5.

115 United Nations, 23 June 2016 (note 106), p. 15; and United Nations, 28 Feb. 2017 (note 99), Annex III, p. 33.

116 United Nations, 2 Sep. 2015 (note 3), p. 25.

117 United Nations, General Assembly, Resolution 70/286, 8 July 2016.

118 As requested by the Security Council, see: UN Security Council Resolution 2272 (note 108).

119 Interview UN DPKO official, telephone, 26 July 2017.

Since 2017, the Secretary-General's annual reports on SEA also include information on allegations of SEA involving non-UN forces operating under a mandate authorised by the Security Council. In March 2017, the UN launched a new website on conduct in UN field missions, which serves as a 'one-stop shop' for information on UN policies with regard to conduct in its peace operations, with a specific focus on SEA. The website also contains instructions on how to report misconduct, and detailed and up-to-date information and data on allegations of SEA by UN personnel.¹²⁰

The Secretary-General further stated in his strategy that the UN will improve its strategic communication in order to increase awareness of SEA. He also intends to improve the accountability of the UN as a whole by being more transparent about SEA, including through better dissemination of information on credible allegations via its public information channels (including social media) and other media outlets.¹²¹

Victim assistance

Victim assistance is the cornerstone of Secretary-General Guterres' strategy on SEA. The Secretary-General recently appointed a system-wide Victims' Rights Advocate (VRA) at the Assistant Secretary-General level, who will report to him directly.¹²² The VRA will work with the relevant UN, national and local stakeholders to ensure that victims of SEA can issue complaints and receive swift and appropriate personal and legal protection, care and assistance. The four aforementioned UN peacekeeping operations with the most reported cases of SEA have appointed their own VRA to coordinate all victim support-related activities on the ground together with local actors.¹²³ While these positions remain 'double-hatted' for the moment – that is, the responsibilities of the VRA have been assigned to existing staff members in addition to their regular tasks – the Secretary-General is requesting their formal establishment.¹²⁴ Meanwhile, a dedicated Trust Fund to support victims of SEA has been established and operational since March 2016. The Trust Fund is financed through voluntary contributions, and can be used to provide essential services (e.g. medical, psychological, legal) to victims of SEA.¹²⁵

120 United Nations, 23 June 2016 (note 106), p. 17; United Nations, 28 Feb. 2017 (note 99), Annex III, p. 38; and United Nations, Conduct in UN Field Missions (note 96).

121 United Nations, 28 Feb. 2017 (note 99), pp. 17-18.

122 United Nations, 'Australian Jane Connors appointed first UN rights advocate for victims of sexual exploitation', 23 Aug. 2017, <<http://www.un.org/apps/news/story.asp?NewsID=57401#.WabalGOwOhg>>.

123 Ibid., pp. 9-10.

124 Ibid., p. 10, and Annex 1, p. 21; and Interview with UN Official, 26 July 2017.

125 United Nations, 23 June 2016 (note 106), pp. 13-14; and United Nations, 28 Feb. 2017 (note 99), Annex III, p. 34.

Initiatives to strengthen common commitment to combat SEA

The Secretary-General is pursuing several initiatives to mobilise support for his agenda on SEA from member states, in particular the major troop-contributing countries. He is creating a 'circle of leaders', comprising heads of state and government, to signal the collective commitment of the UN and its members to combat SEA and end impunity. To this end, he also convened a high-level meeting on the UN's response to SEA at the margins of the general debate of the General Assembly in September 2017. Notably, the Secretary-General is asking troop-contributing countries to enter into a compact with him. This compact constitutes voluntary and legally non-binding commitments to adopt proposed measures to combat SEA, and to live up to the expectations placed upon them with regards to preventing SEA, investigating allegations, and ensuring that perpetrators are held accountable.¹²⁶ As of September 2017, 72 member states have signed the compact, and 17 more have formally declared their intention to do so shortly.¹²⁷

Finally, the Secretary-General intends to increase the UN's engagement with civil society and other external partners in its efforts to prevent and respond to SEA. Among other things, he will invite leading civil society representatives to join a new standing advisory board. The role of this board will include making recommendations on preventive measures and reviewing peace operations' risk assessments on SEA.¹²⁸

Recommended future steps

Even though several new initiatives to combat SEA in UN peace operations have been proposed since HIPPO presented its final report, its overarching recommendation continues to apply. Existing policies have to be put in practice. The new Secretary-General's personal commitment to combat SEA and impunity, however, seems to have led to a renewed momentum. The UN and its member states have a shared responsibility to translate this into decisive improvements to prevent SEA occurring or going unpunished, and victims being forgotten. To this end, they could take the following steps:

- (a) *Sign the voluntary Compact on Preventing and Addressing SEA between member states and the Secretary-General*: Member states, in particular troop-contributing countries that have not yet done so, could accept the invitation of the Secretary-

126 United Nations, 28 Feb. 2017 (note 99), pp. 18-19; and Interview UN DPKO official, telephone, 26 July 2017.

127 United Nations, 'Note to correspondents on voluntary compact on preventing and addressing sexual exploitation and abuse', 29 Sep. 2017, <<https://www.un.org/sg/en/content/sg/note-correspondents/2017-09-29/note-correspondents-voluntary-compact-preventing-and>>.

128 United Nations, 28 Feb. 2017 (note 99), p. 17.

General to enter into a voluntary compact with him. Signatories states should abide to the commitments set out in the Compact, in particular with regards to prevention and accountability. This would send a strong signal of support and commitment to his agenda to combat SEA.

- (b) *Ensure sufficient resourcing for initiatives to strengthen prevention and responses to SEA.* Too often, member states have not translated their rhetorical support for measures to combat SEA into financial support to ensure their implementation.¹²⁹ In particular, member states could approve the budget requirements for the establishment of a permanent system-wide VRA and dedicated VRAs in peace operations with an increased risk of SEA. Member states could also be encouraged to make voluntary contributions to the Trust Fund in support of victims of SEA.
- (c) *Implement measures to ensure criminal accountability for SEA committed by civilian staff.* All member states could extend extraterritorial jurisdiction for crimes committed by civilian personnel. This is a precondition for them to be able to prosecute their nationals for acts of SEA committed while serving in a UN peace operation. To enable stronger criminal cases against civilian staff suspected of SEA, the Secretariat could consider notifying national judicial authorities directly of credible allegations against their nationals that reveal that a crime 'may have been committed'.¹³⁰ As per current standards, member states are informed of such allegations after the Office of Internal Oversight Services and the Office of Legal Affairs have concluded that there is credible evidence that a crime has in fact been committed, which can take several months.¹³¹

129 Interview UN DPKO official, telephone, 27 July 2017.

130 As requested by the UN General Assembly in 2008. United Nations, General Assembly, Resolution 62/63, 6 Dec. 2007.

131 Interview UN DPKO official, telephone, 27 July 2017.

7 Conclusions

This study finds that progress on improving the working methods of the Security Council, creating focused and adequate Security Council mandates, force generation, asymmetric threats to peace operations, and sexual exploitation and abuse (SEA) varies across the different areas:

1. *Working methods of the Security Council:* HIPPO's appeal to go beyond the diplomatic trench lines of the last decade, find solutions on how best to deal with today's threats and how to strengthen UN peace operations for tomorrow, directly address the Security Council's responsibility to adapt its working methods. So far, however, the permanent members of the Security Council particularly show little willingness to seek meaningful cooperation with other important stakeholders when it comes to peace operations, causing frustration among major troop- and police-contributing countries in particular;
2. *Focused and adequate Security Council mandates:* The HIPPO report recommended to produce sequenced and prioritised mandates based on a thorough and frank assessment of the Secretariat. In order to be able to achieve prioritisation, mission tasks should be precisely formulated and limited in number. Recent mandate renewals show that the Secretariat and Security Council have been unable to overcome the so-called 'Christmas Tree mandate' dilemma where template language for many tasks routinely appear in mission mandates;
3. *Force generation:* The Secretariat and member states have taken a variety of initiatives to make force generation at the UN more strategically focused on the long term and on capabilities. The Secretariat has also sought to improve its communication on capability gaps with troop- and police-contributing countries. However, the underlying problem remains: those countries that are willing to participate do not necessarily have the required capabilities, while those that do are often not willing to contribute. Moreover, budget reductions and the adjustments of missions that follow will impede the chances for successful change. What is required, but not likely given the current setting, are flexible, agile and mobile forces. It will also require increased pressure on troop-contributing countries with these scarce sophisticated capabilities;
4. *Asymmetric threats to peace operations:* HIPPO's conclusion that UN peace operations are not suitable for military counter-terrorism leaves a lot of questions unanswered, particularly given that recent peace operations have been, and potential future peace operations are likely to be, deployed in asymmetric threat environments. Many of the HIPPO recommendations on safety and security of personnel are in the process of being implemented. Changing bureaucratic processes and preparing troop-contributing countries for asymmetric threat environments often requires long-term investment; and

5. *SEA*: HIPPO did not produce any novel recommendations on how the UN can better prevent and combat SEA in its peace operations, but rather called for the implementation of existing policies to this end. Since then, new scandals involving widespread SEA by UN peacekeepers have spurred renewed action by both the Secretariat and the Security Council. The new Secretary-General has personally committed to improving the UN's effort to prevent and respond to SEA, which he seeks to achieve through a new system-wide strategy.

Explanations

In general, HIPPO's recommendations are addressed to a wide variety of actors ranging from the Security Council, the Secretariat, police- and troop-contributing countries to the General Assembly. All have been recommended to review and adjust their positions and roles in order to make UN peace operations fit for purpose. However, the recommended changes require their joint actions in a process of give and take. This remains difficult, as taking is often easier than giving. Consequently, if one group, institution or sometimes even one country is not willing to advance, some processes come to a standstill.

It appears that there is less progress on the implementation of HIPPO recommendations when these affect power relations. This is particularly significant when it involves member states – permanent members of the Security Council, troop- and police-contributing countries, or finance-contributing countries – that fear their positions are affected. Power is the predominant explanation for why the working methods of the Security Council particularly, and focused and sequenced mandates, are so difficult to change. The permanent members of the Security Council and major finance-contributing countries are generally reluctant to giving troop- and police-contributing countries more influence, while the latter often resist changing procedures that affect what is expected from them, decrease their reimbursements, and may undermine their position as a troop or police provider. Moreover, as different countries have different priorities, some may attach more importance to reimbursements or the security of their forces, while others prefer to advocate robustness. When these priorities conflict, change is generally even more difficult.

Power relations also play a role in the bureaucratic politics of instigating changes inside the UN system. Anyone working in large-scale bureaucracies like ministries, armed forces or international organisations will appreciate the challenge. Although less pervasive than when it involves member states that block progress, departments and organisations can seriously delay progress if their resources or power are affected.

Furthermore, in a number of areas, progress cannot be expected overnight, not because of resistance per se, but because adjusting organisational and bureaucratic

structures, changing mentalities, establishing funding mechanisms, as well as building new or strengthening existing capacity, takes time. For example, sustainable capacity building of troop-contributing countries to strengthen force generation requires not only one-off training and equipping, but also a long-term process of setting up maintenance and training structures and changing organisational cultures. Consequently, one cannot (yet) expect UN operations to live up to the highest standards, particularly if the richest and most capable countries are not willing to participate.

Consequently, most progress with regard to the implementation of the HIPPO recommendations has been achieved by the Secretariat, particularly with regard to the more technocratic recommendations.

The way forward

Further progress is required, but for that purpose it is important that member states move beyond words and are also willing to bear the financial consequences. They need to deliver on their pledges and invest in the UN system for improvement. For example, it is one thing to verbally support initiatives to combat SEA, but if this requires additional budget requirements, member states need to stop haggling over budgets.

Many of the more fundamental problems in peace operations have already been around for a while. It will not be easy to make great progress on the more difficult issues, such as the working methods of the Security Council, or the mismatch in force generation between what is on offer and what is required. Therefore, although it is important to aim high, stakeholders also need to remember to shoot low. There are still enough smaller, often more technocratic and incremental, steps that can contribute to improving the effectiveness of peace operations.

For the five topics surveyed in this study, this means:

1. *Working methods of the Security Council*: All stakeholders in peace operations could continue to press the Security Council to allow changes in the working methods enabling an inclusive approach to peace operations.
2. *Focused and adequate Security Council mandates*: The Security Council could set realistic timelines for mandate design, including a validation mechanism, allowing frank inputs and real involvement of other stakeholders, resulting in focused and tailored mandates.
3. *Force generation*: The Secretariat and member states can reduce force generation and deployment times still further; member states need to deliver on their pledges; all stakeholders could strengthen the global-regional partnership and make it more equitable; and the Secretariat and member states could further develop 'smart' contribution options in order to deliver more agile, mobile and flexible operations.

4. *Asymmetric threats to peace operations*: All stakeholders could accept and contribute to the strengthening of an integrated approach on countering terrorism/preventing violent extremism/countering violent extremism, and on information and intelligence gathering and sharing. The Secretariat and member states could also ensure the force generation of uniformed capabilities with the right kinds of equipment, training and posture.
5. *SEA*: Member states could ensure that old and new initiatives to prevent and respond to SEA by UN personnel are implemented and can be effective. For that purpose, they need to support initiatives not only rhetorically but also financially, and they have to take appropriate measures to prevent SEA and ensure criminal accountability of its perpetrators.