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UN TRANSITIONS

Improving Security Council Practice in Mission Settings

by Adam Day



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About the UN Transitions Project

UNDP, DPO and DPPA – supported by the Swedish International Development Agency and the UK Foreign and Commonwealth Office – launched an innovative joint project in 2014 to improve the way in which UN transition processes are being planned and managed across the organization. Since its inception, the UN Transitions Project has contributed to a more timely, forward-looking and integrated approach to UN transitions that positions the UN to consolidate peacebuilding gains and sustaining peace after mission withdrawal by providing: (1) rapid and integrated country support, (2) policy development, knowledge management and technical guidance, (3) capacity development to UN Headquarters, UN mission and UN Country Team staff, and (4) strategic collaboration with Member States and other stakeholders that play a key role in sustaining peace and development beyond mission withdrawal.

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Executive Summary

This policy paper was developed in partnership with the UN Joint Project on Transitions and supported by the Government of the United Kingdom. It covers the role of the Security Council in mandating and overseeing UN transitions, typically as peace operations are drawn down or significantly reconfigured. Based on an extensive literature review and interviews with UN experts and Council members, the paper explores the evolution of Council practice over the past thirty years. Drawing from this practice, it offers concrete recommendations how Council-led transitions processes can be planned and managed in a proactive, integrated and forward-looking manner, better positioning the UN to provide support to host countries in often fragile moments.

The paper is divided into four sections: (1) the evolution of Security Council practice on transitions from the early 1990s to present; (2) recurring challenges in transition processes in the Council, including financial cliffs, elections and risks of relapse; (3) a framework for mandating a transition process, drawing from past practice; and (4) conclusions about the future of UN transitions in the field.

In addition to more general lessons and considerations, it offers eleven concrete recommendations for the Security Council, as follows:

1. Build exit into the initial mandate
2. Engage national and regional actors from the outset
3. Balance “bottom up” approaches with clear guidance from New York
4. Demand early, dynamic and integrated planning from missions and UNCTs
5. Treat transitions as reconfigurations, not handovers
6. Consider the pros and cons of phased withdrawals
7. Demand independent strategic reviews focused on risk
8. Avoid “double transitions”
9. Offer clear achievable benchmarks, and necessary conditions for withdrawal
10. Treat economic recovery as crucial to prevent relapse
11. Look for leverage in transitions

Finally, the paper provides suggestions for improving the daily working methods of the Council, including around informal problem solving, finding unity within the E-10, the practice of joint penholders, greater contact with the field, and engagement with the broader UN family in country.

Introduction

Over the past three decades, the UN Security Council has mandated and overseen a wide range of UN transitions, typically as peace operations are drawn down or significantly reconfigured alongside the changing role of the UN Country Team.¹ Over time, Council practice has evolved towards a more holistic understanding of the needs of a given country and the support necessary for a sustainable transition process. This shift is based on a recognition that the transition is not of the UN peace operation itself, but rather a reconfiguration of the UN presence in country, including of the UN Country Team and its partners, and of the broader UN engagement.² Nonetheless, the Security Council has not developed a consistent practice regarding transitions, often confronting recurrent challenges without a well-understood sense of what has worked well in the past. Significant differences within the Council as to how to balance competing priorities, address risks that may arise after a mission, or articulate how and when a mission will draw down, have contributed to an ad hoc approach to date. These differences are magnified in the current divisive climate within the Council. With several large peace operations undergoing or likely to start drawdown in the coming period, along with a range of special political missions that may also be reconfigured soon, there is an urgent need to understand better (1) how Security Council mandates and approaches to UN transitions have evolved over time, (2) what dynamics influence transitions mandates in the Council, and (3) how to improve Council practice on mandating transitions.

The following paper has been designed to address these questions, and to offer Security Council members in particular – but also UN staff, and mission leadership – a set of policy-level recommendations for developing and advocating more effective and sustainable transitions processes going forward. The paper is consonant with the Secretary-General’s policy on UN transitions, but is more focused on how Council members can design and support future processes, in particular on an understanding that a UN mission drawdown is only part of a broader configuration of the UN presence in country. It is based upon a comprehensive review of Security Council practice from 1990 to present, interviews with experts within the UN, and with current and former Council members. The paper explores how UN transitions can be planned and managed in a proactive, integrated and forward-looking manner, resulting in the UN being better positioned to provide efficient and effective support to host countries as they progress towards peace and sustainable development. It is divided into four sections: (1) the evolution of Security Council practice on transitions from the early 1990s to present; (2) recurring challenges in transition processes in the Council, including financial cliffs, elections and risks of relapse; (3) a framework for mandating a transition process, drawing from past practice; and (4) conclusions about the future of UN transitions.



UN Photo / Harandane Dicko

I. Evolution of Security Council Practice on UN Transitions

This section traces Security Council practice on UN transitions from the post-Cold War period to today, identifying some of the key trends and themes that mark transitions processes. It suggests that Council practice was shaped by both geopolitical shifts and changes in the character of armed conflict taking place over thirty years, requiring further evolution in mandating missions to meet emerging challenges.

A. The 1990s – Expansion of Peacekeeping, Transition as Handover

The end of the Cold War was characterised by a significant improvement in relations amongst the Permanent Five (P-5) members of the Security

Council, allowing for a far more ambitious and expansive approach to threats to global peace and security.³ Great powers and multilateral institutions, no longer stymied by Cold War rivalry, adopted more far-reaching approaches to conflict management, especially via UN peace operations.⁴ In roughly two years, the Council had launched fifteen new peacekeeping operations and adopted nearly 200 resolutions, dramatically expanding the scope of what constituted a “threat to international peace and security” and the types of operations deployed.⁵

During this period, the size and shape of peacekeeping became more varied as the Council mandated several small missions (UNGOMAP in Afghanistan, MINURSO in Western Sahara and UNMOT in Tajikistan) along with much larger

missions than ever before (UNTAC in Cambodia, UNSOM II in Somalia and UNPROFOR II in the former Yugoslavia).⁶ Importantly, the Council built a practice of mandating successor missions, several legally distinct operations in the same country: in Angola, UNAVEM I, II and III were deployed over several years; in Somalia UNSOM I and II were mandated in succession; and in Haiti UNMIH, UNSMIH, UNTMIH and MIPONUH were all separate operations that preceded the missions deployed in the 2000s.⁷ These two trends – the rise of much more varied kinds of missions and the growth in successor missions – provide important context for the early development of mission transitions.

Three notable Council practices arose around the transitions of peace operations during this period, either as they closed down or were modified into different UN presences. Firstly, the Council mandated several missions to **transition from a peacekeeping operation (PKO) to a special political mission (SPM)**. For example, the PKO in El Salvador (UNOSAL) had been tasked by the Council in 1991 to oversee a peace process and national elections, but was reduced to an SPM (MINUSAL) in 1995 when the electoral process was complete.⁸ After mandating a PKO to Angola (MONUA) in 1996, the Council subsequently oversaw a gradual downsizing of the mission and eventual transition into an SPM (UNOA).⁹ The peacekeeping mission in Central African Republic (MINURCA) transitioned into an SPM (BONUCA) following the 1999 presidential elections (15 years later a successor SPM was subsumed into a new peacekeeping operation).¹⁰ This form of transition from PKO to SPM reflected the relative success of the peacekeeping portions of some missions,¹¹ and the Council's recognition that small, political presences could address the remaining risks adequately. This practice was continued and modified in some of the larger, multi-dimensional missions considered in the next section.

However, not all transitions in this era took place on the basis of successful implementation of the missions' mandates, or indeed unity within the Security Council. In Somalia, the Council transitioned UNOSOM II from a PKO to an SPM in 1995 following brutal attacks on UN peacekeepers and a lack of progress on the main objectives of the mission.¹² In Rwanda, the Council called for the withdrawal of UNAMIR without any agreed follow-on peace operation.¹³ And both UNAVEM II (Angola) and UNPROFOR II (Bosnia Herzegovina) shut down without achieving core aspects of their mandates.¹⁴ In these settings, the Council was faced with UN transitions during conflicts with "no peace to keep," and without a clear way forward via traditional peace operations. In the cases of Rwanda and Bosnia Herzegovina, the Council innovated significantly by mandating international tribunals to address the large-scale human rights violations (the hybrid court for Cambodia also falls into this category). In other settings, such as Somalia, the creation of a follow-on SPM was eventually accompanied by an African Union-led peace support operation to address the continuing security threats in country.¹⁵ Across these so-called "failed" missions, a common approach by the Council was increasingly to emphasize the need for **nationally- and regionally-led work beyond the life of the mission**.¹⁶

Taken together, the missions in the post-Cold War period offer important examples of the Council mandating transitions from PKOs to other UN configurations, including SPMs, international tribunals, or other entities. Typically, these transitions were time-bound, with dates for the mission drawdown clearly spelled out in the mandate, and little guidance regarding the conditions needed for a sustainable process. This practice evolved significantly with the rise of more complex missions, including those with an executive mandate and eventually the multidimensional missions of the 2000s.

B. A brief experiment with transitional administrations – Timor-Leste and the Balkans

The UN's experiment with transitional administrations in Timor-Leste and the Balkans has been thoroughly researched and is widely considered to be a high watermark of UN intervention, unlikely to be repeated.¹⁷ However, Council practice around their drawdown has created an important – and not entirely helpful – precedent for subsequent mission transitions. This section briefly touches on the advent of the Council's "handover to national authorities" mandates.

In Timor-Leste, Kosovo, and Eastern Slavonia, UN missions were mandated with executive authority, on an understanding that progressive withdrawal would be linked to the ability of the national authorities to assume responsibilities over time. For example, the UN mission in Timor-Leste (UNTAET) was mandated to "delegate progressively further authority" to local authorities until full transfer to the government allowed for the end of the mission.¹⁸ Though less well-known, the UN transitional administration in Eastern Slavonia (UNTAES) was mandated with a transition based upon a "gradual devolution of executive responsibility ... commensurate with the demonstrated ability of Croatia to reassure

there was a clear understanding that such a transition would also depend upon increases in the capacity of national authorities to carry out executive responsibilities (as well as US-Russia dynamics over Kosovo, as they are not aligned in the Council).

Two significant aspects of Council practice can be drawn from the experiences in Timor-Leste and the Balkans. First, the executive authority granted to these missions created an **enormously ambitious scope of work for the UN**, and a very difficult process of envisaging an end state for the mission on the ground. Experts have criticised the Council for failing to plan realistically for the exit of these missions, for creating a scope of work that defies an exit strategy, and for fostering a "culture of dependency" between the local government on the UN.²² As will be explored in the next section, there often appears to be an inverse relationship between the ambition of a mandate and the viability of a mission's exit strategy.

Secondly, the Council's approach to the drawdown of transitional administrations has been driven by a **linear understanding of progressive handover of responsibilities to the national authorities**. This may have been logical in a setting where the UN possessed full executive authority – and where the sovereignty of the state had been temporarily suspended by the Security Council – but it sets a poor precedent for subsequent missions. The notion that the UN would "hand over" security or rule of law responsibilities to the Congolese during the transition of MONUSCO, for example, appeared

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