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Testimony by John Prendergast Co-Founder, Enough Project

Sudan: U.S. Policy and Implementation of the CPA

Thank you Congressman Payne and members of this Subcommittee for the opportunity to testify on a topic that will help determine the future of millions of people from Sudan and the surrounding region.

At this Subcommittee hearing, members will hear a very different message than that which will be communicated at tomorrow's Senate Foreign Relations Committee hearing. Today, this Subcommittee's members will hear a bipartisan critique of the current direction of U.S. policy towards Sudan. Rich Williamson, Roger Winter and I all have negotiated extensively with the regime in Sudan, have roughly a combined six decades in working on or in Sudan, and have a very clear idea of what is required for lasting peace to have a chance in that embattled country. This hearing comes at a moment in Sudan's history fraught with danger and potential. There is no effective peace process for Darfur, but one could be built with U.S. leadership. The CPA is on the brink, but could be salvaged if U.S. engagement deepens. Next year's elections are at risk, but could become an important opportunity to strengthen opposition parties and democratic structures crucial for the referendum and for Sudan's political future. The referendum itself is doubtful, but its prospects could be enhanced with a credible international roadmap.

The major unknown variable that will help determine whether the dangers or the opportunities get maximized is the unresolved internal debate over the direction of U.S. policy towards Sudan. In the absence of any agreement on the policy, U.S. diplomatic engagement has been energetic, for which Special Envoy Gration should be credited. But the substance of this robust engagement has been fraught with missteps, lack of internal coordination, and an overall aversion to pressuring the ruling National Congress Party (NCP). Sustained pressure leveraged by meaningful and focused sticks is the principal tool that has moved the NCP to change its behavior during the twenty years of its authoritarian rule. This substantial track record of empirical evidence of the value of pressure makes the direction of U.S. diplomacy all the more questionable.

There is also a broader inconsistency in U.S. foreign policy when it comes to Sudan. The Obama administration has resolutely worked to craft more formidable international coalitions to isolate North Korea and Iran for important U.S. policy objectives. However, the U.S. is not doing the same for Sudan, despite the existence of a regime there that is responsible directly or indirectly for the loss of two and a half million lives in the South and Darfur.

U.S. Goals in Sudan and How to Achieve Them

In the context of its policy review, the U.S. should spell out clear goals:

U.S. leadership in constructing a more effective Darfur peace process, using as a model the process that led to the CPA involving a lead role for the U.S. and a multilateral support structure that provided international leverage, expertise, and support;

U.S. leadership in supporting the implementation of the CPA, continuing the trend of deeper engagement over the last few months but structuring clear penalties for non-implementation of any of the key provisions;

U.S. leadership in supporting the democratic transformation of Sudan by supporting the electoral process, providing institutional support to opposition parties and civil society organizations, and building the capacity of the Government of Southern Sudan;

U.S. leadership in preparations for the South's referendum in 2011, which will be a make-or-break process for the future of both North and South.

The essential word that repeats throughout all these goals is "leadership." U.S. leadership – multilaterally and when necessary unilaterally – will be an enormously influential ingredient in a successful transition to peace and democracy in Sudan.

But success will require greater leverage than that which presently exists. The debate internally within the U.S. government in part rests on the degree to which incentives or pressures ought to be favored instruments for changing the behavior of the Sudanese regime, the Darfur rebels, and the GOSS. It is the view of this panel and the activist organizations that comprise the Darfur movement that the way forward should involve deeper diplomatic engagement that is rooted in multilateral pressures and the credible threat of significant consequences for policies or actions by Sudanese parties that undermine peace efforts and lead to worsening humanitarian conditions. In the absence of these pressures, and if incentives are all that are put forward, then failure is guaranteed.

Success will also require the construction of credible and effective processes that allow for the achievement of U.S. policy goals. First and foremost, the glaring lack of an effective peace process for Darfur calls out for greater U.S. leadership in constructing from the existing elements a revitalized process that has the chance of ending Darfur's war. Secondly, the U.S. should intensify its early efforts to revive the CPA and back these efforts with the construction of clear multilateral consequences for violations or non-implementation of key elements of the deal. U.S. policy must be shaped by the fact that these complex conflicts have a common core: flawed governance by a center that exploits and marginalizes an underdeveloped periphery. Not only does the CPA provide a roadmap for resolving the longest and bloodiest of these conflicts, but it also offers a framework for the kind of democratic, structural transformation necessary to alter the root cause of Sudan's many recurring conflicts. The successful model of the CPA could and should be replicated in a revitalized Darfur peace process. The U.S. cannot afford to allow the CPA to fail, nor can it allow the continuation of an ineffective Darfur process that obstructs any real possibility of peace.

Priorities for CPA Implementation

The troubling reality is that Sudan's North-South peace remains precarious at best. Given the mounting tensions between the North and South and the spate of violence in the South in recent months, deeper international engagement is required. Renewed Sudanese civil war could bring wholesale violence on a terrible scale while further destabilizing the entire region. I will focus the remainder of my testimony on the key priorities for the U.S. government in CPA implementation.

I am encouraged by recent positive steps by the Obama administration to prioritize CPA implementation and to revitalize international efforts to urge the Sudanese parties to work on an array of outstanding provisions in the agreement in the remaining year and a half. These new efforts should be followed up with an approach that penalizes failure of one of both of the Sudanese parties to implement key provisions of the agreement. The hard work begins now. It is time for the administration to pursue specific priorities in order to meet the key benchmarks in the crucial final stages of CPA implementation.

The U.S. must direct renewed energy and commitment toward the following strategic priorities:

1. **Protect the People:** Due to a worrisome upsurge in intercommunal violence, the death toll in the South this year now exceeds the number of violent deaths in Darfur in the same period, and as elections draw closer, instability may well increase. Tribal clashes are occurring among a heavily armed civilian population that the poorly disciplined southern army has proved incapable of securing. Some of the latest clashes highlight the flaws and dangers of the so-called the Joint Integrated Units, or JIUs, whose presence has often led greater violence, instability, and civilian casualties. The U.S. should take two specific measures to help improve security and decrease the risk of further violence in communities throughout the South:

- Work with the U.N. Security Council to ensure that the United Nations Mission in Sudan (UNMIS) has the necessary capacity to fulfill its mandate and protect civilians. The United States should lead efforts within the U.N. Security Council to strengthen UNMIS' ability to support the CPA, but this support must be matched with clearer strategic vision by UNMIS on how it can best allocate its resources to operationalize its mandate amidst ongoing security threats throughout the South. Other guarantors of the CPA can support UNMIS' efforts by contributing to coordinated programs such as security sector reform within the SPLA and by
- Encourage the Government of Southern Sudan (GoSS) to take leadership in promoting local peace-building initiatives to defuse tensions between communities that have taken up arms against each other.

2. **Build the "peace dividend":** Since the signing of the CPA, progress has been slow in providing basic infrastructure and services to the peripheral areas of Sudan. Insecurity and underdevelopment remain a fact of life for most Sudanese. As long as that is the case, the southern government will have difficulty consolidating the peace and holding together an ethnically divided South with competing political visions. The GoSS has also been hit hard by

the financial crisis, and is in need of significant economic support, but this support should be aimed specifically at capacity building efforts that can strengthen the fledgling government. Additional investments in agriculture and microcredit would make a difference on the ground for the people of southern Sudan, more than two million of whom have returned home to very little after decades of war.

3. Defuse North-South tensions: A number of contentious issues between the North and South must be resolved in next year and a half, all of which necessitate robust support from the international community in order to keep the negotiations and processes on track. The U.S. should direct renewed energy and commitment toward the following strategic priorities:

- Urge meaningful reforms from the Sudanese parties before the 2010 elections. The United States and other key actors, operating on a tight timeline, need to lower their expectations for the election and develop a multilateral strategy to press the Government of National Unity—the ruling National Congress Party in particular—to enact meaningful reforms regardless of who wins in 2010, revitalize CPA implementation, and establish a framework for talks in Darfur that are consistent with the power-sharing provisions of the CPA. There also has to be a clear and unified international posture with regard to addressing the issue of Darfur, given the near -impossibility of holding a free and fair ballot there
- Keep the parties on track in the dual processes of implementing the legal ruling on the boundaries of the Abyei region and demarcating the North-South border. Two crucial issues regarding contested borders between Sudan’s North and South need sustained attention from the international community. The failure to establish clear international penalties for a failure to implement these key CPA provisions such as the demarcation of the disputed North-South border has been a clear drag on the CPA. However, last week’s legal decision on the boundaries of Abyei—an oil-rich, contested region along the disputed North-South border within Sudan—is a crucial litmus test of the parties’ will to implement the CPA moving forward. Now that the ruling on Abyei has been accepted by both parties, the U.S., the U.N., and the rest of international community must follow through on its commitments to help implement the ruling and monitor the status of the demarcation of the Abyei boundaries by a
- Encourage negotiations between the NCP and SPLM on long-term wealth-sharing arrangements before the 2011 referendum. Track-two diplomatic efforts can get both parties to consider various scenarios for wealth sharing after the referendum and mitigate the likelihood that these discussions will short circuit into a zero-sum game leading directly to conflict after the referendum. Discussions of access to land for populations with diverse needs and livelihoods and planning for mutually beneficial development of oilfields in the contested border region could ease current tensions over border demarcation and generate momentum for further cooperation.
- Urge passage of the referendum law before the elections. Applying pressure on Sudan’s Government of National Unity to urge the National Assembly to review and pass the law on the southern referendum before the elections could reduce tensions between the parties

after the elections and enable preparations for the referendum to begin now. Once the law is passed and the Referendum Commission is created, potential disputes, such as questions over whether or not certain populations—such as southerners in Khartoum—are eligible to vote, can be addressed before tensions escalate in the immediate run-up to the referendum.

4. Prevent a return to war: The likelihood of a return to war between the North and South, or of conflict breaking out within the South, is real. An arms race between the Northern and Southern government is just one warning sign of a tenuous situation that could explode into outright conflict. Several preventive measures can mitigate the risks of violence in the run-up to the 2010 general elections and the 2011 referendum:

- Enhance efforts to professionalize and modernize the SPLA. The SPLA has struggled to transition from a guerilla movement to a formal army, a process complicated by attempts to integrate southern militias that opposed the SPLA during the war. To ensure that the south is stable and the GoSS can deliver a peace dividend, the SPLA must continue to modernize through a well-supported process of security sector transformation that improves discipline, command and control, capacity, and competency. Toward this end, the Obama administration should explore the sale of an air defense system to the GoSS. Although introducing new weapons systems into a volatile military environment could be interpreted as contrary to donors' responsibility to make unity attractive, it is in the interests of lasting stability that the GoSS spend money on defense wisely. Unlike the aforementioned refurbished tanks, an air defense is non-offensive and helps level the playing field by neutralizing the north's major tactical advantage in the event of renewed hostilities.

Comprehensive Peace: the Only Option in Sudan

Ending genocide in Darfur and fulfilling the promise of the Comprehensive Peace Agreement requires a comprehensive approach to Sudan rather than reactive crisis management. The U.S. must lead the international community in working now to ensure that the CPA does not collapse and spark a devastating new round of conflict in Sudan. With a significant diplomatic reinvestment in the CPA that prioritizes protecting civilians, building peace in the South, and defusing tensions between the North and South, the U.S. can help prevent the catastrophic consequences of a potential collapse of the CPA.

Testimony of Pa'gan Amum Okiech, SPLM Secretary General

Honorable Chairman Payne, Ranking member Smith and Members of the Subcommittee, thank you for calling this Hearing at this pivotal and critical moment in the history of Sudan and thank you for inviting me to testify before your august committee today. Sudan has reached the last phase of the Interim period at the end of which the future of its peoples and nationhood shall be decided. We are at a crossroad as a country: to be, or not be. Events of the upcoming few months will decisively determine our fate as a country and a people. Whether Sudan will become one peaceful and free country or separate into two countries peacefully co-existing shall be decided in large degree by how we the two parties SPLM and NCP implement the comprehensive Peace Agreement (CPA). Attempts to renege from the CPA shall lead to a catastrophic disaster of war again.

Sudan is an artificial state that has been at war with itself since independence due to the acute failure of the Northern Sudanese ruling elites, at Sudan's inception and throughout its years as an independent country, to develop an inclusive project of nation building that would have fused into a nation all the diverse peoples of Sudan brought together by colonial powers.

On the contrary, the Sudanese state was based on a policy of racial discrimination and religious oppression, where the African majority was excluded and Non-Muslims discriminated against. The imposition of an Arab Islamic narrow policy in an attempt to create a fundamentalist Arab-Islamic State resulted into the Sudanese state becoming a violent, fascist, and genocidal state at war against the majority of its citizens – the marginalized and the excluded Sudanese in the South, West, East, and the far North of the country.

In its 53 years of existence the Sudanese state has waged several civil wars against its own people, committing gross human rights atrocities, practicing ethnic cleansing and forced displacement of millions of the Sudanese people in the south and west of Sudan.

The state created tribal militias that plundered and destroyed large areas and populations in Sudan, resulting in the death of more than 4 million lives, and the displacement of around 10 million citizens from the South, Nuba Mountains, Blue Nile and western Sudan since independence.

The result has been a deep national crisis – where the Sudanese State became unwilling and incapable of serving and securing its citizens but bent on destroying their lives, this has been further aggravated by National Islamic Front (NCP/NIF) regime usurping power and declaring Jihad against the people of Sudan in the marginalized areas as well as in the centre. The Sudanese crisis therefore manifested itself in two forms - Multiple civil wars; and an unstable, violent and dictatorial system of government in Khartoum.

The Comprehensive Peace Agreement signed in 2005 constituted the most serious attempt to resolve the Sudanese crisis. It promised a transition from a totalitarian, dictatorial and violent regime to a democratic system of government. In the CPA the parties committed themselves to a fundamental restructuring of the Sudanese State and its organs by embarking on legal and constitutional reforms that ensures the protection of freedoms and fundamental human rights, the

rebuilding of the Sudanese civil service into a professional non partisan civil and public service, and the achievement of the independence of judiciary and rule of law.

This process of democratic transformation is obstructed by the NCP as it continues to curtail freedoms of expression and limit the political space, especially, for opposition parties in the country, and as it has in effect obstructed the reform of the civil service and the judiciary. On the other hand, the CPA promised the conduct of a referendum on self-determination for the people of Southern Sudan and Abyei, and popular consultation by the people of Southern Kordofan and Southern Blue Nile. To date, the NCP is delaying and obstructing the enactment of the legal instruments that would be the basis for the organization of the referendum and popular consultation. Furthermore, the NCP is dangerously now attempting to renege from its commitments to respect the right of self-determination for the people of Southern Sudan, and is attempting to use its majority in the parliament to impose an unattractive unity on the people of Southern Sudan and to deny the people of Southern Sudan the right to freely choose, including the option of separation. In flagrant violation of the terms of the CPA, the NCP is continuously arming civilians and other elements against the government of Southern Sudan with the aim to destabilize Southern Sudan.

The parties to the CPA have committed themselves to making unity attractive during the interim period. But in the last 4 years of the interim period, there has been no programs of making unity attractive implemented. Rather, the NCP has obstructed in many aspects the full implementation of the CPA, like in the case of Abyei, when the NCP reneged from its commitment to accept the ABC report as final and binding.

The NCP also has delayed the demarcation of the North-South Border, which should have been completed early in the interim period. The NCP has also refused to institute a transparent system of the management of the oil sector, and has frustrated the work of the Joint National Petroleum Commission. This led to the NCP's sole control of the oil sector, which it manages secretly throughout the interim period, denying the Government of Southern Sudan presence in the administration of oil production and in its sale and auction.

Consequently, the Government of Southern Sudan only receives its share from revenues that are declared by the NCP. In addition, the non-transparent manner of the management of the oil sector has led to serious environmental and social concerns that are not addressed, especially in Southern Sudan.

The Government of the United States of America has supported the people of Sudan in their efforts to end war and in the quest to achieve peace and respect for human rights. During the years, especially during the years of the rule of the NIF regime, the US Government imposed sanctions on Sudan for its violations of the human rights of the Sudanese people, and because of its policies to destabilize its neighbors, and for its support to international terrorism. This US engagement and policy resulted in the negotiations and signing of the CPA, ending the Civil war in the south, southern Kordofan and Blue Nile, as well as in the Eastern Sudan. Yet war continues in Darfur up to the present.

I believe that the United States' normalization of relations with Sudan should come as a result of the full implementation of the CPA, the achievement of Democratic transformation, through the conduct of a fair and free elections, and after the ending of the war in Darfur through a negotiated peace settlement that would be implemented and upheld.

It is only a peaceful and democratic Sudan that can have good relations with, and be in the interest of the United States Government and its people. I believe that the government and the people of the United States would best serve their interest and that of the Sudanese people by supporting the achievement of a comprehensive peace and democracy in Sudan through the pressuring, encouragement, engagement and cajoling of the parties to deliver concrete steps as provided in the CPA to bring about the necessary changes.

These days the National Congress Party would want to use the new posture of dialogue put forward by the Obama Administration to get the lifting of Sanctions, and the removal of Sudan's name from the list of States Sponsors of Terrorism and to normalize relations with United States of America, that would best be achieved if the NCP first normalizes its relations with the Sudanese people in Darfur by ending the war there and alleviating the suffering of the millions of the displaced, and in the South by fully implementing the CPA.

I believe that the lifting of sanctions should be linked to the full implementation of the CPA and to the resolution of the conflict in Darfur and any steps by the United States Government towards that end should be conditioned on the achievement of specific actions and concrete steps in building peace and transition to democracy. The following, among others, can be identified as concrete steps forward – the demarcation of borders; the adoption of the referendum law and a National Security Act that respects freedoms; the lifting of press censorship; the institution of a transparent oil sector; the implementation of the PCA decision of Abyei, and the achievement of a monitored Ceasefire in Darfur.

In Conclusion, the active engagement of the Government of the United States is crucial at this juncture and should focus on assisting the parties to fully implement the CPA and on holding them responsible and accountable to the fulfillment of their commitments – especially to the conduct of free and fair elections in 2010 and the conduct of the Referendum on self-determination by Jan 2011 for the people of Southern Sudan and the people of Abyei, and on working to with the parties to end the conflict in Darfur.

In an event that Southern Sudan chooses unity, there is a need for the United States to support the transformation of Sudan into a multicultural, democratic and peaceful state, in which all Sudanese would be equal citizens and stakeholders.

In the event that the people of Southern Sudan choose separation, it would be important that the United States assist the two states in the south and the north, to become stable and peaceful democracies.

The North would need assistance to end the conflict and gross human rights violations by Khartoum, in Darfur, far north and the east, and assistance in the resolution of the status of the Nuba Mountains and Blue Nile and their relations with the centre.

On the other hand, the state in the South would need to be supported in the development of state institutions capable of delivering efficient public administration and with a capacity to manage public resources, including oil sector management and anti-corruption abilities, and with the capability of securing peace, and law and order.

Sudan is at a crossroad it needs the support of the United States of America and the international community to be peaceful and free. And regardless of the result of the referendum: unity or separation the Sudanese people need freedom and peace as conditions to rebuild their lives and achieve prosperity.

Testimony of Ambassador Richard S. Williamson

Sudan: The Situation in Southern Sudan and the Status of the Comprehensive Peace Agreement

I want to thank Chairman Donald Payne and Ranking Member Chris Smith for holding this hearing on “Sudan: U.S. Policy and Implementation of the Comprehensive Peace Agreement.” Also, let me publicly acknowledge and thank Chairman Payne and Congressman Smith for their deep personal interest in Sudan and the support each of you gave me during my tenure as the President’s Special Envoy to Sudan.

Sudan has been a troubled and tragic land where countless innocents have suffered and millions have died as powerful men have engaged in terrible acts to cling to power. The history of Sudan’s center marginalizing people outside the general area of Khartoum stretches back at least to the occupation of Sudan during the Ottoman Empire, through the period of British occupation and it has continued since Sudan’s 1956 independence. This discrimination has been racial, religious and geographic and it has helped feed a cauldron of constant clashes and unending conflict.

Sudan

Sudan is geographically large, the largest country in Africa. Its topography and climate varies from the arid deserts of Darfur, to the lush jungles of the south, to the Nuba Mountains. It has a complex, difficult mix of races, ethnic groups, and religions. Dr. Mohamed Hassan Fadlalla has written in her book *Short History of Sudan*: “With about 600 ethnic groups speaking around 400 languages, [S]udan has one of the most complicated ethnical structures in the region and the world, with Nubia and dominantly Arabic tribes in the north...the Nilotic south of the country with black African tribes, the west with numerous African as well as Arabic tribes and the east part with dominantly non-Arabic tribes.”

Various groups have played that diversity to their advantage by accentuating divisions, pitting one group against another, and marginalizing regions and peoples. The consequent discontent and divisions have led to bloodshed.

However, I believe it is important to step back. I subscribe to the views of Professor Benjamin Valentino, who, in his insightful volume *Final Solutions: Mass Killing and Genocide in the 20th Century*, finds that “ethnic hatreds or discrimination...play a much smaller role in mass killing and genocide than is commonly assumed” and that “mass killing usually originates from a relatively small group of powerful leaders...[seeking] to accomplish leaders’ most important objectives, counter threats to their power, and solve their most difficult problems.”

And in Southern Sudan, during the long and brutal North/South Civil War, Africa’s longest, an estimated 2 million people perished. The Comprehensive Peace Agreement (CPA) was a monumental achievement toward beginning to overcome these religious, racial, ethnic and tribal divides. But the peace it brokered remains fragile, and the peace deal is neither simple nor neat. There still are legitimate and disturbing questions about Khartoum’s commitment to full implementation of the CPA. As we meet this afternoon, CPA implementation remains in danger.

North/South Civil War

An early consequence of the polarization resulting from Sudan's divisions and marginalization was the outbreak of the North/South Civil War in 1956 around the time Sudan gained independence. This became Africa's longest civil war. Except for a ten year interregnum in the 1970s and early 80s, this bloody, brutal conflict continued until 2005. The North's prosecution of the civil war was savage. Two million people died during this Civil War and over 4 million people were displaced.

Writing in 2003, Douglas Johns caught the way in which Sudan's North/South Civil War had metastasized into a confusing cauldron of catastrophic conflict defying easy categorization. In *The Root Causes of Sudan's Civil Wars*, he writes: The Sudan entered the twenty-first century mired in not one, but many civil wars. What had been seen in the 1980s as a war between North and South, Muslim against Christian, Arab against African has...broken the bounds of any North/South conflict. Fighting has spread into theatres outside the southern Sudan and beyond the Sudan's borders. Not only are Muslims fighting Muslims, but 'Africans' are fighting 'Africans:' A war once described as being fought over scarce resources is now being waged for total control of abundant oil reserves. The fact that the overall civil war, which is composed of these interlocking struggles, has continued for so long, far outlasting the international and regional political configurations which at one time seemed to direct and define it, is testimony to the intractability of the underlying causes of the conflict.

When President George W. Bush took office the murder, mayhem and misery of Sudan's North/South Civil War raged on. President Bush was well aware of the terrible toll paid by innocent Sudanese. In his first year in office he appointed Senator Jack Danforth as his first Presidential Special Envoy to Sudan. Senator Danforth worked tirelessly and effectively with Kenya, Norway, Britain and others bilaterally and within the Inter-Governmental Authority for Development (IGAD) sponsored talks to help broker a peace deal that had been illusive for decades. Against all odds, these efforts proved successful. In January 2005, thanks in large part to the commitment of President Bush and Senator Danforth, Sudan's Comprehensive Peace Agreement was signed. It was an amazing diplomatic achievement.

But like many other deals to end bloody, brutal wars, while it ended the large scale fighting, the agreement is imperfect and the peace fragile. The CPA is neither simple nor neat.

Like seeing a dog walk on its hind legs, it may not be pretty but nonetheless it is an amazing achievement.

The CPA ended the war, but it has a long, complex implementation process extending 6 years to 2011 when it stipulates that Southern Sudanese will exercise their basic right of selfdetermination.

In 2011, through a referendum the South will determine whether they remain part of Sudan or are granted independence. A referendum also will be held for Abyei, while popular consultations will be held for Southern Kordofan and Blue Nile State. During the interim, the CPA established

complex structures providing for political power sharing, border demarcation, wealth sharing, a national census, and national elections. As one would expect, both sides are using this time to relitigate aspects of the basic agreement by trying to change facts on the ground. This, in turn, has resulted in friction and deep disagreements. At times, violence has erupted. Many fundamental aspects of the deal have fallen behind schedule. Certain border areas remain contested. Demobilization of Arab militias remain incomplete. Census results have not been posted but they were rejected by the Sudan People's Liberation Movement in the south and all parties in the north except the ruling National Peoples Congress (NCP). The election stipulated to take place in 2009 has slipped to 2010, and so on.

Abyei town and its surrounding area has had a population of nearly 50,000 people. It lies in an oil rich area still contested by the North and South. In May, 2008, a local incident resulted in the killing of a Sudan Armed Forces (SAD) soldier. Over the next few days local actors engaged in a tit for tat escalation of violence that quickly spun out of control. And if had not been for the restraint and firm leadership of Salva Kiir, the President of the Government of Southern Sudan, the terrible Abyei flare up may well have enflamed all of South Kordofan and fractured the CPA beyond repair. As it was, over 50,000 were driven from their homes. There was looting and then this metropolis was burned to the ground. I visited Abyei just days later. Ruins were still smoldering. As far as one could see in every direction there was utter destruction. It looked like the apocalypse.

I've also visited Agok, a day's walk from Abyei, where most of the displaced persons relocated and survived the rainy season under plastic sheets dependent upon international assistance for food and meager health care. Many still have not returned home. The United States played a central role in developing the Abyei Roadmap to which both Khartoum and Juba agreed. Some progress has been made on implementing the Abyei Roadmap, but as is so often the case in Sudan, deadlines continue to be missed, implementation remains partial, and tensions rise. When all the innocent displaced people will be able to return is anyone's guess.

Going Forward

A key element of the Abyei Roadmap was the agreement to take the hotly contested issue of the boundary demarcation to the Permanent Court of Arbitration (PCA) in The Hague and both sides agreement to accept the PCA decision as final. The long legal arbitration process led to the PCA's complex ruling on July 22nd which re-drew Abyei's border. The bulk of the region including Abyei town, large areas of fertile land and the Difra oilfield remain in tact and, presumably, will choose to go to the South. Meanwhile the railway town of Meiram goes to the North. Also Abyei's new eastern border leaves the Heglig and Bamboo oilfields in the North. Furthermore a large area of grazing lands that had been within the South according to the 2005 Abyei Border Commission, now lies in the North. The good news is that the initial statements from both Khartoum and Juba have accepted the Permanent Court of Arbitration's decision. If it holds, these should ease tensions considerably in South Kordofan and allow both sides to give greater attention to other remaining challenges between now and the 2011 Referendum.

However, given the NCP's past behavior and rejection of the Abyei Borer Commission decision, concern lingers that the North will walk away from this deal.

Let me emphasize, Darfur's "genocide in slow motion" and implementation of the CPA are linked on many levels. Our own interests in regional stability, our humanitarian commitments and our drive for human rights must compel us to continue to provide persistent, principled and effective engagement in both Darfur and Southern Sudan.

We cannot let our attention wander from full CPA implementation. It is critically important that we not allow the CPA to unravel. A full scale renewed North/South war would quickly claim innumerable new victims. It will destabilize neighbors. It might lead to Sudan's descent into a failed state. And any chance for progress to solve the Darfur conflict will be lost.

The United States and our international partners must redouble our efforts to strengthen Southern Sudan. That is the most effective way to insure CPA implementation.

The United States and other international donors should adjust our substantial assistance from humanitarian aid to economic development. Southern Sudan, which is the size of Texas, has less than 3 kilometers of paved roads. The South has abundant, rich agricultural land. It has oil and other valuable mineral resources. Southern Sudan needs roads, bridges and other fundamental infrastructure. It needs small and large economic development projects. There is a desperate need for trained managers, in the Government of Southern Sudan and otherwise. We should have a program to bring two, three, four dozen of their best and brightest to American universities for 12-month management training.

Southern Sudan needs help in developing its political infrastructure to prepare for the upcoming elections. Party building, media laws, civil society development and so on are all needed.

And the international community should help Southern Sudan develop its military capacity. Under the CPA, Southern Sudan was allowed to keep its autonomous military units, the SPLA. The United States Government has built a modern headquarters outside Juba for the SPLA. We've engaged in various training exercises and supported military planning. This should continue and expand, including helping the South develop capabilities to neutralize Khartoum's aerial advantage.

We should encourage and assist the Government of Southern Sudan to provide its constituents with basic services: build roads, schools, and hospitals; and pass needed new laws, such as an anti-corruption law and a media law. A politically stronger south helps ensure that if the south votes for independence in 2011, it will be able to function as a viable state, and if the south opts for unity, it will be a full partner in a new Sudan. A militarily stronger south serves as a deterrent to aggression by the north, and ensures that if the south votes for independence in 2011, the SPLA will have the foundation to become a strong national military for the new state, and if the south opts for unity, the SPLA will be a full partner in the country's joint military.

Oil Revenue

Underneath the surface lies the issue of oil revenue. When Sudan's current government came to power in a coup d'etat in 1989, the country's total exports were valued at about \$500 million per annum. Today its exports are over \$9 billion per year. Almost the entire growth has been the result of the discovery and development of Sudan's oil reserves. Needless to say, this oil wealth is hotly contested. Approximately 40% of the oil reserve lies in the South. Much more is in

border areas between the North and the South. Undoubtedly, that is a major reason the NCP has been dragging their feet on finalizing the North/South border demarcation.

Both the North and South have grown deeply dependent upon oil revenue. The recent Abyei border demarcation as determined by the Permanent Court of Arbitration in The Hague, and accepted by both sides, is an enormous step forward in addressing oil related issues. However, questions relating to pipeline and refinery fees are significant. The United States and other interested countries should encourage Khartoum and Juba to discuss, negotiate and resolve these fee matters so they do not linger to endanger the 2011 referendum nor strain the delicate post-referendum environment if the people of Southern Sudan choose independence.

Also, related to oil revenue are matters internal to Southern Sudan. Many southerners are beneficiaries of the substantial oil revenue such as those working for the oil companies and Government of Southern Sudan civil service workers. However, many southerners see little or no benefit from the flow of oil revenue. This festering situation is creating resentment, tensions and divisions. Juba should be urged to address this difficulty to ensure all Southern Sudanese see themselves as beneficiaries of their oil reserves.

The Nuba Mountains and Blue Nile regions have too large a presence of SAF troops and face economic difficulties that need to be dealt with. The NCP has not let the National Assembly pass the Referendum Law for popular consultations in South Kordofan and Blue Nile as stipulated in the CPA. SAF redeployment from Southern Sudan as called for in the CPA has been slow. Thousands of SAF troops remain in South Sudan's oil region. And by the beginning of 2009, there still has not been full deployment of Joint Integrated Units.

Critically, Southern Sudan must deal with corruption issues. Corruption is endemic in too many countries, especially in less developed countries. Sudan is no exception. Juba is not adequately addressing their corruption problems especially in procurement activities. Unaddressed, corruption corrodes a government's legitimacy and its effectiveness. As friends and supporters of the Government of Southern Sudan, the United States and other donor countries must press the case for systematic, robust anti-corruption reforms.

The 2010 Election

Perhaps the biggest "showstopper" on the road to full CPA implementation is the CPA stipulated election in Sudan. Already, because of the many difficulties related to the election, the vote has been postponed from 2009 to 2010. Even with this delay, Sudan faces many hurdles to holding this election. As I've noted, the results of the census, a precondition for any possibility of a credible election, remain contested. But there are other very real and quite substantial issues.

The logistical and political challenges to a 2010 election include such matters as determining procedures to govern voting for internally displaced persons, and accreditation requirements for observers, registering voters, and creating and reviewing an estimated 1300 ballot styles. Sudan is behind in working out these matters and others.

The environment leading up to election day is critical to ensuring that a free and fair credible election takes place. Therefore it is important that Sudan's Government of National Unity, through the National Election Commission, the Legislative Assembly and other organizations, work to address the enabling environment for credible elections. This would include reforming laws governing the media, political parties, civil society, and the security sector in order that parties can freely assemble, candidates can freely campaign, and the media is free from censorship or other forms of intimidation.

The political space in which donors operate in the North continues to be very limited. US AID partners face ongoing difficulties in operating through or independently of the Government of Sudan's Humanitarian Aid Commission (HAC), including in obtaining registration visas and travel permits. The presence of international observers, throughout the political process as stipulated in the CPA, must be ensured.

Sudan's elections will be extremely complex and logistically challenging. Northerners will fill out eight ballots, while Southerners will fill out twelve. The six-level mixed system elections in Sudan will be daunting for the many who have never voted before. Sudan's high illiteracy rate, particularly in the South, will add to confusion. Consequently, civic and voter education must begin as soon as possible.

The United States has been eager to support election preparations and the conduct of elections as have many other donor countries. The commitments from the United States and the international community on these elections must be met. Last year, UNOPS estimated the cost of the elections will run between \$400 and \$500 million.

The holding of credible national elections will be the greatest test of the CPA to date. While Sudan has held elections several times, they never have been deemed free and fair nor credible according to internationally accepted standards. While the United States government, along with the international community, stands prepared to continue to provide technical and financial support to the process, it ultimately is the partners in Sudan's Government of National Unity who must commit to ensuring that Sudanese voices from North, South, East and West are heard.

If the 2010 vote is not free and fair, if it lacks legitimacy, it will strain the country and gravely threaten the Comprehensive Peace Agreement. Indeed, it is difficult to see a peaceful path to the 2011 referendum if the election fails. Great effort must be made by all parties to avoid irregularities, to avoid intimidation, to avoid anomalies that will render the vote unacceptable under internationally accepted standards.

Conclusion

Sudan is a country of enormous diversity. Former President Jimmy Carter wrote in his forward to Timothy Carney and Victoria Butler's book *Sudan: The Land and the People*: "Sudan is the most ethnically, geographically and culturally diverse country in Africa. Yet most people only think of it in terms of large-scale suffering and seemingly endless strife. Hundreds of ethnic groups from a mosaic of Arab and African; Muslim, Christian and animist; nomad and farmer. The brutality

of nearly twenty-five years of civil wars and a succession of humanitarian crisis have retarded economic development and obscured the possibility of creating a truly plural society. The peace agreement of January 9, 2005, brings an unprecedented opportunity for the people of Sudan to put violence behind them. Despite the enormous challenges, there is now the chance for all Sudanese to forge new ways to share the natural, cultural, and historic bounty of their country, living together in peace and mutual respect.”

Bottom line, the North/South conflict has deep roots in Sudan’s racial, ethnic and religious divisions which contributed to marginalization in education, health care, economics and political power. Khartoum prosecuted their campaign against the South with bloody, brutal, barbaric efficiency. The human toll has been enormous and the cost considerable in physical and psychological destruction. There are deep wounds in the South’s torn social fabric which to heal will take time, justice, rehabilitation, reconstruction and renewal. The CPA was a major achievement but full implementation remains uncertain and the peace fragile. The United States and others must be attentive and pro-active in helping Southern Sudan become stronger and in assuring full CPA implementation.

Testimony of Ambassador Susan E. Rice, U.S. Permanent Representative to the United Nations

Confronting New Challenges Facing United Nations Peacekeeping Operations

Chairman Berman, Ranking Member Ros-Lehtinen, Distinguished Members of the Committee, thank you for convening this hearing on the opportunities and challenges for international peacekeeping operations, particularly in Africa. I deeply appreciate the Committee's broad interest in these questions.

I am particularly pleased to make my first appearance on the Hill as U.S. Permanent Representative to the UN to discuss an issue that has enjoyed such strong bipartisan support for more than sixty years. From the Truman Administration's backing of the first dispatch of UN military observers to the Middle East in 1948, to the Bush Administration's support for unprecedented growth in UN peacekeeping between 2003 and 2008, the United States has repeatedly turned to UN peacekeeping as an essential instrument for advancing our security. Increasing the effectiveness and efficiency of peacekeeping is one of the Obama Administration's highest priorities at the United Nations. As you know, seven of the UN's 15 current peacekeeping operations are in Africa, accounting for some three-quarters of the military, police, and civilian peacekeepers that the UN has deployed world-wide.

The Administration recognizes that many of today's peacekeeping operations face significant limitations and challenges. But we believe it is important to continue the long and bipartisan tradition of U.S. support for UN peacekeeping because, like our predecessors, we also know that it addresses pressing international needs and serves our national interests.

UN Peacekeeping Is in Our National Interest

There are five compelling reasons why it is in the U.S. national interest to invest in UN peacekeeping.

First, UN peacekeeping delivers real results in conflict zones. UN peacekeepers can provide the political and practical reassurances warring parties need to agree to and implement an effective cease-fire. Their deployment can help limit or stop the escalation of armed conflict and stave off wider war. But today's UN operations do much more than just observe cease-fires. They provide security and access for humanitarian aid to reach the sick, the hungry, the vulnerable, and the desperate. They help protect vulnerable civilians and create the conditions that will let refugees return home. And, they help emerging democracies hold elections and strengthen the rule of law.

Many countries are more peaceful and stable today due to past and current UN peacekeeping efforts. They include Namibia, El Salvador, Cambodia, and Mozambique. More recently, UN peacekeepers helped avert an explosion of ethnic violence in Burundi, extend a fledgling government's authority in Sierra Leone, keep order in Liberia, and take back Cite Soleil from lawless gangs in Haiti. All of these countries, I should note, now enjoy democratically elected governments.

The U.S. appreciates these efforts—both because they offer millions of people the prospect of a more secure, prosperous, and dignified future and because they advance U.S. national security interests. With the help of UN peacekeeping, war-torn states are able to better provide for their citizens and better meet their international commitments and obligations, including protecting their borders; policing their territory; halting the flow of illicit arms, drugs and trade; and denying sanctuary to transnational terrorist groups such as al-Qaida.

UN peacekeepers also continue to play their more traditional role as cease fire monitors. This function remains extremely important – often providing the cover and confidence that states and non-state actors need to stop fighting and disengage their forces. We have witnessed this again and again over the decades – in Kashmir in 1949, the Suez crisis in 1956, Cyprus in 1964, the Golan Heights in 1974, Central America in 1989, and the Great Lakes in 1999.

Second, UN peacekeeping allows us to share the burden of creating a more peaceful and secure world. America simply cannot send our armed forces to every corner of the globe whenever war breaks out. Today, UN peacekeeping enlists the contributions of some 118 countries, which provide more than 93,000 troops and police to 15 different UN operations.

Many countries have stepped up impressively. African countries such as Egypt, Ethiopia, Ghana, Nigeria, Rwanda, and Senegal now provide most of the uniformed personnel in the seven UN peacekeeping operations on their continent. Argentina, Brazil, Chile and Uruguay supply thousands of troops and police for the UN mission in Haiti. Italy and France together have contributed more than 4,000 troops to the UN force in Lebanon. Countries from Asia and the Pacific have provided the majority of the UN peacekeepers in Timor-Leste for the past decade. As this suggests, countries come forward with personnel, by and large, because they have a clear stake in international peace and stability, especially in their own regions. But regional actors often cannot supply the numbers and capabilities that a given UN mission demands. Over the past decade, UN peacekeeping operations have often included battle-tested troops from Pakistan, Bangladesh, and India—by far the three largest contributors to UN operations, together providing almost 30,000 uniformed personnel and accounting for about a third of the UN troops and police deployed in Africa. Other countries—such as Nepal, Jordan, and, more recently, China and Indonesia—have increasingly demonstrated the ability and will to send large numbers of uniformed personnel to UN missions across the globe. We are grateful for all their efforts to help forge a safer, more decent world.

This is burden sharing at its most effective: The United States currently contributes 93 military and police personnel to UN peacekeeping missions—approximately 0.1 percent of all uniformed UN personnel deployed worldwide. Sixty-five countries contribute more than the United States, including the other four permanent members of the Security Council: China with 2,153; France with 1,879; Russia with 328; and the United Kingdom with 283. Many of these countries recognize the current factors that constrain our ability to play a more robust, direct role in peacekeeping. At the same time, they appreciate both the professionalism of the personnel that we do contribute and the significant enabling support we provide in such areas as training, equipping, and transportation of UN units.

Third, UN peacekeeping is cost-effective. The total cost of UN peacekeeping is expected to exceed \$7.75 billion this year. Yet, large as this figure is, it represents less than 1 percent of global military spending.

The United States contributes slightly more than a quarter of the annual costs for UN peacekeeping. The European Union countries and Japan together pay more than half the UN's peacekeeping bill. We estimate that the U.S. share of the Fiscal Year 2009 costs will reach \$2.2 billion. We are grateful to Congress for the appropriations that will enable us to make our payments in full during Fiscal Year 2009, as well as address arrears accrued from 2005 to 2008. \$2.2 billion is a lot of money, but the costs of inaction would likely be far greater, in both blood and treasure. That is particularly true if the absence of peacekeeping today were to compel us to resort to U.S. military intervention later on. According to a 2006 Government Accountability Office analysis, the U.S. contribution to the UN peacekeeping mission in Haiti was \$116 million for the first 14 months of the operation—roughly an eighth of the cost of a unilateral American mission of the same size and duration. That works out to 12 cents on the dollar—money that seems particularly well-spent when one recalls that the arrival of UN peacekeepers in Haiti let American troops depart without leaving chaos in their wake. UN blue helmets did the same thing to help us avoid a lengthy U.S. troop deployment in Liberia. Knowing that the Security Council had authorized deployment of a UN peacekeeping mission, U.S. troops handed over to Nigerian forces, who came under the UN flag two months later.

Fourth, the United Nations is uniquely able to mount multi-faceted missions. We have learned in Iraq, Afghanistan, and elsewhere how important it is to have an integrated, comprehensive approach. The UN has particular expertise here: it can pull political, military, police, humanitarian, human rights, electoral, and development activities together under the leadership of a single individual on the ground. And this involvement can be critical even in cases where the UN does not provide the troops; largely civilian UN missions in Kosovo, Iraq, and Afghanistan have assumed vitally important civilian and police responsibilities, working alongside U.S., NATO, and other forces. The Special Representatives of the UN Secretary-General who head these operations often play indispensable roles—mediating disputes, advising fledgling democracies, coordinating international assistance, and leading UN efforts in country.

Fifth, sometimes warring parties won't let other outside actors in—except for the UN. Governments, rebels, warlords, and other antagonists often don't want foreign forces in their country. But the UN's universal character and unique legitimacy can make it a little easier for some governments to decide to let constructive outsiders in. The UN's unmatched ability to draw forces from a range of countries and to choose effective, trusted international mission leaders can provide further reassurance. And the UN's political and development tools reduce the potential that peacekeepers will be seen as occupiers.

All of these factors make UN peacekeeping an effective and dynamic instrument for advancing U.S. interests. It relieves the burden on our brave men and women in uniform. It saves American lives and American dollars over the long run. It brings to bear unique expertise, versatility, and credibility. And it is often the only available option. As a veto-wielding permanent member of the Security Council, the U.S. exercises full control over where and when a UN operation is

established, and what tasks it is authorized to perform. Once we decide to adopt a peacekeeping mandate, it is in our national interest to promote its successful implementation.

The Key Challenges in UN Peacekeeping

At the same time, we must be clear about the very real challenges facing UN peacekeeping, especially its missions in Africa. Let me highlight three of them.

First, the sheer volume and growth of peacekeeping has put the UN and its missions under severe strain. Over the past six years, the UN has had to launch or expand eight missions in rapid succession. In 2003, the UN had about 36,000 uniformed personnel deployed around the world. Today, it has more than 93,000. And maintaining over 90,000 troops in the field requires training, preparing, and deploying a much larger number, in light of troop rotations every six months to one year.

This has meant drawing upon and supporting hundreds of thousands of military personnel. And during the same period, the UN has had to recruit tens of thousands of civilian personnel, including political officers, lawyers, human rights monitors, procurement experts, and logisticians.

UN officials are the first to acknowledge that it has been difficult to generate, recruit, and deploy the numbers of personnel required, while keeping quality high and ongoing improvements on track. A series of initiatives started in 2000 greatly enhanced the UN's administrative and logistical support capabilities, but they never envisaged the scale and scope of today's deployments. To take just one example, the 2000 reforms did not anticipate that, nine years later, UN peacekeeping operations would operate a fleet of 270 aircraft and 17,350 vehicles, consume \$1.75 million of fuel and 11 million liters of water every day, or require more than 17,000 procurement transactions valued at some \$1.43 billion in 2008 alone.

In 2007, UN member states approved UN Secretary-General Ban Ki-moon's proposals for further peacekeeping restructuring: doubling the number of senior peacekeeping managers at UN Headquarters, creating a new Department of Field Support and funding a few hundred additional positions to help manage the dramatic rise in activity. But as anyone who has ever run a large organization knows, managing restructuring, change, and growth simultaneously is a daunting challenge for the most capable and adaptable organizations. The UN has struggled to keep up through this period. Some key posts have only recently been filled, and many core business processes are still under review. The UN Departments of Peacekeeping Operations and Field Support have been beefed up on paper, but it will take time before the full tangible benefits materialize. There is still much more to be done.

Second, the UN is being asked to take on harder, riskier operations—often without the support and capabilities it needs from member states. The Security Council has recently given some very ambitious mandates to peacekeeping operations in Africa, such as protecting civilians under the threat of physical violence—including sexual violence—in vast and populous territories with limited infrastructure, faltering peace processes, ongoing hostilities, and uncooperative host governments.

Consider the difficulty of trying to tamp down the embers of the North-South conflict in Sudan, which has claimed the lives of more than 2 million Sudanese. The UN Mission in Sudan, or UNMIS, was established to help implement the 2005 Comprehensive Peace Agreement (CPA), which brought an end to decades of fighting. But the implementation of the CPA, in letter and in spirit, remains incomplete, and the parties continue to disagree on such issues as sharing power, distributing wealth and resources, and setting boundaries. So the North-South peace process is precarious. UNMIS depends on key international and regional actors to encourage the parties to abide by their commitments and address outstanding issues that could have grave implications for the future of Sudan.

The world is also asking a great deal of UNAMID, the hybrid African Union-UN mission in Darfur. Darfur is about the size of California, with a pre-war population of 6.5 million. Only twenty thousand peacekeepers are inherently limited in their ability to patrol territory so vast, and to protect so many civilians. Imagine how much more difficult their task becomes when the host government actively hinders their efforts, the parties balk at cease-fire talks, and the peacekeepers are deployed below their full operating capacity.

The Government of Sudan has repeatedly failed to cooperate with international peacekeepers and humanitarian workers, denying them freedom of movement and access, refusing entry visas for desperately needed personnel, blocking the delivery of critical logistics support, and even, on March 4, expelling 13 international non-governmental organizations and revoking the registrations of three Sudanese aid agencies that were doing lifesaving work to feed, shelter, and heal those huddled in Darfur's refugee camps. While President Obama's Special Envoy for Sudan, General Scott Gration, helped persuade the Government of Sudan to let four new humanitarian NGOs in, we continue to urge Khartoum to fill the gaps in critical humanitarian aid services and to improve its cooperation with UNAMID.

At this moment, UNAMID has only 69 percent of the 19,500 troops it was authorized to field and only 45 percent of its authorized police strength of 6,400. Providing logistics support to these troops is an additional challenge. Key supplies are brought through a single port, Port Sudan, on the other side of the country from the UN mission's headquarters in El-Fasher. Bureaucratic delays at customs are frequent. Then, the goods need to be transported over 1,200 miles on barely passable roads—about the same distance from Washington, DC, to Dallas, Texas. And UNAMID is not alone in facing logistics challenges and troop shortfalls: the UN mission across the border in Chad, MINURCAT, functions in equally remote locations and is now deployed at 46 percent, with European Union forces bridging the gap. The UN mission in the Democratic Republic of the Congo, MONUC, is yet to obtain and deploy the additional 3,000 troops that the Security Council authorized in November; they are expected to arrive in the next two to three months.

Beyond deployed strength, a peacekeeping force's capacity to operate effectively depends on several other factors, many of which are in short supply in the missions in Darfur, Chad, and the Democratic Republic of Congo. These factors include robust command-and-control arrangements; adequate training and equipment for the troops; the capacity to rapidly deploy and move forces in theater; readily available medical, engineering, intelligence, and aviation --

particularly helicopter -- units; and perhaps most importantly, the peacekeepers' capacity and determination to defend themselves and their mission mandate.

The United States has provided over \$100 million worth of heavy equipment and training, as well as \$17 million worth of airlift assistance, for African peacekeepers in Darfur. We helped secure a pledge of five tactical-helicopters for UNAMID from the Government of Ethiopia. But you may recall that UNAMID has been pleading with the international community for two years for 18 medium-sized utility helicopters and about 400 personnel to fly and maintain them— still to no avail. The missions in Chad and the Democratic Republic of Congo also lack critical helicopter units to enable them to quickly deploy to areas where vulnerable civilians need their help most.

Third, host governments often lack the security and rule-of-law capacities needed to take over successfully from the UN peacekeepers when they depart.

Let me offer just a few examples. Liberia has made considerable progress during the six years that the UN Mission, UNMIL, has been on the ground—as I saw for myself in May, when I led a UN Security Council mission there. But Liberia still has far to go. The will to pursue peace and development is present at the highest level of government, but the state capacity to sustain it is not. Liberia's army, police, justice, and prisons systems are very weak; poverty, unemployment, and violent crime are high; disputes over land and ethnicity persist. The country's hard-won progress could unravel if UN peacekeepers leave too soon.

Even more daunting challenges face the Democratic Republic of the Congo—a vast country the size of the United States east of the Mississippi, with a population nearly twice that of California. The DRC has scant paved roads and few functioning courts, prisons, or municipal governments. Its national army and police have only recently been cobbled together, sometimes by bringing together former foes. Few security personnel are educated; most are barely paid, if at all. The country also suffers from a culture of impunity, where illegal armed groups, as well as members of the armed forces (FARDC) and national police, are responsible for staggering numbers of cases of horrific sexual violence and human rights abuses.

The Administration strongly supports the steps that the UN mission in the DRC has taken to better protect civilians from rape, assault, and murder, including Joint Protection Teams, rapid-response cells, and quick-reaction military units. But Congolese security institutions will have to be significantly strengthened and the rule of law significantly deepened to make a lasting difference.

Our Strategy for the Way Forward

It will take concerted action by many actors to meet the difficult challenges facing UN peacekeeping. It will also take U.S. leadership—in areas where we are uniquely able to provide it. The new Administration is already moving on six particularly important fronts.

First, we are working with our fellow Security Council members to provide credible and achievable mandates for UN peacekeeping operations. We are also currently negotiating a

Presidential Statement that would outline a better process for formulating peacekeeping mandates, and measuring progress in their implementation.

We have demonstrated our commitment to resist unachievable or ill-conceived mandates by opposing in present circumstances the establishment of a UN peacekeeping operation in Somalia. Peacekeeping missions are not always the right answer; some situations require other types of military deployments, such as UN authorized regional efforts or regional or multinational forces operating under the framework of a lead nation. UN peacekeepers cannot do everything and go everywhere. There are limits to what they can accomplish, especially in the midst of a full-blown war or in the face of opposition from the host government. And effective mediation must precede and accompany all peacekeeping efforts, if they are to succeed. Thus, we are urging the Council to continue to weigh the full range of responses to a given challenge.

At the same time, poorly armed and disorganized gangs, rebel groups, and others outside a peace process should not be allowed to thwart a peacekeeping mandate or block a UN deployment. That is why the Security Council often must authorize peacekeepers to use appropriate force to defend themselves and fulfill their mandate, including protecting civilians under imminent threat of violence. They must be willing and able to do so.

Second, we are breathing new life into faltering peace processes where peacekeeping operations are currently deployed. Our objective is to get the parties in fragile peace talks to abide by their commitments, cooperate with peacekeepers, and build mutual trust. Our most immediate priorities in Africa are Darfur and Sudan's North-South peace process, the Great Lakes region, and the Horn of Africa. Sudan Special Envoy Gration is working closely with the UN-AU Joint Chief Mediator, Djibril Bassolé, to reenergize the Darfur peace process. He has traveled extensively to the region and met with representatives from Chad, Qatar, Egypt, Libya, and other parties, such as China, that can influence Khartoum and Darfur's rebels. Special Envoy Gration has also worked tirelessly to reinvigorate the Comprehensive Peace Agreement and resolve the issues that might threaten a sustainable, long-term peace. His efforts include recently hosting a conference on this subject in Washington that was attended by more than 30 countries and organizations. And last week he helped to smooth all parties' acceptance of the potentially explosive, but thankfully well accepted ruling of the Permanent Court of Justice on the disputed Abyei region.

We also seek to support the work of MINURCAT, the UN mission in the Central African Republic and Chad. Established in 2007 out of recognition that the Darfur conflict has important regional dimensions, the long-term success of MINURCAT relies heavily on improved relations between the governments of Sudan and Chad. So the United States continues to urge both countries to implement the May 3 Doha accord and honor their previous agreements. U.S. officials have also met at the highest levels with Sudanese and Chadian officials, as well as other international actors, to push the parties to end cross-border support for the warring factions and demonstrate a commitment to normal relations.

Improved relations between the Democratic Republic of the Congo and Rwanda played a key role in defusing the crisis in the eastern DRC last year. The United States welcomed this development and encouraged President Kabila of the DRC and President Kagame of Rwanda to

broaden and deepen their countries' relationship. Further rapprochement would help create the conditions in the eastern DRC that would allow for MONUC to reduce its size, and ultimately depart.

Where such diplomatic efforts, pursued with many other partners, succeed, they will dramatically improve the safety of civilians menaced by physical violence, including sexual and gender-based violence, in Darfur, the Democratic Republic of the Congo, and elsewhere. But the U.S. can afford no illusions. Some of the actors involved have long histories of lofty pledges and paltry results. We will not take merely the word of those who have committed genocide and crimes against humanity. We will insist on verifiable, significant and lasting action before we offer meaningful rewards.

Third, we will do more to help expand the pool of willing and capable troop and police contributors. Our immediate priority is to help secure the capabilities that the missions in Darfur, Chad, and the Democratic Republic of Congo need to better protect civilians under imminent threat. But we are also pursuing more long-term efforts.

Since 2005, the U.S. Global Peace Operations Initiative, or GPOI, and its African component, ACOTA, have focused on training the peacekeepers needed to meet the spike in global demand. As of June 30, the program had trained more than 81,000 peacekeepers and helped deploy nearly 50,000 of them to peacekeeping operations around the world. More than 10,000 of these forces are deployed or will deploy imminently to Darfur, and another six thousand to the DRC. In February, ACOTA started training troops bound for Chad, in addition to non-African missions, such as in Lebanon.

Nonetheless, we recognize that more attention to quality and sustainability are needed. So we have shifted GPOI's focus toward helping develop the ability of troop-contributing countries to be fully self-sufficient. We are training trainers. This approach, over time, will consistently yield higher numbers of capable peacekeepers. We must also do more to ensure that peacekeepers have access to vital equipment, particularly in Africa. This means not only providing equipment packages, such as those provided to UNAMID-bound peacekeepers, but also supporting equipment facilities in Africa and elsewhere.

The State Department's Bureau of International Narcotics and Law Enforcement is also training the Formed Police Units, or FPU, that are so urgently needed in peacekeeping missions today. GPOI also helps meet this need through its support for the Center of Excellence for Stability Police Units (COESPU), located in Italy. Productive as these efforts have been, they are not enough. The Administration intends to develop more Formed Police Unit capacities in willing countries and help provide the infrastructure and material for FPU in countries that are interested in increasing their support for UN peacekeeping.

Still, several UN missions need much more help than that. For this reason, the Administration is exploring the possibility of partnering with nations that share both an interest in seeing UN peacekeeping succeed and who possess some of the key assets needed by UN operations, such as tactical helicopters, engineers, highly mobile infantry units, and Formed Police Units that specialize in crowd control. We expect an exploratory meeting to be held in the fall.

We must also prime the pump to generate more peacekeepers. Other countries' willingness to provide troops and police is likely to increase if they see that key Security Council members, including the United States, not only value their sacrifice but respect their concerns. We will intensify our dialogue with current and potential troop- and police-contributing nations—to better understand their concerns and to spell out our expectations. Our top priorities will be talks with states or regional groupings that could contribute combat-ready, battalion and brigade-size forces—the all-important units that could join, reinforce, or buy time for UN peacekeepers during a crisis.

The United States, for its part, is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women—to UN peacekeeping operations. We will also explore ways to provide enabling assistance to peacekeeping missions, either by ourselves or together with partners.

Fourth, we will consider ways to do more to build up host governments' security sectors and rule-of-law institutions. Our immediate priorities are Haiti, Liberia, and the DRC—three places where such efforts could help let UN peacekeeping missions depart sooner. But in all three countries, the road to success will not be a short one. In Haiti, our bilateral assistance is aligned with the Haitian government's priorities of economic growth and sustainable development, and supports reform of the judiciary and strengthening of the Haitian National Police. The Administration is undertaking a comprehensive review of our assistance to Haiti to identify ways it could have greater and more lasting impact.

Liberia has made some progress establishing its Armed Forces, with the help of the United States. Now, we need to turn greater attention to assisting the Liberian government to strengthen and reform its police and justice sectors, which are lagging behind.

In the DRC, the United States and our European Union partners are expending considerable resources to train and equip local soldiers and police, including to respond more effectively to sexual and gender based violence (SGBV). Important as these train and equip programs are, they are not enough. The DRC needs a comprehensive plan for meeting the oversight, management, and resource requirements of the security sector, especially the Armed Forces of the Democratic Republic of Congo (FARDC). We need to work with international partners to help the Congolese elaborate and implement it.

As a host government's capacities grow, the role of a UN mission can be reduced. But we will not be rushed out of lasting results. We have made it abundantly clear to our Security Council partners that while we seek to lessen the UN's peacekeeping load, as appropriate, we will not support arbitrary or abrupt efforts to downsize or terminate missions.

Fifth, will continue close collaboration between the UN and regional organizations, especially the African Union (AU). Without sufficient support for regional operations, the road to successful UN operations can be longer and more treacherous. Regionally-run peacekeeping operations can sometimes be an effective early component of efforts to bring stability to a conflict zone. We will therefore continue to help to strengthen the AU in several areas including mission management, logistics, budgeting, and meeting equipment standards.

We are also willing to share with our African partners best practices, doctrine and lessons learned from the experiences of the Civilian Response Corps in the Office of the Coordinator for Reconstruction and Stabilization. The Civilian Response Corps is preparing a cadre of trained civilian experts, from eight federal agencies and departments, who could deploy when needed to assist in critical reconstruction and stabilization efforts in Africa and elsewhere.

And finally, the United States will pursue a new generation of peacekeeping reforms at the UN Secretariat. We will support reforms that help achieve economies of scale and realize cost savings; that strengthen oversight, transparency, and accountability; that improve field personnel and procurement systems; that strengthen the process of mission planning; that reduce deployment delays; that encourage stronger mission leadership; and that clarify the roles and responsibilities of all UN actors, in the field and at headquarters.

The Administration will also encourage reform efforts that elevate performance standards and prevent fraud and abuse, including sexual exploitation. The United States continues to play a leading role in international efforts to ensure that UN peacekeepers—military, police and civilian—neither exploit nor abuse the vulnerable people they have been sent to protect. The UN has taken several critical steps in recent years to establish and implement a zero-tolerance policy for sexual exploitation and abuse by UN peacekeeping personnel—including establishing a well-publicized code of conduct and creating Conduct and Discipline Units in the field to perform training, carry out initial investigations, and support victims. In recent days, the MONUC force commander sent a mission to the eastern Democratic Republic of the Congo to reinforce preventive measures against sexual exploitation and abuse by peacekeepers. The Administration strongly supports these measures, and we will remain vigilant to ensure that they are implemented effectively.

Finally, another key reform area that often gets short shrift is, simply, leadership. The right UN Special Representatives, commanders and managers can make all the difference in the world. They can point to dangers that others may not see; spur action that some wish to shirk; cool the fury of those bent on war; and solve problems that defeat others. Some truly extraordinary individuals have served and are serving the UN, but there aren't enough of them. We must do more to identify, support, and empower the commanders and leaders that peacekeeping missions need in order to succeed, especially qualified women.

Conclusion

Chairman Berman, Ranking Member Ros-Lehtinen, Distinguished Members, I hope that this provides a helpful starting place for our discussions today. It is pragmatism and a clear sense of America's interests that drives us to support UN peacekeeping today. But it is also pragmatism and principle that drive us to pursue critical reforms of this important national security tool. We need peacekeeping missions that are planned well, deployed quickly, budgeted realistically, equipped seriously, led ably, and ended responsibly. I look forward to your good counsel and your continued support as we work together to build a more secure America and a more peaceful world.

It's a pleasure to be with you today. Thank you again. I look forward to your questions.

**Testimony of Brett D. Schaefer, Jay Kingham Fellow in International Regulatory Affairs,
Margaret Thatcher Center for Freedom, The Heritage Foundation**

United Nations Peacekeeping: Challenges and Opportunities

One of the United Nations' primary responsibilities—and the one with which Americans most agree—is to help maintain international peace and security. The ability of the U.N. to undertake peacekeeping operations during its first 45 years was greatly hindered by Cold War rivalries. Since the end of the Cold War, however, the U.N. Security Council has been far more active in establishing peacekeeping operations. After an initial post-Cold War surge, the enthusiasm for U.N. peacekeeping missions was reversed by the debacles in Somalia, Rwanda, and Bosnia, and missteps in these missions led to a necessary reevaluation of U.N. peacekeeping.

However, as troubling situations have arisen in recent years, many of them in Africa, the Security Council has found itself under pressure to respond and “do something.” The response, for better or worse, has often been to establish yet another peacekeeping operation.

U.N. peacekeeping is now being conducted with unprecedented pace, scope, and ambition, and increasing demands have revealed ongoing, serious flaws. Specifically, audits and investigations over the past few years have revealed substantial problems with mismanagement, fraud, and corruption in procurement for U.N. peacekeeping, and incidents of sexual exploitation and abuse by U.N. peacekeepers and civilian personnel have been shockingly widespread.

While the U.N. has limited authority to discipline peacekeepers who commit such crimes, it has failed to take steps that are within its power to hold nations accountable when they fail to investigate or punish their troops' misconduct. The U.N. Security Council has also yielded to pressure to “do something” in situations like Darfur and is considering intervention in Somalia even though it violates the central lesson learned in the 1990s—emphasized in the 2000 *Report of the Panel on United Nations Peace Operations*—that “the United Nations does not wage war.”¹

U.N. peacekeeping operations can be useful and successful if entered into with an awareness of the limitations and weaknesses of U.N. peacekeeping. This awareness is crucial, because there is little indication that the demand for U.N. peacekeeping will decline in the foreseeable future. This requires the U.S. to press for substantial changes to address serious problems with U.N. peacekeeping. Without fundamental reform, these problems will likely continue and expand, undermining the U.N.'s credibility and ability to accomplish one of its key stated missions: maintaining international peace and security.

U.N. Peacekeeping

Within the U.N. system, the U.N. Charter places the principal responsibility for maintaining international peace and security on the Security Council.² The Charter gives the Security Council extensive powers to investigate disputes to determine whether they endanger international peace and security; to call on participants in a dispute to settle the conflict through

peaceful negotiation; to impose economic, travel, and diplomatic sanctions; and ultimately to authorize the use of military force.³

This robust vision of the U.N. as a key vehicle for maintaining international peace and security quickly ran afoul of the interests of member states, particularly during the Cold War when opposing alliances largely prevented the U.N. from taking decisive action—except when the interests of the major powers were minimally involved.

As a result, between 1945 and 1990, the United Nations established only 18 peace operations, despite a multitude of conflicts that threatened international peace and security to greater or lesser degree.⁴ Traditionally, Security Council authorizations of military force have involved deployments into relatively low-risk situations such as truce monitoring. The bulk of these peace operations were factfinding missions, observer missions, and other roles in assisting peace processes in which the parties had agreed to cease hostilities.⁵ U.N. peace operations were rarely authorized with the expectation that they would involve the use of force.⁶

Since the end of the Cold War, the U.N. Security Council has been far more active in establishing peace operations. In the early 1990s, crises in the Balkans, Somalia, and Cambodia led to a dramatic increase in missions. The debacle in Somalia and the failure of U.N. peacekeepers to intervene and prevent the 1994 genocide in Rwanda or to stop the 1995 massacre in Srebrenica, Bosnia, however, led to a necessary skepticism about U.N. peacekeeping.

This lull was short-lived. With a number of troubling situations, many of them in Africa, receiving increasing attention from the media in recent years, the Security Council has found itself under pressure to respond and “do something.” The response, for better or worse, has often been to establish another peacekeeping operation.

The Security Council has approved more than 40 new peace operations since 1990. Half of all current peacekeeping operations have been authorized since 2000. These post-1990 operations often have involved mandates beyond traditional peacekeeping in terms of scope, purpose, and responsibilities.

Moreover, these missions often have been focused on quelling civil wars, reflecting a change in the nature of conflict from inter-state conflict between nations to intra-state conflict within nations.⁷

This expansion of risk and responsibilities was justified by pointing out the international consequences of the conflict, such as refugees fleeing to neighboring countries or widespread conflict and instability. As a result, from a rather modest history of monitoring cease-fires, demilitarized zones, and post-conflict security, U.N. peace operations have expanded to include multiple responsibilities, including more complex military interventions, civilian police duties, human rights interventions, reconstruction, overseeing elections, and post-conflict reconstruction.⁸ Such actions, while they may be justified in some cases, represent a dramatic shift from earlier doctrine.

At the end of June 2009, there were 16 U.N. peacekeeping operations and another two political or peace-building operations⁹ directed and supported by the U.N. Department of Peacekeeping Operations (DPKO). Eight of these operations, including political missions, were in Africa (Burundi, Central African Republic and Chad, Côte d'Ivoire, Darfur, Democratic Republic of Congo, Liberia, Sudan, and Western Sahara); one was in the Caribbean (Haiti); three were in Europe (Cyprus, Georgia,¹⁰ and Kosovo); and the remaining six missions were in the Middle East (Lebanon, the Syrian Golan Heights, and a regionwide mission) and Asia (Afghanistan, East Timor, and India and Pakistan).

The size and expense of U.N. peace operations have risen to unprecedented levels. The 16 peacekeeping missions cited above involved some 93,000 uniformed personnel from 118 countries, including over 74,000 troops, over 2,000 military observers, and about 11,000 police personnel. There were also over 20,000 U.N. volunteers and other international and local civilian personnel employed in these operations. Additionally, more than 2,000 military observers, police, international and local civilians, and U.N. volunteers were involved in the two political or peace-building missions directed and supported by the DPKO.¹¹

All told, including international and local civilian personnel and U.N. volunteers, the personnel involved in U.N. peacekeeping, political, or peace-building operations overseen by the DPKO totaled more than 115,000 at the end of June 2009. These operations involved the deployment of more uniformed personnel than were deployed by any single nation in the world other than the United States. (See Attached Table.) This activity has led to a dramatically increased budget. The approved budget for the DPKO—just one department in the U.N. Secretariat—from July 1, 2009, to June 30, 2010, was \$7.75 billion.¹² This is approximately a threefold increase in budget and personnel since 2003.¹³

By comparison, the annual peacekeeping budget is roughly triple the size of the annualized U.N. regular biennial 2008–2009 budget for the rest of the Secretariat. In general, the U.S. has supported the expansion of U.N. peacekeeping. Multiple administrations have concluded that it is in America's interest to support U.N. operations as a useful, cost-effective way to influence situations that affect the U.S. national interest but do not require direct U.S. intervention.

Although the U.N. peacekeeping record includes significant failures, U.N. peace operations overall have proven to be a convenient multilateral means for addressing humanitarian concerns in situations where conflict or instability make civilians vulnerable to atrocities, for promoting peace efforts, and for supporting the transition to democracy and post-conflict rebuilding.

The U.S. contributes the greatest share of funding for peacekeeping operations. All permanent members of the Security Council—China, France, Russia, the United Kingdom, and the United States—are charged a premium above their regular assessment rate. Specifically, the U.S. is assessed 22 percent of the U.N. regular budget, but the U.N. peacekeeping budget assessment for the U.S. is just under 26 percent for 2009. China is assessed 3.15 percent; France, 7.4 percent; Russia, 1.4 percent; and the U.K., 7.8 percent for the U.N. peacekeeping budget.¹⁴ Thus, the U.S. is assessed more than all of the other permanent members combined. Japan and Germany, even though they are not permanent members of the Security Council, rank second and third in assessments at 16.6 percent and 8.6 percent, respectively.

Based on the U.N.'s budget of \$7.75 billion for peacekeeping from July 1, 2009, to June 20, 2010, the U.S. will be asked to pay more than \$2 billion for U.N. peacekeeping activities over that time.¹⁵ The 30-plus countries assessed the lowest rate of 0.0001 percent of the peacekeeping budget for will be assessed approximately \$7,750 each.¹⁶

Although the U.S. and other developed countries regularly provide transportation (particularly airlift) and logistic support for U.N. peacekeeping, many developed countries that possess trained personnel and other essential resources are reluctant to participate directly in U.N. peace operations. The five permanent members contributed a total of 5 percent of U.N. uniformed personnel as of June 30, 2009.¹⁷ The U.S. contribution totaled 10 troops, 9 military observers, and 74 police. This is roughly comparable to Russia and the U.K., which contributed 328 and 283 uniformed personnel, respectively.

China and France contributed more at 2,153 and 1,879 personnel, respectively. The top 10 contributors of uniformed personnel to U.N. operations, which together account for slightly less than 60 percent of the total, are nearly all developing countries: Pakistan (10,603); Bangladesh (9,982); India (8,607); Nigeria (5,960); Nepal (4,148); Rwanda (3,584); Jordan (3,231); Ghana (3,159); Egypt (2,956); and Italy (2,690).¹⁸ A number of reasons account for this situation, including the fact that major contributors often use U.N. peacekeeping as a form of training and income.¹⁹ While the U.S. clearly should support U.N. peacekeeping operations when they support America's national interests, broadening U.N. peace operations into non-traditional missions, such as peace enforcement, and the inability to garner broad international support in terms of troop contributions, logistics support, and funding raise legitimate questions as to whether or not the U.N. should be engaged in the current number of missions and whether these situations are best addressed through the U.N. or through regional, multilateral, or *ad hoc* efforts. Specifically, there are strong indications that the system as currently structured is incapable of meeting its responsibilities. Indisputably, the unprecedented frequency and size of recent U.N. deployments and their resulting financial demands have challenged and overwhelmed the capabilities of the U.N. Department of Peacekeeping Operations. As noted by DPKO in its new *Charting a New Horizon for UN Peacekeeping* report, "The scope and magnitude of UN field operations today is straining the Secretariat infrastructure that was not designed for current levels of activity."²⁰ This stress has contributed to serious problems of mismanagement, misconduct, poor planning, corruption, sexual abuse by U.N. personnel, unclear mandates, and other weak nesses.

Mismanagement, Fraud, and Corruption

The U.N., as illustrated by numerous instances in recent years of mismanagement and corruption unearthed by investigations of the Office of Internal Oversight Services (OIOS) and the now defunct U.N. Procurement Task Force,²¹ has proven to be susceptible to mismanagement, fraud, and corruption. This also applies to U.N. peacekeeping.

For instance, the U.N. Secretariat procured more than \$1.6 billion in goods and services in 2005, mostly to support peacekeeping. An OIOS audit of \$1 billion in DPKO procurement contracts over a sixyear period found that at least \$265 million was subject to waste, fraud, or abuse.²² The U.S. Government Accountability Office concluded:

While the U.N. Department of Management is responsible for UN procurement, field procurement staff are instead supervised by the U.N. Department of Peacekeeping Operations, which currently lacks the expertise and capacities needed to manage field procurement activities.²³

The Department of Management and the DPKO accepted a majority of the 32 OIOS audit recommendations for addressing the findings.²⁴ A Department of Field Support was also created in 2007 to oversee support for peacekeeping operations, including personnel, finance, technology, and logistics.

However, recent reports indicate that these new procedures may not be sufficient to prevent a recurrence of fraud and corruption. Specifically, according to a 2007 OIOS report, an examination of \$1.4 billion worth of peacekeeping contracts turned up “significant” corruption schemes that tainted contracts involving more than \$619 million—over *40 percent* of the total value of the contracts.²⁵ At the time of the report, the task force had looked at only seven of the 18 U.N. peacekeeping missions that were operational over the period of the investigation. A report on the audit of the U.N. mission in Sudan revealed tens of millions of dollars lost to mismanagement and waste and substantial indications of fraud and corruption.²⁶

Moreover, the OIOS revealed in 2008 that it was investigating about 250 instances of wrongdoing ranging from sexual abuse by peacekeepers to financial irregularities. According to Inga-Britt Ahlenius, head of the OIOS, “We can say that we found mismanagement and fraud and corruption to an extent we didn’t really expect.”²⁷

Worse, even the OIOS seems to be susceptible to improper influence. Allegations were made in 2006 that U.N. peacekeepers had illegal dealings with Congolese militias, including gold smuggling and arms trafficking. The lead OIOS investigator in charge of investigating the charges against the U.N. peacekeepers in the Congo found the allegations of abuses by Pakistani peacekeepers to be “credible,” but the “the investigation was taken away from my team after we resisted what we saw as attempts to influence the outcome. My fellow team members and I were appalled to see that the oversight office’s final report was little short of a whitewash.”²⁸ The BBC and Human Rights Watch provided evidence that the U.N. covered up evidence of wrongdoing by its peacekeepers in Congo.²⁹

The absence of a truly independent inspector general at the U.N. is an ongoing problem. It underscores the irresponsibility of the U.N. in refusing to extend the mandate the independent U.N. Procurement Task Force, ³⁰ which was making strong inroads on uncovering mismanagement, fraud and corruption in U.N. procurement. The U.N. needs more independent oversight, not less -- especially since U.N. procurement has increased rapidly along with the number and size of peacekeeping missions.

According to the U.N. Department of Field Support, total value for U.N. peacekeeping procurement transactions was \$1.43 billion in 2008.³¹ If this procurement follows previous patterns revealed by Procurement Task Force and OIOS investigations, some 40 percent (nearly \$600 million) of this procurement could be tainted by fraud.

Sexual Misconduct

In recent years, there have been numerous reports of serious crimes and sexual misconduct committed by U.N. personnel, from rape to the forced prostitution of women and young girls. The most notorious of these reports have involved the U.N. Mission in the Democratic Republic of Congo (MONUC). However, allegations and confirmed incidents of sexual exploitation and abuse by U.N. personnel have also occurred in Bosnia, Burundi, Cambodia, Congo, Guinea, Haiti, Kosovo, Liberia, Sierra Leone, and Sudan.³²

The alleged perpetrators of these abuses include U.N. military and civilian personnel from a number of U.N. member states involved in peace operations and from U.N. funds and programs. The victims are often refugees—many of them children—who have been terrorized by years of war and look to U.N. peacekeepers for safety and protection.³³ In addition to the horrible mistreatment of those who are under the protection of the U.N., sexual exploitation and abuse undermine the credibility of U.N. peace operations and must be addressed through an effective plan and commitment to end abuses and ensure accountability.³⁴

After intense lobbying by the U.S. Department of State and the U.S. Mission to the United Nations, as well as pressure from several key Members of Congress, the U.N. Secretariat agreed to adopt stricter requirements for peacekeeping troops and their contributing countries.³⁵ The U.S. also helped the DPKO to publish a resource manual on trafficking for U.N. peacekeepers. In 2005, Prince Zeid Ra'ad Al-Hussein of Jordan, the Secretary-General's adviser on sexual exploitation and abuse by U.N. peacekeepers, submitted his report to the Secretary-General with recommendations on how to address the sexual abuse problem, including imposing a uniform standard of conduct, conducting professional investigations, and holding troop-contributing countries accountable for the actions of their soldiers and for enforcing proper disciplinary action. In June 2005, the General Assembly adopted the recommendations in principle, and some recommendations have been implemented. Contact and discipline teams are now present in many U.N. peacekeeping missions, and troops are now required to undergo briefing and training on behavior and conduct.³⁶

Tragically, this does not seem to have addressed the problem adequately. In May 2008, the international nonprofit Save the Children accused aid workers and peacekeepers of sexually abusing young children in war zones and disaster zones in Ivory Coast, southern Sudan, and Haiti—and going largely unpunished. U.N. peacekeepers were deemed most likely to be responsible for abuse. According to a report issued by Save the Children, “Children as young as six are trading sex with aid workers and peacekeepers in exchange for food, money, soap and, in very few cases, luxury items such as mobile phones.”³⁷

A 2009 report found that, while the overall number of misconduct allegations against U.N. peacekeepers in the Democratic Republic of the Congo operation was down in 2008 from 2007, the frequency of offences was still unacceptably high. Specifically, there were 56 instances of serious offences in 2008 including 38 instances of alleged sexual abuse and exploitation. There were also 202 reported allegations of lesser offences.³⁸ This is from a single U.N. mission, albeit the largest mission, and clearly illustrates that lack of discipline among U.N. peacekeepers remains a serious concern.

Moreover, despite the U.N.'s announcement of a "zero tolerance" policy on sexual abuse and other actions to reduce misconduct and criminality among peacekeepers, the perpetrators of these crimes are very rarely punished, as was revealed in a January 2007 news report on U.N. abuses in southern Sudan.³⁹ The standard memorandum of understanding between the U.N. and troop contributors appropriately grants troop-contributing countries jurisdiction over military members who participate in U.N. peace operations, but little is done if these countries fail to investigate or punish those who are guilty of such crimes.

A Political Problem

The problems of mismanagement, corruption, and misconduct cry out for fundamental reform of the U.N. peacekeeping structure to improve accountability and transparency. However, corruption, mismanagement, and sexual misconduct by U.N. peacekeepers are not the only problems with U.N. peacekeeping.

The other problem is a political problem. The vast expansion of U.N. peacekeeping—with the possibility of even more operations on the horizon like the proposal for a new Somalia mission with up to 27,000 peacekeepers—has led some to point out that the U.N. Security Council has gone "mandate crazy" in its attempts to be seen as effective and "doing something."⁴⁰ The willingness of the council to approve missions where "there is no peace to keep"—such as Darfur or Somalia—violates a dearly learned lesson that U.N. peacekeepers are not war fighters.⁴¹

In general, the U.N. and its member states had accepted the fact that U.N. peace operations should not include a mandate to enforce peace outside of limited circumstances and should focus instead on assisting countries in shifting from conflict to a negotiated peace and from peace agreements to legitimate governance and development.⁴² As noted in the *Report of the Panel on United Nations Peace Operations*: [T]he United Nations does not wage war. Where enforcement action is required, it has consistently been entrusted to coalitions of willing States, with the authorization of the Security Council, acting under Chapter VII of the Charter.⁴³

Ignoring this lesson can be costly, straining the ability of countries willing to provide peacekeepers and pushing DPKO beyond its capabilities. As recently reaffirmed by DPKO in its "Charting a New Horizon for UN Peacekeeping" report, "The single most important finding of the Brahimi report was that UN peacekeeping can only succeed as part of a wider political strategy to end a conflict and with the will of the parties to implement that strategy.... In active conflict, multinational coalitions of forces or regional actors operating under UN Security Council mandates may be more suitable."⁴⁴

These more aggressive U.N. missions also involve great demands in terms of resources, management, and personnel. Indeed, it is precisely these types of situations (DRC and Sudan) where conflict reigns or there little "genuine commitment to a political process by the parties to work to war peace" or "supportive engagement by neighbouring countries and regional actors" or "host country commitment to unhindered operations and freedom of movement" that consume some 50 percent of the UN peacekeeping budget and account for about 50 percent of uniformed personnel involved in UN peacekeeping.

Worse, this investment may not be helping the situation. Dr. Greg Mills, director of the Johannesburg-based Brenthurst Foundation, and Dr. Terence McNamee, director of publications at the Royal United Services Institute for Defence and Security Studies (RUSI), have conducted several case studies of U.N. peacekeeping operations for a forthcoming Heritage Foundation book titled *Conundrum: The Limits of the United Nations and the Search for Alternatives*. They have concluded that, in the cases of Lebanon and the Democratic Republic of Congo, is an open question whether the UN peacekeeping missions have contributed to resolving the situations or to exacerbating them.

In other cases, such as the U.N. missions in Cyprus and the Western Sahara, established in 1964 and 1991, respectively, the U.N. presence is simply an historical palliative. The peacekeepers do keep the peace. Nor does their presence seem to have contributed to the process for resolving the decades-long political standoff. Instead, the missions continue out of inertia or because of requests parties to the conflict that they remain in operation. It is an open question whether or not the U.N. presence has contributed to the intractability of the situation by providing the excuse not to develop a resolution to what is largely a political problem.

The next U.S. Administration should fundamentally re-evaluate all the “perpetual” U.N. operations that date back to the early 1990s or before—some, like UNTSO in the Middle East and UNMOGIP in Kashmir, date back to the 1940s—to determine whether the U.N. mission is contributing to resolving the situation or retarding that process. In cases where they are not demonstrably facilitating resolution of the situation, the U.N. should move increasingly toward the UNFICYP model where Greece and Cyprus pay for over 40 percent of the cost of the mission. Stakeholders wishing to continue U.N. peacekeeping operations that have not resolved the conflict despite being in place for decades should be asked to independently assume the financial burden of their continued operation. These missions are generally small and among the least costly, but such a re-evaluation would send a welcome message of accountability and assessment that too often has been lacking in the rubber-stamp process of reauthorizing peacekeeping operations.

Limited Success Stories

This is not to say that U.N. missions are never useful and should be rejected out of hand. U.N. missions have been successful in situations like Cambodia, where U.N. peacekeepers helped to stabilize following dictatorship and civil war. Indeed, no one wants another Rwanda, and the consequences of doing nothing could end in tragedy. But a long list of operations that have been less than successful indicates that the Security Council should be far more judicious when adopting decisions to intervene.

Darfur is particularly relevant. The U.S. has called the situation in Darfur “genocide.” The U.N. did not come to that conclusion, but it did recognize the widespread human rights violations and suffering. After the African Union mission failed to curtail the violence and suffering, the U.N. adopted a resolution authorizing a joint AU–U.N. peacekeeping force despite ongoing conflict and considerable evidence that neither the rebels nor the government-backed forces were

prepared to abide by a peace agreement. Protected by China's veto, Sudan also demanded that the peacekeepers be predominately African. This has led to a severe constraint on the number of available troops: There simply are not enough trained and capable African troops to meet the demand.

As a result, Jan Eliasson, the Secretary-General's special envoy for Darfur, told the Security Council that the situation in Darfur had deteriorated despite the efforts of U.N. and African Union troops.⁴⁶ The decision of the prosecutor of the International Criminal Court (ICC) to indict Sudanese President Omar al-Bashir has led to further complications with humanitarian workers expelled and harassed.

In Darfur, the U.N. Security Council yielded to the pressure to act. Massive suffering was occurring and would likely have grown worse without U.N. backing and support for the AU peacekeeping effort. However, the council accepted demands from Sudan that vastly complicate peacekeeping efforts, such as restricting U.N. peacekeepers for that mission to African nationals. The council also entered a conflict situation against the lessons of its own experience. It compounded the error by failing to adopt clear objectives, metrics for success, or an exit strategy. Because of these failings, not to mention the potential for deterioration toward broader conflict or a stiffening of resolve by President Bashir with an ICC indictment weighing on his mind, Darfur could very easily unravel despite the U.N. peacekeeping force.

What the U.S. Should Seek to Do

There are several actions that the U.S. should urge the U.N. and the Security Council to undertake to address the foregoing weaknesses. Specifically:

Seek to flatten out the U.N. peacekeeping scale of assessments. Given the far larger financial demands of the recent expanded role for U.N. peacekeeping, the system for assessing the U.N. peacekeeping budget is becoming an increasing burden on the member states with larger assessments. It should be revised to more equitably spread the financial burden among U.N. member states. The notion that wealthier nations should bear a larger portion of the costs is strongly entrenched at the U.N., but a system that has the U.S. paying \$2 billion and other states paying less than \$8,000 is indefensible and creates a free rider problem wherein countries paying virtually nothing have little reason to conduct due diligence on whether a proposed mission is appropriate or an existing mission is meeting its mandate or if U.N. funds are being used prudently and are subject to appropriate oversight. All U.N. member states, particularly those on the Security Council, must have skin in the game if they are to take their oversight responsibilities seriously. There are many ways to address this issue and the Administration and Congress should press the U.N. to explore them.⁴⁷

Be more judicious in authorizing U.N. peacekeeping operations. The pressure to "do something" must not trump sensible consideration of whether a U.N. presence will improve or destabilize the situation, which includes clearly establishing the objectives of the operations, ensuring that they are achievable, carefully planning the requirements for achieving them, securing pledges for providing what is needed to achieve them before authorizing the operation, and demanding an exit strategy to prevent a "perpetual mission" trap.⁴⁸

This process should also apply in reauthorization of existing missions, where there too often is a rubber-stamp approach. If a mission has not achieved its objective or has not made evident progress toward that end after a lengthy period, the Security Council should assess whether it is serving a constructive role in resolving the situation. If it is not, it should be ended or the expense of continuing the mission shifted to the nations, a la UNFICYP, seeking to continue it for political reasons.

In its deliberations, however, the council should recognize that short, easy missions are extremely rare. When authorizing a mission, the council should recognize that it may be there for a lengthy period. If the council seems unlikely to persevere, it should consider not approving the mission.

Critically, this recommendation should not be construed as implying that all U.N. peacekeeping operations should be or can be identical. On the contrary, differing circumstances often require differing approaches. Indeed, if peacekeeping missions are to be successful, the council must be flexible in the makeup and composition of U.N. peacekeeping operations or in choosing to stand back in favor of a regional intervention or an *ad hoc* coalition if those approaches better fit the immediate situation. However, in the process of deciding to authorize a mission, the council should not let an “emergency” override the prudent evaluation and assessment process that is necessary to ensure that the prospective mission has the largest chance of success.

Transform the DPKO structure to enable it to handle increased peace operation demands and to plan for future operations more effectively. This requires more direct involvement of the Security Council; more staff, supplies, and training; and greatly improved oversight by a capable, independent inspector general dedicated to peace operations perhaps modeled after the defunct U.N. Procurement Task Force.

A key element of this should include transforming the DPKO to incorporate greater flexibility so that it can rapidly expand and contract to meet varying levels of peace operation activity. Current U.N. rules do not permit the necessary authority and discretion in hiring and shifting resources to meet priorities. A core professional military staff must be maintained and used, but the DPKO should also be able to rely on gratis military and other seconded professionals to meet exceptional demands on U.N. peace operations.⁴⁹ This would readily provide the expertise and experience needed to assess the requirements of mandates under consideration, including troop numbers, equipment, timeline, and rules of engagement, both efficiently and realistically.

Build up peacekeeping capabilities around the world, particularly in Africa, and further develop a U.N. database of qualified, trained, pre-screened uniformed and civilian personnel available for U.N. operations. The U.N. has no standing armed forces and is entirely dependent on member states to donate troops and other personnel to fulfill peace operation mandates. This is appropriate. Nations should maintain control of their armed forces and refuse to support the establishment of armed forces outside of direct national oversight and responsibility.

However, the current arrangement results in an *ad hoc* system plagued by delays; inadequately trained personnel; insufficient numbers of military troops, military observers, civilian police, and civilian staff; inadequate planning; inadequate or non-functional equipment; and logistical gaps.⁵⁰

The U.N. established a Standby Arrangements System (UNSAS) in 1994, wherein member states make conditional commitments to prepare and maintain specified resources (military and specialized personnel, services, matériel, and equipment) on “stand-by” in their home countries to fulfill specified tasks or functions for U.N. peace operations.⁵¹ Some 87 countries are participating in the system and Japan recently announced its decision to participate.⁵² This is their prerogative, but the resources committed under the UNSAS fall short of needs. For its part, the U.S. is seeking to increase peacekeeping resources under the Global Peace Operations Initiative (GPOI). This program contributes significantly to bolstering the capacity and capabilities of regional troops, particularly in Africa, to serve as peacekeepers through the U.N. or regional organizations like the African Union and should be expanded.⁵³

To speed up deployment on missions, the U.N. needs to further develop a database of information on individuals’ and units’ past experience in U.N. operations; disciplinary issues; performance evaluations; expertise (e.g., language, engineering, and combat skills); and availability for deployment.

Implement a modern logistics system and streamline procurement procedures so that missions receive what they need when they need it. To be effective, procurement and contracting must “have a formal governance structure responsible for its oversight and direction,” as former Under-Secretary-General for Management Catherine Bertini advised Congress in 2005.⁵⁴ Critically, the new logistics system and the procurement system must be subject to appropriate transparency, rigorous accountability, and independent oversight accompanied by robust investigatory capabilities and a reliable system of internal justice.⁵⁵ The relatively recent restructuring of the DPKO into a Department of Peacekeeping Operations and a Department of Field Support does not appear to have led to any substantial improvement in peacekeeping procurement. This may be due to the fact that the new department did not receive requested personnel or funding, but it also appears to be a case of “paper reform” rather than actual reform. Most of the same people remain in place, and it is uncertain that procedures have changed substantively.

Implement mandatory, uniform standards of conduct for civilian and military personnel participating in U.N. peace operations. If the U.N. is to take serious steps to end sexual exploitation, abuse, and other misconduct by peacekeepers, it must do more than adopt a U.N. code of conduct, issue manuals, and send abusers home. There must be real consequences for individuals and for governments to create incentives for enforcement. The remedy should not involve yielding jurisdiction over personnel to the U.N. or to non-national judicial authority, but it should entail commitments by member states to investigate, try, and punish their personnel in cases of misconduct.

Investigators should be granted full cooperation and access to witnesses, records, and sites where crimes allegedly occurred so that trials can proceed. Equally important, the U.N. must be stricter

in holding member countries to these standards. States that fail to fulfill their commitments to discipline their troops should be barred from providing troops for peace operations.

Conclusion

U.N. peacekeeping operations can be useful and successful if entered into with an awareness of their limitations and weaknesses. This awareness is crucial, because there seems to be little indication that the demand for U.N. peacekeeping will decline in the foreseeable future. Moreover, the unprecedented pace, scope, and ambition of U.N. peacekeeping operations have revealed numerous flaws that are serious and need to be addressed. The Obama Administration and Congress need to consider carefully any requests by the United Nations for additional funding for a system in which procurement problems have wasted millions of dollars and sexual abuse by peacekeepers is still unacceptably high and often goes unpunished. Indeed, the decision by the Administration and Congress to pay U.S. arrears to U.N. peacekeeping without demanding reforms sent entirely the wrong message and removed a powerful leverage point for encouraging reform. Without fundamental reform, these problems will likely continue and expand, undermining the U.N.'s credibility and ability to accomplish one of its primary missions: maintaining international peace and security.

NOTES

1U.N. General Assembly and U.N. Security Council, *Report of the Panel on United Nations Peace Operations*, A/55/305–S/2000/809, August 21, 2000, p. 10, at http://www.un.org/peace/reports/peace_operations/docs/a_55_305.pdf. The report is often referred to as the “Brahimi Report,” after the panel’s chairman, former Algerian Foreign Minister Lakhdar Brahimi.

2Charter of the United Nations, Article 24, at <http://www.un.org/aboutun/charter>.

3In matters of international peace and security, the U.N. Security Council was originally envisioned—unrealistically, in retrospect—as the principal vehicle for the use of force, except for the inherent right of every state to defend itself if attacked, facing an imminent attack, or facing an immediate threat, which the Charter explicitly acknowledges. See *Ibid.*, Article 51.

4Since 1945, there have been approximately 300 wars resulting in over 22 million deaths. The U.N. has authorized military action to counter aggression just twice: in response to the North Korean invasion of South Korea in 1950 and in response to the Iraqi invasion of Kuwait in 1990.

5For example, the U.N. Truce Supervision Organization (UNTSO) was established in 1948 to observe the cease-fire agreements among Egypt, Jordan, Lebanon, Syria, and Israel and still operates today. The UNTSO and U.N. Emergency Force I (UNEF I) missions are examples of “traditional” U.N. peace operations. Interestingly, the first venture into peacekeeping was taken by the General Assembly in 1956 after the Security Council was unable to reach a consensus on the Suez crisis. The General Assembly established UNEF I to separate Egyptian and Israeli forces and facilitate the transition of the Suez Canal to Egypt when British and French forces left. Because the UNEF resolutions were not passed under Chapter VII, Egypt had to approve the deployment.

6This restraint was reinforced by the U.N.’s venture into peace enforcement in the Congo (1960–1964), in which U.N.-led forces confronted a mutiny by Congolese armed forces against the government, sought to maintain the Congo’s territorial integrity, and tried to prevent civil war after the province of Katanga seceded. According to a RAND Corporation study, “U.N. achievements in the Congo came at considerable cost in men lost, money spent, and controversy raised.... As a result of these costs and controversies, neither the United Nations’ leadership nor its member nations were eager to repeat the experience. For the next 25 years the United Nations restricted its military interventions to interpositional peacekeeping, policing ceasefires, and patrolling disengagement zones in circumstances where all parties invited its presence and armed force was to be used by U.N. troops only in self-defense.” See James Dobbins, Seth G. Jones, Keith Crane, Andrew Rathmell, Brett Steele, Richard Teltschik, and Anga Timilsina, “The U.N.’s Role in Nation-Building: From the Congo to Iraq,” RAND Corporation, 2005, p. xvi, at http://www.rand.org/pubs/monographs/2005/RAND_MG304.pdf.

7According to one estimate, 80 percent of all wars from 1900 to 1941 were conflicts between states that involved formal state armies, while 85 percent of all wars from 1945 to 1976 were within the territory of a single state and involved internal armies, militias, rebels, or other parties to the conflict. See Charter of the United Nations, Article 2, and Michael W. Doyle and Nicholas

Sambanis, *Making War and Building Peace: United Nations Peace Operations* (Princeton, N.J.: Princeton University Press, 2006), p. 11, at <http://www.press.princeton.edu/chapters/s8196.pdf>.

8The broadening of U.N. peacekeeping into these non-traditional missions and the mixed U.N. record in pursuit of these missions raise legitimate questions as to whether the U.N. should be engaged in these activities. Such questions are primarily political matters that can be resolved only by the members of the Security Council, particularly the permanent members. For more information, see John R. Bolton, "United States Policy on United Nations Peacekeeping: Case Studies in the Congo, Sierra Leone, Ethiopia–Eritrea, Kosovo and East Timor," testimony before the Committee on International Relations, U.S. House of Representatives, January 21, 2000, at <http://www.aei.org/speech/17044>.

9The U.N. Assistance Mission in Afghanistan (UNAMA) and the U.N. Integrated Office in Burundi (BINUB).

10The U.N. Security Council ended the United Nations Observer Mission in Georgia in June 2009 when Russia blocked its extension. In addition, within the past year, the Security Council ended the United Nations Mission in Ethiopia and Eritrea (July 2008) and replaced (September 2008) the United Nations Integrated Office in Sierra Leone (UNIOSIL) special political mission directed by DPKO with the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) which is directed by the U.N. Department of Political Affairs.

11United Nations Peacekeeping, "Current Operations," at <http://www.un.org/Depts/dpko/dpko/currentops.shtml#africa>; United Nations Peacekeeping, "Monthly Summary of Contributions of Military and Civilian Police Personnel," at <http://www.un.org/Depts/dpko/dpko/contributors/>; "United Nations Peacekeeping Operations," *Background Note*, June 30, 2009, available at <http://www.un.org/Depts/dpko/dpko/bnote.htm>; and "United Nations Political and Peacebuilding Missions," *Background Note*, June 30, 2009, available at <http://www.un.org/Depts/dpko/dpko/ppbm.pdf>.

12U.N. Department of Public Information, "General Assembly adopts peacekeeping budget of nearly \$7.8 billion for period 1 July 2009 to 20 June 2010," U.N. General Assembly document GA/10841, June 30, 2009, at <http://www.un.org/News/Press/docs/2009/ga10841.doc.htm>.

13Harvey Morris, "U.N. Peacekeeping in Line of Fire," *The Financial Times*, May 17, 2008, at <http://www.ft.com/cms/s/0/67ae1fe4-23ac-11dd-b214-000077b07658.html>.

14U.N. General Assembly, "Scale Implementation of General Assembly Resolutions 55/235 and 55/236," A/61/139/Add.1, 61st Session, December 27, 2006.

15This is, of course, a best guess on the part of the U.N. If a new mission is approved during the year, if a mission is closed unexpectedly, or if a mission does not deploy on schedule, the estimates will be adjusted. The U.S. is perpetually out of sync because it prepares its budget requests a year in advance. Shortfalls and other unforeseen changes are usually addressed in a subsequent or supplemental appropriation.

16 This discrepancy in payments helps explain why few U.N. member states raise serious concerns about fraud, corruption or mismanagement at the U.N. They pay virtually nothing, so have little to lose. Nations like the U.S. and Japan, on the other hand, have a lot at stake. Unsurprisingly, those two countries are often the ones urging greater transparency and accountability in U.N. procurement and budgets.

17 Troop contributor data are as of June 30, 2009. See U.N. Department of Peacekeeping Operations, "Monthly Summary of Contributions (Military Observers, Police and Troops)," at http://www.un.org/Depts/dpko/dpko/contributors/2009/june09_1.pdf.

18*Ibid.*

19According to the United Nations Foundation, "The U.N. pays the governments of troop contributing countries \$1,110 per soldier each month of deployment." This amount is far greater than the amount that these nations pay the troops participating in the missions. United Nations Foundation, "Season of the Blue Helmets," *UNF Insights: New Ideas for International Cooperation*, at http://www.globalproblems-globalsolutionsfiles.org/unf_website/PDF/unf_insights_issue_4_season_bluehelmets.pdf.

20 U.N. Departments of Peacekeeping Operations and Field Support, "A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping," United Nations, July 2009, p. 35, at <http://www.un.org/Depts/dpko/dpko/newhorizon.pdf>.

21 Brett D. Schaefer, "The Demise of the U.N. Procurement Task Force Threatens Oversight at the U.N.," Heritage Foundation WebMemo no. 2272, at February 5, 2009, at <http://www.heritage.org/Research/InternationalOrganizations/wm2272.cfm>.

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- 25U.N. Office of Internal Oversight Services, "Report of the Office of Internal Oversight Services on the Activities of the Procurement Task Force for the 18-Month Period Ended 30 June 2007," October 5, 2007, at <http://tinyurl.com/9extl7> and George Russell, "Report Details Progress in Battle Against Corruption at U.N. Office," Fox News, October 11, 2007, at <http://www.foxnews.com/story/0,2933,301255,00.html>.
- 26Colum Lynch, "Audit of U.N.'s Sudan Mission Finds Tens of Millions in Waste," *The Washington Post*, February 10, 2008, p. A16.
- 27Louis Charbonneau, "UN Probes Allegations of Corruption, Fraud," Reuters, January 10, 2008, at <http://www.reuters.com/article/latestCrisis/idUSN10215991>.
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- 29BBC, "U.N. Troops 'Armed DR Congo Rebels,'" April 28, 2008, at <http://news.bbc.co.uk/2/hi/africa/7365283.stm> (September 10, 2008), and Joe Bavier, "U.N. Ignored Peacekeeper Abuses in Congo, Group Says," Reuters, May 2, 2008, at <http://www.reuters.com/article/featuredCrisis/idUSN02278304>.
- 30 Schaefer, "The Demise of the U.N. Procurement Task Force Threatens Oversight at the U.N."
- 31 U.N. Departments of Peacekeeping Operations and Field Support, "A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping," p. 35.
- 32See Kate Holt and Sarah Hughes, "U.N. Staff Accused of Raping Children in Sudan," *The Daily Telegraph*, January 4, 2007, at <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/01/03/wsudan03.xml>; Kate Holt and Sarah Hughes, "Sex and the U.N.: When Peacemakers Become Predators," *The Independent*, January 11, 2005, at <http://www.stopdemand.org/afawcs0112878/ID=5/newsdetails.html>; and Colum Lynch, "U.N. Faces More Accusations of Sexual Misconduct," *The Washington Post*, March 13, 2005, p. A22, at <http://www.washingtonpost.com/wp-dyn/articles/A30286-2005Mar12.html>.
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- 34U.S. Institute of Peace, Task Force on the United Nations, "American Interests and U.N. Reform," June 2005, pp. 94-96, at http://www.usip.org/un/report/usip_un_report.pdf.
- 35See Kim R. Holmes, "United Nations Organization Mission in the Democratic Republic of Congo: A Case for Peacekeeping Reform," testimony before the Subcommittee on Africa, Global Human Rights, and International Operations, Committee on International Relations, U.S. House of Representatives, 109th Cong., 1st Sess., March 1, 2005, at http://commdocs.house.gov/committees/intlrel/hfa99590.000/hfa99590_0.HTM.
- 36 According to the U.N., "Conduct and discipline personnel are now deployed in the following peace operations: Afghanistan (UNAMA), Burundi (BINUB), Brindisi (UNLB), Côte d'Ivoire (UNOCI), Cyprus (UNFICYP), the Democratic Republic of the Congo (MONUC), Golan Heights (UNDOF), Haiti (MINUSTAH), Jerusalem (UNTSO/UNSCO), Kosovo (UNMIK), Lebanon (UNIFIL), Liberia (UNMIL), Nepal (UNMIN), India/Pakistan (UNMOGIP), Sierra Leone (UNIOSIL), Sudan (UNMIS), Timor-Leste (UNMIT) and Western Sahara (MINURSO). In 2007, plans are underway to ensure that conduct and discipline experts are deployed to cover a total of 20 missions." See United Nations Department of Field Support, "About the Conduct and Discipline Units," at <http://www.un.org/Depts/dpko/CDT/about.html>. Also see, U.S. Department of State, Bureau of International Organization Affairs, *United States Participation in the United Nations 2005*, "Part 1: Political and Security Affairs," October 2005, pp. 43-44, at <http://www.state.gov/documents/organization/74052.pdf>.

37Corinna Csáky, “No One to Turn To: The Under-Reporting of Child Sexual Exploitation and Abuse by Aid Workers and Peacekeepers,” Save the Children, 2008, at http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/27_05_08_savethechildren.pdf. See also BBC, “Peacekeepers ‘Abusing Children,’” May 27, 2008, at http://news.bbc.co.uk/2/hi/in_depth/7420798.stm.

38 “UN team looking into alleged sexual misconduct by blue helmets in DR Congo: MONUC peacekeepers on patrol in the DRC,” U.N. News Center, 24 July 2009, at <http://www.un.org/apps/news/story.asp?NewsID=31574&Cr=monuc&Cr1=#>.

39According to Fox News, “U.N. military officials have the power to direct the troops placed under their command, but are relatively powerless when it comes to punishing them if they are accused of crimes against humanity. There are 13 misconduct investigations ongoing at the Sudan mission, [and] some include sexual abuse. From January 2004 to the end of November 2006, investigations were conducted for 319 sexual exploitation and abuse cases in U.N. missions throughout the world. These probes resulted in the dismissal of 18 civilians and the repatriation on disciplinary grounds of 17 police and 144 military personnel.... What’s frustrating to military commanders on the ground is that there is little they can do to offending peacekeepers, other than putting them on desk duty, restricting them to quarters, and requesting a full investigation and repatriation.” Liza Porteus, “U.N. Peacekeepers Accused in Sudan Sex-Abuse Case Get Reprimand,” Fox News, January 05, 2007, at <http://www.foxnews.com/story/0,2933,241960,00.html>.

40Morris, “U.N. Peacekeeping in Line of Fire.”

41 Even situations short of war that may require a U.N. peace operation are still rife with danger, as illustrated by the nearly 2,600 peacekeepers that have been killed in operations since 1948.

42Doyle and Sambanis, *Making War and Building Peace: United Nations Peace Operations*, p. 20; Dobbins *et al.*, “The U.N.’s Role in Nation-Building: From the Congo to Iraq,” p. xvi; and Victoria K. Holt, Senior Associate, Henry L. Stimson Center, testimony in hearing, *UN Peacekeeping Reform: Seeking Greater Accountability and Integrity*, Subcommittee on Africa, Global Human Rights, and International Operations, Committee on International Relations, U.S. House of Representatives, May 18, 2005, at www.internationalrelations.house.gov/archives/109/hol051805.pdf.

43U.N. General Assembly and U.N. Security Council, *Report of the Panel on United Nations Peace Operations*, p. 10.

44 U.N. Departments of Peacekeeping Operations and Field Support, “A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping,” p. 9.

45 U.N. Departments of Peacekeeping Operations and Field Support, “A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping,” p. 2.

46U.N. News Centre, “Darfur: U.N. Envoy Doubtful Parties Are Willing to Enter Serious Negotiations,” June 24, 2008, at <http://www.un.org/apps/news/story.asp?NewsID=27149&Cr=darfur&Cr1=.>

47 For more information see Brett D. Schaefer and Janice A. Smith, “The U.S. Should Support Japan’s Call to Revise the UN Scale of Assessments,” Heritage Foundation WebMemo no. 1017, March 18, 2006, at <http://www.heritage.org/Research/InternationalOrganizations/wm1017.cfm>.

48An example of this thought process that should be pursued by the U.S. and other countries was summarized by former Assistant Secretary of State Kim R. Holmes: “While the Security Council is hammering out the details of a peacekeeping resolution, member states work with the U.N. to figure out what that mission will require. We consider causes, regional equities, resources, the need for military forces and civilian police, the involvement of rule of law and human rights experts, reconstruction needs, and more. From the outset, we work to ensure [that] each mission is right-sized, has a clear mandate, can deploy promptly, and has a clear exit strategy. This was particularly the case in getting peacekeepers into Haiti and expanding the mission in the Congo to target the main area of instability, the African Great Lakes region. Nevertheless, as this committee well knows, new CIPA requirements arise quickly. It is not possible to predict when conflicts will intensify to the point where they require U.N. action. We are cautious because, historically, U.N. missions are not as effective at peace enforcement, when offensive military action is needed to end the conflict, as they are at maintaining ceasefires and supporting peace agreements. But our focused analysis has helped the U.N. close down most of the peacekeeping missions begun during the early 1990s, once their jobs were done. It is helping member states [to] look for possible reductions in some long-standing missions, and press the U.N. to right-size or close other missions as they complete their mandates. The United States, in voting on peacekeeping mandates, always pushes for prudent mandates, force size, and missions that not only would succeed, but also just plain end.” Unfortunately, this type of analysis in the context of Security Council authorization of U.N. peacekeeping operations appears to be the exception rather than the rule. See Kim R. Holmes, Assistant Secretary for International Organization Affairs, “Statement Urging Congress to Fund Fully President’s 2006 Budget Request for the UN,” statement before the Subcommittee on Science, State, Justice, and

Commerce, and Related Agencies, Committee on Appropriations, U.S. House of Representatives, April 21, 2005, at <http://www.state.gov/p/io/rls/rm/45037.htm>.

49According to the Secretary-General, “[G]ratis personnel were not regulated until the adoption by the General Assembly of resolutions 51/243 and 52/234, in which the Assembly placed strict conditions on the acceptance of type II gratis personnel. Among the conditions set out in administrative instruction ST/AI/1999/6, is the requirement that type II gratis personnel be accepted on an exceptional basis only and for the following purposes: (a) to provide expertise not available within the Organization for very specialized functions or (b) to provide temporary and urgent assistance in the case of new and/or expanded mandates of the Organization.” See U.N. General Assembly, “Gratis Personnel Provided by Governments and Other Entities,” A/61/257/Add.1, August 9, 2006, at <http://www.centerforunreform.org/system/files/A.61.257.Add.1.pdf>. The restrictions on gratis personnel were adopted at the behest of the Group of 77 developing nations, which thought that their nationals were not being given equal opportunity to fill positions at the U.N. because their governments could not afford to provide staff gratis. A possible solution could be to allow the countries to receive credits toward their assessed dues that are equivalent to the estimated salaries of gratis personnel. See “U.N. Gratis Personnel System Is Undemocratic, Says G-77 Chairman,” *Journal of the Group of 77*, January/February 1997, at <http://www.g77.org/nc/journal/janfeb97/6.htm>.

50Operations in the Democratic Republic of the Congo, Côte d’Ivoire (Ivory Coast), Lebanon, and Darfur all recently experienced difficulties in raising the numbers of troops authorized by the Security Council.

51U.N. Department of Peacekeeping Operations, “United Nations Standby Arrangements System (UNSSAS),” April 30, 2005, at http://www.un.org/Depts/dpko/milad/fgs2/unsas_files/sba.htm.

52 Japan Today, “Japan to join U.N. Standby Arrangements System for active PKO,” July, 2, 2009, at <http://www.japantoday.com/category/politics/view/japan-to-join-un-standby-arrangements-system-for-active-pko>.

53The State Department budget request includes a request for \$97 million for GPOI in FY 2010, down from \$105 million in FY 2009. Most of the funds for the GPOI, including the African Contingency Operations Training and Assistance program (ACOTA), go to Africa-related programs. According to the State Department, “The United States has surpassed its commitment, adopted at the 2004 G-8 Sea Island Summit, to train and equip 75,000 new peacekeepers to be able to participate in peacekeeping operations worldwide by 2010. As of this month, the Department of State’s Global Peace Operations Initiative (GPOI) has succeeded in training and equipping more than 81,000 new peacekeepers, and has facilitated the deployment of nearly 50,000 peacekeepers to 20 United Nations and regional peace support operations to secure the peace and protect at-risk populations in the Democratic Republic of the Congo, Haiti, Lebanon, Somalia and Sudan.... Starting in October 2009, GPOI will embark on its second phase (Fiscal Years 2010-2014) in which it will build on its success with a shift in focus from providing direct training to increasing the self-sufficiency of partner countries to conduct sustainable, indigenous peace support operations training on their own. In doing so, GPOI will help partner countries achieve full operational capability in peace support operations training and consequently develop stronger partners in the shared goal of promoting peace and stability in post-conflict societies.” See U.S. Department of State, “Peacekeeping Operations,” *Congressional Budget Justification: Foreign Operations, Fiscal Year 2010*, p. 86, at <http://www.state.gov/documents/organization/123415.pdf> and Bureau of Public Affairs, “U.S. Department of State Surpasses Target of 75,000 Trained Peacekeepers by 2010,” *U.S. Department of State, Office of the Spokesman, July 23, 2009*, at <http://www.state.gov/r/pa/prs/ps/2009/july/126396.htm>.

54Catherine Bertini, former U.N. Under-Secretary-General for Management, statement in hearing, *Reforming the United Nations: Budget and Management Perspectives*, Committee on International Relations, U.S. House of Representatives, 109th Cong., 1st Sess., May 19, 2005, at http://commdocs.house.gov/committees/intlrel/hfa21309.000/hfa21309_of.ht

55U.S. Government Accountability Office, *United Nations: Procurement Internal Controls Are Weak*, GAO-06-577, April 2006, at <http://www.gao.gov/new.items/d06577.pdf>.

Testimony by Dr. Edward C. Luck¹, Special Advisor to the United Nations Secretary-General

The Responsibility to Protect: Implications for International Peacekeeping Operations

Thank you, Mr. Chairman, for the opportunity to brief this distinguished Committee on the responsibility to protect and its implications for international peacekeeping operations. At the outset, let me express the standard caveat of an international civil servant briefing a Member State parliament. In accordance with past practice, my attendance today before the Committee is on a purely informal basis, and nothing in my oral remarks and written briefing statement should be understood to be a waiver, express or implied, of the privileges and immunities of the United Nations or its subsidiary organs under the 1946 Convention on the Privileges and Immunities of the United Nations.

The Responsibility to Protect

Let me begin with a few words about the evolving concept of the responsibility to protect, commonly referred to by its RtoP or R2P acronym, and then turn to the implications of RtoP for international peacekeeping.

Four years ago, at the World Summit, the assembled heads of State and government agreed to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity and to prevent their incitement.² They agreed, as well, on the need for the international community to assist the State in fulfilling this responsibility to protect and to respond in a “timely and decisive manner,” under Charter rules and procedures, when national authorities are “manifestly failing” to meet their responsibility and peaceful means have proven “inadequate.”³ Subsequently, the Summit’s Outcome Document was adopted unanimously by the General Assembly and the Security Council affirmed its RtoP provisions.⁴

Earlier this year, United Nations Secretary-General Ban Ki-moon presented the General Assembly with a detailed plan for implementing this historic, unanimous, and unqualified commitment.⁵ Drawing on the provisions of the Outcome Document, the Secretary-General posits that RtoP rests on three co-equal pillars: 1) the protection responsibilities of the State; 2) international assistance and capacity-building; and 3) timely and decisive response.

Concerning the first pillar, the Secretary-General has stressed that neither the United Nations nor the international community at large have either the capacity or the desire to try to substitute for a State’s core responsibilities towards the population on its territory. We need to do everything possible to encourage States to protect their people from such atrocity crimes. When they need assistance in building the institutions, legislation, social structures, education, and procedures to do so, we should not hesitate to provide such assistance, as detailed under the second pillar. Civil society and regional and sub-regional organizations may be important conduits for such capacity-building, and the Secretary-General’s report talks of neighbors helping neighbors and of transnational networks for learning and for the transmission of good/best practices. Each of these dimensions was quite visible in the one case in which the United Nations has applied RtoP principles: in the post-election violence in Kenya in early 2008. Former UN Secretary-General Kofi Annan has commented that he also saw his mediation efforts there on behalf of the African

Union (AU) through an RtoP prism.⁶ The United Nations has now decided to include RtoP principles in its approach to peace operations in the Democratic Republic of the Congo (DRC) as well.

The UN's recent "New Horizons" study notes that "many UN peacekeeping missions also serve as early peacebuilders." Likewise, "peacekeeping transition and exit strategies depend on countries providing for their own security, and the UN will need to find effective ways to support this goal through better rule of law and security sector reform (SSR) assistance."⁷ Just as conflict too often begets more conflict, atrocities have a way of laying the basis for further atrocities down the road. Scholars have long contended that the best predictor of genocide is past genocide. Here, the UN's new Peacebuilding Commission (PBC) – another key product of the 2005 Summit – could play a critical role. In the post-conflict, post-trauma period, the international community tends to be the most engaged and thus has the most potential leverage for helping to foster those societal values and attitudes and those governmental and judicial structures, procedures, and institutions that would make a relapse less likely.

Like the 2005 Summit, the Secretary-General's plan for operationalizing RtoP emphasizes prevention. That is what the first two pillars are largely about. As the Secretary-General puts it, "our goal is to help States succeed, not just to react once they have failed to meet their prevention and protection obligations. It would be neither sound morality, nor wise policy, to limit the world's options to watching the slaughter of innocents or to sending in the marines."⁸ To no one's surprise, the just concluded General Assembly debate on the Secretary-General's RtoP proposals demonstrated a strong preference for such non-coercive and preventive measures. Peace Operations and RtoP

In contemporary UN parlance, "peace operations" serves as an umbrella term to encompass the whole range of peacekeeping, peacebuilding, and, in extreme situations, peace enforcement missions. As noted above, the linkage between RtoP and post-conflict peacebuilding is widely understood and accepted. The choice of Burundi and Sierra Leone as the first two country situations to be addressed by the PBC underscored this connection.

Unfortunately, however, editorial writers and media pundits usually associate RtoP with the other end of the spectrum, i.e., with the coercive use of force to compel national authorities and/or armed groups to stop threatening or committing mass atrocity crimes. Perversely, that is the aspect of RtoP that is most contentious among UN Member States and least likely to be invoked, especially if the preventive and non-coercive aspects of the strategy succeed. Even the third – response – pillar involves a wide array of options under Chapters VI, VII, and VIII of the Charter, ranging from mediation and fact-finding and working with regional and sub-regional partners to references to international tribunals, sanctions, and other enforcement measures. In Côte d'Ivoire and Kenya, for example, timely quiet diplomacy led to the cessation of incendiary media that could have incited much greater domestic violence. The Security Council, under Article 34 of the Charter, can investigate any situation that "might lead to international friction or give rise to a dispute." As the Secretary-General has underscored, what is needed is "early and flexible response, tailored to the specific needs of each situation."⁹

As the title of this session rightly suggests, Mr. Chairman, the most urgent challenges, both conceptually and materially, are now to peacekeeping, not to its enforcement and peacebuilding cousins. Over the past decade, the Security Council has regularly assigned UN peacekeeping operations the additional task of protecting civilians (POC). This is at a time when attacks on civilians, including large-scale sexual violence, by rebel groups and government forces alike have become an almost commonplace feature of contemporary conflict. In a number of these theatres, peacekeepers are confronted by multiple armed groups, as national governments cannot control their territories. Clearly these are vastly more demanding situations than the more static and predictable ones assigned to inter-positional peacekeeping in earlier years. As the “New Horizons” study notes, POC mandates place an emphasis on “police, rule of law, human rights, and humanitarian actors.”¹⁰ These components – like the military ones – tend to be in short supply. Moreover, most national militaries “do not traditionally maintain proactive civilian protection doctrines, operating concepts or tactics beyond the requirements of international humanitarian law.”¹¹

At this point, Mr. Chairman, I need to make one more distinction. While POC and RtoP are related concepts, they are not identical. Protection of civilians is a broader and more generic term than RtoP, as the former can refer either to individual acts of protection or to broader protection policies. RtoP, on the other hand, refers only to the most egregious and large-scale abuses, i.e., genocide, war crimes, ethnic cleansing, and crimes against humanity. Such mass atrocities are at the extreme end of the POC spectrum. RtoP is a relatively new and still evolving concept, whose military dimensions are still subject both to some political contention and to further policy refinement. I will confine my comments, therefore, to the propositions that the Secretary-General has voiced in this regard.

In his *Implementing the Responsibility to Protect* report, Secretary-General Ban Ki-moon identifies three possible scenarios for the use of force to advance RtoP standards. The least likely and most extreme, as noted above, would be both coercive and without the consent of the government on whose territory it would take place. Under the third pillar, such a use could be envisioned if four conditions are met: 1) there is a determination by the United Nations Security Council that national authorities are “manifestly failing” to protect their populations from some of the four specified crimes; 2) peaceful means have proven inadequate; 3) the Security Council authorizes the use of force to protect the population; and 4) either regional/sub-regional organizations or Member States are prepared to provide the necessary forces, the lift to deploy them, and the logistics capabilities to sustain them. The first three conditions are specified in paragraph 139 of the 2005 Outcome Document. According to Article 53(1) of the Charter, enforcement action by regional arrangements requires the authorization of the Security Council.

The two more likely scenarios, addressed by the Secretary-General under his second – assistance – pillar, paradoxically have received little public or official attention. One is a preventive deployment aimed at discouraging such violence against populations from occurring or from escalating. During the 1990s, the leadership of the former Yugoslav Republic of Macedonia welcomed the deployment of a UN peacekeeping force to forestall the eruption of the kind of mass violence that had engulfed several of its neighbors.¹² Similarly, with the consent of the government of Burundi, first South African, then African Union, and finally United Nations

peacekeepers were deployed there to help keep the internal tensions and violence from reaching the genocidal proportions they did in neighboring Rwanda.

The third possibility is when the government is not the perpetrator of such crimes, but they are being carried out by an armed group that controls a portion of the country's territory. Such was the case in Sierra Leone, where the forces of the Revolutionary United Front (RUF) became infamous for their efforts to intimidate the people by, among other atrocities, severing the limbs of thousands of civilians. Again with government consent, United Nations and then British forces helped to resist the RUF attacks and then to defeat the rebels. The coercive use of force was required, but it was applied in defense of the State and for the protection of civilians from RtoP crimes. Similarly, in 2003 the European Union-led and Security Council-authorized Operation Artemis, again with government consent, helped the UN peacekeepers in the particularly violent Ituri province of the Democratic Republic of the Congo (DRC) transition to a more robust mandate.

In conclusion, Mr. Chairman, I would like to commend you for convening this most timely discussion of the growing challenges to international peacekeeping and for including the responsibility to protect on your agenda. This relationship demands further reflection and your efforts to shed light on it are most appreciated. Thank you for your attention.

NOTES

1 Edward C. Luck is Special Adviser to United Nations Secretary-General Ban Ki-moon and an Assistant Secretary-General of the United Nations. His work for the world body focuses primarily on the conceptual, institutional, and political development of the concept of the responsibility to protect. In addition, he is Senior Vice President and Director of Studies at the International Peace Institute, an independent think tank. He is currently on public service leave as Professor of Practice in International and Public Affairs of the School of International and Public Affairs, Columbia University, where he remains Director of the Center on International Organization.

2 A/60/L.1, 20 September 2005, para. 138.

3 *Ibid.*, paras. 138 and 139.

4 A/RES/60/1, 24 October 2005 and S/RES/1674, 28 April 2006, para. 4.

5 Report of the Secretary-General, *Implementing the Responsibility to Protect*, A/63/677, 12 January 2009.

6 Roger Cohen, "How Kofi Annan Rescued Kenya," *The New York Review of Books*, vol. 55, no 3 (August 14, 2008) and Remarks by United Nations Secretary-General Ban Ki-moon at the Summit Meeting of African Leaders in Nairobi, SG/SM/11908, 7 November 2008.

7 *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping* (United Nations: UN Department of Peacekeeping Operations and UN Department of Field Support, July 2009), p. 5.

8 Speech in Berlin, Germany, SG/SM/11701, 15 July 2008.

9 *Ibid.*

10 *New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*, *op. cit.*, p. 20.

11 *Ibid.*

12 From 1992 – 1999, the mix of military units and civilian police monitors under the United Nations Protection Force and the United Nations Preventive Deployment Force helped to bring a modicum of stability to the country.

Testimony of Ms. Erin A. Weir, Peacekeeping Advocate for Refugees International

New Challenges for International Peacekeeping Operations

Chairman Berman, Ranking Member Ros-Lehtinen and Members of the Committee: Thank you for this opportunity to testify today before the House Foreign Affairs Committee about UN Peacekeeping, and the challenge of keeping people safe in times of conflict and crisis.

I am here representing Refugees International. We are an independent, Washington DC based organization that advocates to end refugee crises.

In the past two years I have assessed peacekeeping efforts in Sudan, Chad, the Democratic Republic of Congo, and Somalia. I have talked to people who have been displaced from their homes, to humanitarian actors, to host-governments and to peacekeepers themselves. I know first hand what a crucial role peacekeeping can play in the delivery of aid, the maintenance of stability, and the protection of civilians in some of the most dangerous places in the world. I have also seen with my own eyes the limitations of peacekeeping, and the consequences of a confusing mandate or an under resourced-mission.

UN peacekeeping has become more important, and more controversial than ever. After the massive failures of international governments to protect civilians from systematic violence throughout the 1990's, and with the brutal conditions created by modern conflict, the international community has begun to recognize its responsibility to better protect civilians from genocide, ethnic cleansing, war crimes and other crimes against humanity.

In order to meet this responsibility, governments increasingly look to UN peacekeepers. Peacekeeping mandates have steadily become more complex and difficult to achieve, but the ability of the UN system, and the political will of member states to adequately staff and equip those missions, have not evolved with expectations.

The mandate of the UN Peacekeeping mission in the Democratic Republic of Congo, known by the acronym MONUC, includes 45 discreet tasks and responsibilities, not the least of which is the protection of civilians in the hilly, densely forested, nearly inaccessible provinces of North and South Kivu in the east of the country. Meanwhile, the 3,000 troops and additional equipment that were promised to the mission in December of 2008 have still not been deployed.

At this moment there are roughly 116,000 military, police and civilian peacekeepers deployed around the world. It sounds like a large number, until you consider the fact that they are tasked with everything from support of ceasefires and peace processes, to the reform of security institutions and the physical protection of civilians made vulnerable by conflict. The US currently has roughly 60,000 troops and civilian staff, and an additional 23,500 non-U.S. coalition forces in Afghanistan alone to perform a very similar role.

Nevertheless, some progress has been made. The UN is taking steps to improve the efficiency and accountability of its procurement and deployment systems, as well as the quality of guidance and training that it delivers to peacekeepers to make missions more effective. Outside of the UN

system, regional organizations such as the European Union and the African Union are developing new tools to complement UN peacekeeping, particularly where peace enforcement is necessary. The U.S. has a key role to play to support these developments and reforms, and can do more to support concrete action that protects people from harm.

Background

UN peacekeeping is not what it used to be. Early peacekeeping missions were deployed with the consent of both parties to the conflict in order to monitor and enforce existing peace agreements. These peacekeepers represented a “thin blue line” between two groups who had agreed to their presence. The mandates were simple and the danger and political controversy surrounding the missions were very low.

Following the end of the Cold War in the 1990s UN peacekeepers began to be deployed in new and more challenging places, such as Somalia in 1992 and Liberia in 1993. The nature of conflict was changing, and intra-state conflicts, often with multiple internal armed groups, usually meant that one or more of the armed actors did not consent to the involvement of peacekeepers. The potential for peacekeepers to become targets of violence dramatically increased. Their neutrality was also increasingly compromised by calls from concerned governments and humanitarian actors for them to engage in the protection of civilians, which often demands that peacekeepers take action that will put them at odds with armed groups involved in the conflict.

Over time it became clear that UN forces designed to fulfill traditional peacekeeping roles were drastically under-equipped, and politically and operationally unprepared to take on the more robust peacekeeping demanded by complex protection mandates and the more aggressive military action that is often necessary to fulfill protection demands.

Protection of Civilians

The many traumatic experiences of the 1990s – the genocide in Rwanda, crimes against humanity in the former Yugoslavia, and the systematic use of rape as a weapon of war in what is now the Democratic Republic of Congo– resulted in the push for UN peacekeepers to take on a much more active role in the protection of civilians.

As U.S. Ambassador to the United Nations Susan Rice recently said, “We have just drawn down the curtain on the bloodiest century in human history. That is why the United States is determined to work ... to ensure that the 21st century takes a far lesser toll on civilians—on innocents who should be sheltered by the rule of law and the rules of war. I believe deeply that atrocities are not inevitable.”

Today mission mandates routinely include authorization for peacekeepers to take measures to protect civilians under imminent threat of violence. Some mandates even prioritize protection of civilians above all other objectives, such as the current mandate for the UN Mission in DR Congo (MONUC) and in Chad and the Central African Republic (MINURCAT). Yet in spite of the overarching international focus on civilian protection, there is no clear definition or doctrine to tell military peacekeepers what protection is or how to make a protection mandate work.

This sort of guidance is crucial if we ever hope to make peacekeeping missions as effective as they have the potential to be. This is particularly true of physical protection, as the necessary response depends very much on the nature of the threat that civilians are facing. While military peacekeepers may be relatively well prepared to protect civilians against organized rebel or military attacks, civilians are also the victim of random, un-coordinated attacks by individual members of armed groups, and by other bandits and criminals who capitalize on the overall lack of rule of law that is often a defining feature of countries affected by armed conflict.

In eastern DRC in October of last year a colleague and I were present when civilians fell victim to all three of these threats at once. Rebels advanced, attacking villages and towns in coordinated military style offensives. Simultaneously, individual members of the Congolese National military abandoned their posts and began looting the population, and the total security vacuum that allows for the constant, low level banditry and rampant sexual violence in Congo was amplified by the chaos. MONUC forces, who were woefully underequipped to deal with any one of these civilian protection threats, were asked to implement three very different kinds of protection at one time. Refugees International was vocal in pointing out that the failure here fell squarely on the UN Security Council, which had issued a highly complex and incoherent mandate, without clarifying priorities or providing sufficient material or political support to get it done. If peacekeeping missions are to provide effective protection of civilians, it is imperative that mission mandates are crafted with an understanding of the fact that different types of threat require different capabilities and tools, and that those capabilities are put at the disposal of the missions.

Sometimes this sort of threat analysis will show that UN peacekeeping is not the answer to the problem at hand, and that some other political or military approach may be necessary. This is very often the case with the controversial norm, known as the Responsibility to Protect.

The Responsibility to Protect

The Responsibility to Protect (R2P) norm is a central part of the wider effort to keep civilians safe. After the genocide in Rwanda, and the failure of the international community to intervene to prevent an unfolding mass atrocity, individual diplomats and leaders of human rights and humanitarian organizations began to elaborate on the idea that there is a particular international duty to intervene in order to prevent, protect against, and rebuild communities in the wake of genocide, war crimes, ethnic cleansing or crimes against humanity. In 2001 the International Commission on Intervention and State Sovereignty (ICISS) formally elaborated this concept, which they named “the responsibility to protect.”

The Commission raised important questions about sovereignty and the role of the state with regards to the protection of people within its borders. In its 2001 report, the ICISS asserted that “state sovereignty implies responsibility, and the primary responsibility for the protection of its people lies with the state itself.” It further stated that “where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect.”

All 192 UN member states endorsed the R2P norm in the 2005 World Summit outcome document, which asserted both the right and the responsibility of the international community to intervene, with or without the consent of the host government, in cases where genocide, war crimes, ethnic cleansing, and/or crimes against humanity can be reasonably expected or are being committed. This is defined in terms of both peaceful and forceful forms of intervention:

The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.iv

The bulk of the debate has since focused on the international responsibility to intervene militarily to protect civilians as a measure of last resort.

The U.S. government has embraced R2P in principle, but not always in practice. In the 2008 report published by the Genocide Prevention Taskforce (co-Chaired by former Secretary of State Madeleine K. Albright and former Secretary of Defense William S. Cohen) the authors “acknowledge[d] that the United States’ record in responding to threats of genocide has been mixed. Over the span of time, our top officials have been unable to summon the political will to act in a sustained and consistent manner or take the timely steps needed to prevent genocide and mass atrocities from occurring.”

When genocide, ethnic cleansing, war crimes or crimes against humanity are being committed, it is important that world governments respond with quick, concerted diplomatic action, and, if necessary, that the UN Security Council give swift authorization for the deployment of a non-UN peace enforcement operation, with or without the consent of the host government. However, the authorization of non-consensual intervention continues to be politically controversial.

Specifically the permanent members of the UN Security Council are extremely reticent to authorize the deployment of international forces without the consent of the host government, even when the host government is perpetrating violence against its own people. One recent example was the lengthy Security Council debates over the deployment of peacekeepers in Darfur, and the insistence by Security Council members that it was necessary to submit to the many demands and compromises demanded by the Sudanese Government in order to secure its consent for the deployment. This made a farce of the international commitment to R2P given

the fact that the Sudanese Government had been implicated in the very crimes that the Security Council was seeking to halt.

The US needs to work with allies, and engage with skeptics, to overcome this difficult political barrier and to improve the acceptance and acceptability of the responsibility to protect.

Building a UN Peacekeeping Mission

Former Secretary General Kofi Annan famously called the UN “the only fire brigade in the world that has to acquire a fire engine after the fire has started.” Even when peacekeeping is the most appropriate protection tool, the UN must always overcome significant challenges to deploy and support each new mission.

UN peacekeeping missions are notoriously slow to deploy, and the quality of the forces and equipment is inconsistent. This is largely due to the fact that the UN has no independent military capacity and depends entirely on the voluntary troop contributions of member states to make up the mission requirements.

Even after appropriate contingents have been identified, each Troop Contributing Country (TCC) then has to negotiate its own agreement with the UN, which dictates what those forces will be used for within the mission.

This often limits where particular contingents can be deployed in the field, and the level of danger that they can be exposed to.

Forces acquired in this piecemeal manner have very different training standards and combat capabilities, and the philosophies of their commanding officers often differ greatly. In military terms, the different capabilities, philosophies, training and contractual limitations make robust military action challenging.

In an effort to enhance the overall operational standards of peacekeeping operations the United States is currently involved in international peacekeeping training through the Global Peace Operations Initiative (GPOI) and Africa Contingency Operations Training Assistance (ACOTA) programs. These programs provide millions of dollars each year to develop military peacekeeping capabilities in potential troop contributing countries around the world. The problem is that the trainers use U.S. training modules as opposed to using the standardized modules developed by the UN for this purpose.

A coherent, standardized training program for current and prospective TCCs is essential to overcome some of the discrepancies in capacity between contingents and ensure that all forces have a common understanding of their role.

Furthermore, countries with advanced militaries, such as the U.S., need to go beyond just training and funding peacekeeping operations. These countries need to show a commitment to UN peacekeeping by committing more personnel and advanced support, such as engineers, heavy transport, and medical units. The availability of these resources is crucial to the

deployment of new missions, and the early commitment of enabling units helps peacekeeping operations get off the ground quickly. This would set the foundation for more effective operations.

Robust Peacekeeping vs. Peace Enforcement

UN peacekeeping is not an appropriate tool to use when non-consensual intervention is needed. For example, peacekeepers should not be deployed in circumstances where the host government is also the perpetrator of violence against its civilians and is unwilling to give its consent for the deployment of international peacekeeping forces. This is the distinction between “robust peacekeeping” and non-UN “peace enforcement.”

The UN’s 2008 “Capstone” document outlines the crucial distinction between the two; The 2006 U.S. National Security Strategy addresses such circumstances, stating that “where perpetrators of mass killing defy all attempts at peaceful intervention, armed intervention may be required, preferably by the forces of several nations working together under appropriate regional or international auspices.” For this sort of non-consensual intervention the US needs to contribute to the development of new tools, such as the African Union Standby force, and the European Union Rapid Deployment capacity, and adapt old ones like NATO to make the R2P a practical reality.

Achievable Peacekeeping Mandates: the Role of the UN Security Council

It is the UN Security Council that crafts the mandates and determines the character of each new UN peacekeeping deployment. Where peacekeeping is not appropriate, it is also the Security Council that can authorize the deployment of a non-UN peace enforcement mission. For UN peacekeeping operations, it is critical that the Security Council recognize the limitations of the tool. In deliberations over the viability of a new UN peacekeeping operation the Security Council must consider:

Whether a situation exists the continuation of which is likely to endanger or constitute a threat to international peace and security;

Whether regional or sub-regional organizations and arrangements exist and are ready and able to assist in resolving the situation;

Whether a cease-fire exists and whether the parties have committed themselves to a peace process intended to reach a political settlement;

Whether a clear political goal exists and whether it can be reflected in the mandate;

Whether a precise mandate for a United Nations operation can be formulated.viii

If these questions can not be satisfactorily answered, and these conditions fulfilled, then the Security Council must consider whether or not a peace enforcement operation is the more appropriate way forward.

Robust peacekeeping involves the use of force at the tactical level with the authorization of the Security Council and consent of the host nation and/or the main parties to the conflict. By contrast, peace enforcement does not require the consent of the main parties and may involve the

use of military force at the strategic or international level, which is normally prohibited for Member States under Article 2(4) of the Charter, unless authorized by the Security Council . vi

The US should use its leadership position on the Security Council to ensure that all new peacekeeping operations have clear, achievable mandates, and that they are well resourced to fulfill the tasks that the UN has set for them.

Policy Recommendations

As one of the most powerful members of the UN Security Council, and one of the most influential countries in the world, the US could do a great deal to improve the international capacity to protect civilians in times of conflict.

The US Congress and Administration should continue to pursue the policy of paying US peacekeeping dues in full and on time. Through GPOI, ACOTA , and PKSOI the US should work more closely with the UN to provide standardized peacekeeping training, both bilaterally and through support to regional peacekeeping training centers, to increase global peacekeeping capacity.

The US Administration should provide U.S. forces and assets, such as engineering units, tactical and strategic lift capacity, and other ‘enablers’ to help UN missions deploy quickly and completely. As a member of the Security Council, the U.S. should ensure that UN peacekeeping missions are only deployed where mandates are achievable, and that missions are resourced to meet the demands of the respective mandates.

The US Administration should work with partners such as NATO, the EU and the AU to develop protection capacities that can be deployed quickly and respond effectively to counter threats against civilians where UN peacekeeping is not an appropriate mechanism.

The US Administration should support the Responsibility to Protect as a global norm and use diplomatic resources to advance the concept among countries reluctant to accept it.

Thank you again for the opportunity to testify before you today. I am happy to answer any questions you may have

NOTES

i A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping, UN DPKO, July 2009, p 4

ii U.S. Permanent Representative to the UN, Ambassador Susan E. Rice, Remarks on the UN Security Council and the Responsibility to Protect, at the International Peace Institute, Vienna, June 15, 2009.

iii ICISS, ‘Basic Principles,’ The Responsibility to Protect; Report of the International Commission on Intervention and State Sovereignty, 2001, p XI.

iv Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and sum

mits in the economic, social and related fields Follow-up to the outcome of the Millennium Summit, A/RES/60/1, 2005, Paragraph 139.

v Madeleine K. Albright and William S. Cohen, *Preventing Genocide: A Blueprint for U.S. Policymakers*, 2008, p xxi.

vi *United Nations Peacekeeping Operations: Principles and Guidelines*, UN DPKO, 18 January, 2008, p 35.

vii See *Preventing Genocide: A Blueprint for U.S. Policymakers*.

viii *Ibid*, p.47.

Testimony of Ambassador Richard S. Williamson

United Nations Peacekeeping Operations: Possibilities and Limitations

I want to thank Chairman Howard Berman, Ranking Member Ileana Ros-Lehtinen and the other members of the House Committee on Foreign Relations for inviting me to share some of my views on United Nations Peacekeeping Operations. In making my observations I will draw upon, among other things, my experiences dealing with UN Peacekeeping Operations while I served as Assistant Secretary of State for International Organization Affairs, Ambassador to the United Nations for Special Political Affairs and, most recently, as the President's Special Envoy to Sudan.

I have seen the value of the United Nations on the ground. In countless situations it has helped make the world a better place. In Central America and Africa I've seen small children inoculated against disease in UN health clinics. In Mitrovica, Kosovo, I met with a doctor who talked about the importance of the United Nations presence in helping her family and others rebuild after brutal ethnic cleansing. In Ethiopia, I've visited a UN clinic helping equip children with prosthetics for lost limbs due to exploded ordnances. In Freetown, I heard many stories of hope for restorative justice and reconciliation due to the United Nation's sponsored Sierre Leone Special Court. In Kabal I listened to President Hamid Karzai talk about the successful Loya Jirga and the pride he felt that this UN-supported process included women for the first time in Afghanistan's history. I've visited refugee camps and internally displaced person camps in Africa, the Middle East and Asia where UN relief agencies were keeping people alive. In these and so many other cases, the United Nations is working effectively to realize the dreams for it of the United States and other founding countries.

But, the United Nations, like all organizations, is imperfect. It suffers due to structural and procedural problems. While some progress has been made, the UN continues to suffer from waste, fraud and abuse. In some areas the bureaucracy is bloated and inefficient. And it suffers because it too often is given assignments that exceed its resources or capacity to achieve acceptable results.

Let me be clear, some critical problems are a direct result of mischief, bad behavior and carelessness of member states intent on scoring short-term political gain, indulging in rhetorical excess with wanton disregard for the integrity of the institution and the values for which it stands, and, on occasion, seeking to off load political problems onto the UN without providing the resources and political support to effectively deal with those problems. Unfortunately, this later dynamic is sometimes at play in the creation of and uneven support for some United Nations Peacekeeping Operations.

UN Peacekeeping Organizations are Useful

The United States has unequaled global reach in military might, economic strength and cultural reach. It has the capacity to project its power and influence to every corner of the globe. But our might, strength and reach are not boundless, America also has vast interests, desires, preferences and strategic requirements that girdle the globe. There are limits to America's blood,

treasury and political support to protect those interests. Competing considerations must be weighed. Priorities must be set. Decisions must be made. And, in such circumstances, burden sharing can be very useful, indeed.

Furthermore, there are situations around the world in which the United States has legitimate interests and concerns but where American intervention diplomatically or otherwise is unwelcome and may prove counter-productive. In some such circumstances America working in concert with other nations may be more effective. And, in some, other countries acting with quieter American support politically, financially or otherwise may be the preferred prescription.

Furthermore, in many places around the world the United Nations has a special legitimacy, an acceptability, that any country alone does not. Therefore, it is useful to American interests that one means of burden sharing, one useful implement in America's vast foreign policy tool box is United Nations Peacekeeping Operations. And UNPKOs also, in certain circumstances, can be more effective mechanisms to advance U.S. interests.

Clearly, America has the ability to act alone, arguable on a wider range of issues than any other nation. Just as clearly, America should reserve its right to act alone if it must to protect vital interests, especially vital security interests. But history, logic and common sense suggest just as clearly that it is often in America's interest to work with others to protect our security, advance our interests and project our values.

UNPKOs: Background

There have been 63 United Nations Peacekeeping Operations. During the UN's first 45 years, armed conflicts, even in remote corners of the world, were viewed through the prism of the Cold War confrontation. Most often the two superpowers did not want UN meddling. UN peacekeeping missions were few and, generally, served only as interpositional forces to police ceasefires agreed to by the warring parties in order to give the combatants time and space to find and implement a political solution. Sometimes it worked, as in helping with the Namibia settlement. Sometimes it failed, as in the Congo in the early 1960s. And some UN Peacekeeping Operations go on and on, helping to prevent renewed hostilities in areas where a final settlement remains elusive such as Cyprus and the Western Sahara.

A review of UN peacekeeping during the Cold War suggests a number of factors which helped determine the effectiveness of any operation in relation to the cost and effort put into it. UN peacekeeping involvement should: (1) be accepted by all the parties to the conflict; (2) receive the acceptance and cooperation of the Security Council members; (3) have a clear and realistic mandate; and (4) be established in a way that clearly defines the authority of the Security Council, but allows the Secretary-General to have broad latitude for the initiative's operational direction and administration.

Whether by bridging a gulf of remaining differences, or by merely providing a graceful exit or political justification that the respective governments could use with their situations at home, the UN had a role. It did not impose peace. It acted as a midwife, a facilitator, a promoter of peace. This was a limited role, but often an enormously important one.

An official UN publication around the time of the end of the Cold War, *The Blue Helmets*, states among the characteristics of a successful peacekeeping operation, “The military observers are not armed and while the soldiers of United Nations peacekeeping forces are provided with light defensive weapons, they are not authorized to use force except in selfdefense.

A further key principle is that operations must not interfere in the internal affairs of the host country and must not be used in any way to favor one party against another in internal conflicts affecting Member States. ...The United Nations operations cannot take sides or use force without becoming part of the problems at the root of the dispute.” All this changed with the end of the Cold War.

In 1988-89, while I was Assistant Secretary of State for International Organization Affairs, we launched a UN Peace Operation not to observe a ceasefire but to facilitate the political transition in Namibia. The UN helped organize and monitor Namibia’s first free and fair election and the withdrawal of foreign forces. There would be other such UN operations, most notably the massive UN effort in Cambodia.

In a sense, with the end of the Cold War, the UN was liberated. The bipolar standoff between Washington and Moscow that often created gridlock within the Security Council was lifted. The new dynamic created new opportunities for cooperation to replace confrontation within the UN Security Council. However, the lifting of Cold War constraints also created new and different disorders.

The Cold War had provided an organizing principle and structure to global affairs. As Richard Haas wrote in his book *Intervention: The Use of American Force in the Post-Cold War*, “In the U.S.-Soviet relationship competition was structured and circumscribed.” With the end of the Cold War that system of political control was lost. Ancient ethnic hatreds flashed. Irrational people with evil intent “revived their tradition of slaughtering their neighbors.” Some nation states disintegrated. At the same time, advances in information technology made it impossible for governments to regulate and manipulate information. And new actors have emerged who operate across national borders and threaten peace and international security: organized crime, narcotics syndicates, regional warlords and terrorist organizations. In a number of regions pandemonium broke out. In the early 1990s Leslie Gelb pointed out the difficulty of a growing number of “teacup wars”; “wars of debilitation, a steady run of uncivil civil wars sundering fragile, but functioning nation-states and gnawing at the well-being of stable nations.”

Without the bipolar ballast of the Cold War and the discipline imposed by the Washington-Moscow standoff, the types of conflicts around the world changed. Traditional warfare took place between two nations with organized armies clashing across defined boundaries. In the post-Cold War era, increasingly armed conflicts are internal struggles fought by irregular forces. Often guerrilla tactics are the means and light weapons the tools of destruction. Wars take place within failed states. Since political power and legitimacy within a country are difficult to determine, these new wars are much harder to resolve.

These conflicts seldom pose a threat to the strategic interests of Security Council members, but they often involve great human suffering. The outbreak of ethnic conflict, civil unrest and

humanitarian suffering have often made international intervention more necessary. And the witnessing of that suffering by the world through the mass media, makes action more desired. Since these wars usually did not take place within countries where the major powers had vital interests, often the preferred response was UN intervention. As Professor David Hendrickson observed in an essay entitled, “The Ethics of Collective Security”, the end of Cold War tensions “persuaded many observers that we stand today at a critical juncture, one at which the promise of collective security, working through the mechanism of the United Nations might at last be realized.”

Quickly, UN Peacekeeping became a growth industry. In 1987, there were five active UN Peacekeeping Operations with a combined annual budget of \$233 million and approximately 10,000 troops. By 1995, the UN had 17 active peacekeeping operations with an annual budget of \$3.6 billion and over 75,000 troops. By the time I arrived in New York to assume my duties as Ambassador to the UN for Special Political Affairs, there had been 54 UN Peacekeeping Operations launched since the UN’s founding in 1945, 41 of these begun since 1989. Today there are 15 active UN Peacekeeping Operations with 116,413 peacekeepers deployed from 118 countries at a cost of nearly \$7.8 billion a year. Unfortunately, these new UN Peacekeeping Operations have not always been successful. UN member states, sometimes including the United States, have pushed the United Nations beyond its capacity and operational reach.

In recent years UN peacekeepers were sent out with varied mandates ranging from preventive diplomacy, the ending of civil wars, confidence-building measures, verification of arms limitation agreements, law and order assistance, humanitarian relief and drug interdiction to combating terrorism. Old guidelines for successful UN peacekeeping operations were left behind. The past principles of “consent, impartiality, and the use of force only in self-defense” failed.

The early fast pace of growth in UN Peacekeeping Operations led UN Secretary-General Boutros Boutros-Ghali to say that “Peacekeeping has to be reinvented every day. There are as many types of peacekeeping as there are confrontations. Every major operation provokes a new question.”

As UN Peacekeeping Operations grew, missions in Somalia, Bosnia, Haiti and Rwanda were given Chapter VII authority to use military force to carry out UN Security Council decisions. Some UN experts, such as former UN Under Secretary-General Brian Ugeux, felt early on as UN Peacekeeping Missions exploded in number and varied mandates that there needed to be a reconsideration of the UN peacekeeping principles and that changes needed to be systematically considered and agreed upon. This was not done as UN Peacekeeping missions continued to grow in number, variety, robustness and old rules of impartiality and state sovereignty faded.

As a former Secretary of State Madeleine Albright wrote in her memoir, *Madam Secretary*, “‘Let the UN do it’ had become the operative phrase in Washington and other capitals. This shift was partly due to the hope that the UN would finally fulfill the dreams of its founders. But it was due as well to the desire of many national governments, including the United States, not to take on the hard tasks themselves.”

Some new peacekeeping missions were successful such as those in Namibia, El Salvador, Cambodia and Mozambique. However, not all were. Some had tragic results. Many member states failed to understand the inherent problems in the expanding mandates assigned to UN peacekeepers. And few were willing to accept the inherent limitations of the United Nations capabilities. The setbacks in Somalia, Rwanda, Bosnia and Kosovo shook confidence in UN peacekeeping.

As Sarah Sewall, a Clinton administration official “who initially argued that the UN should be able to assume a peace enforcement role,” wrote in the volume *Multilateralism and U.S. Foreign Policy, Ambivalent Engagement*, “Washington fundamentally underestimated the difficulty of the new peace enforcement operations. ... Today it is obvious that operations in which significant combat can be anticipated are beyond the UN’s reach and likely to remain so.”

Sudan

While serving as the President’s Special Envoy to Sudan, I witnessed two large, complex United Nations Peacekeeping Operations up close: UNMIS and UNAMID. The challenges each faced were significant and numerous. Their success has been uneven. In their mandate and execution; successes and failures; achievements and disappointments there are lessons to be learned.

UNMIS, the United Nations Mission in Sudan, was authorized by the United Nations Security Council in 2005 right after the Comprehensive Peace Agreement (CPA) was signed ending Africa’s longest civil war. Like many peace deals to end long, savage, brutal, bloody wars, the agreement ended the worst killing but it is imperfect. In the case of the CPA there is a 6 year implementation phase leading up to a 2011 scheduled referendum in which the people of the South will decide whether to remain as part of Sudan or to become independent. That was a six year window during which each side has sought to “renegotiate” the terms by changing facts on the ground. This provided ample time for mischief and malice to play out, which it has.

The most difficult flashpoint between the North and the South has been and remains the Abyei area. Home of the Ngok Dinka, it lies in a contested border area rich with oil reserves. The CPA was unable to delineate an acceptable border in Abyei and created an independent mechanism, the Abyei Border Commission (ABC), to demarcate the border. Both sides agreed to accept the ABC decision. However, when the ABC announced its demarcation, Khartoum refused to accept it. Tensions rose. Strains were heightened further because the Arab Messeryia nomadic tribe has traditionally migrated across this area annually to water their herds. That this was the most explosive place along the entire Sudan North/South border was well known and well understood. Nonetheless, UNMIS with a force size of 10,000 had only a small garrison in Abyei, a town of nearly 50,000 people. And in May, 2005, during the tragic flare up in Abyei during which the entire town was burnt to the ground in a few days of horrific violence, UNMIS was missing in action despite a mandate to protect innocent civilians. In fact, on the day the violence spun out of control UNMIS had only 95 armed peacekeepers in Abyei including two cooks. And the order was given to keep all UNMIS personnel inside the garrison, as civilians were terrorized and their homes destroyed.

A few days later I traveled to Abyei to survey the carnaged remains. It was awful, a ghost town. 50,000 innocent people had fled and migrated one day's walk to Agok where they would desperately cling to life under temporary shelters of plastic sheets to weather Southern Sudan's rainy season during which up to 47 inches of rain falls. Moving down Abyei's dirt roads there were smoldering ruins as far as I could see in every direction. The remnants of hut homes with smoke still rising, scraps of clothing, melted plastic water bottles, contorted black bed frames. I even saw what looked like a child's bicycle blackened and bent by heat almost unrecognizable, a symbol of hope lost. 50,000 innocent lives ruined, some killed, and UNMIS, a UN Peacekeeping Operation of 10,000 with an annual budget of \$1 billion, had done nothing to help. It was shameful.

At UNMIS headquarters up north in Khartoum, the 19 UN press people went into overdrive to try to exculpate UNMIS of any responsibility for the Abyei decimation. Fortunately, the new leadership of UNPKO, Under Secretary-General Alain Le Roy refused to be complicit in this shameful reinvention of history. An investigation was conducted, UNMIS mistakes uncovered, a report made, and some changes took place. Yet the same Special Representative of Secretary-General, who was in charge of UNMIS at the time of the Abyei tragedy and the UNPKO failure, remains at post today. So accountability has been limited for UNMIS' failures that contributed to Abyei's devastation.

Also, for a variety of reasons, CPA stipulations for disarmament of the Arab militia sponsored by Khartoum has not occurred. Nor have the militias disbanded, been reintegrated, or adequate reconstruction taken place. Clearly these failures are not solely due to UNMIS. However, UNMIS is not blameless. Hopefully with the recent Abyei border decision of the Permanent Arbitrator Tribunal in The Hague, which has been accepted rhetorically by Khartoum and Juba, the CPA implementation can proceed. Yet many questions regarding cooperation, capacity and competence remain with respect to the 2010 election, viability of the Government of Southern Sudan, economic development and the 2011 referendum. The challenges are substantial and the role of UNAMIS is consequential if CPA full implementation is to be achieved.

The United Nations Peacekeeping Operation in Darfur has been even more problematic. The conflict in Darfur flashed in 2003. A small rebel attack on a Sudan Armed Forces (SAF) airfield in Darfur destroyed some aircraft and killed a few SAF soldiers. Rather than a targeted proportional response, Khartoum "opened the gates of Hell." The Sudan government armed Arab militia known as the Janjaweed, the Devils on Horseback and Camel. Then in coordinated attacks against innocent African Darfuris they brought destruction, devastation, death and deep despair. The United Nation estimates that over 300,000 innocents have died and 2.7 million have been displaced in Darfur. The UN has labeled Darfur as the world's worst humanitarian crisis.

In 2004, the African Union agreed to send a regional peacekeeping mission to Darfur. The United States and many others encouraged and supported this regional response. However, the mandate for the African Union Mission in Sudan (AMIS) was limited. The AU peacekeepers were to monitor and report on violence, not try to stop it. And the African Union's resources in men, equipment and logistics were sorely challenged. The United States was the most generous country supporting AMIS. In the end, the U.S. government spent approximately \$400 million on a private contractor to build the camps around Darfur required for deployment of the African

peacekeepers. However, as vicious violence continued in Darfur, it soon became apparent that in Darfur, a vast area the size of France, that 3,200 African Union peacekeepers were too few, and their mandate too weak to stabilize the situation.

An intense period followed of growing diplomatic pressure on Khartoum to accept United Nations Peacekeepers. For many months, the Government of Sudan rebuffed the UN charging that UN Peacekeepers were really an effort by Europeans to recolonize their country. Phony government orchestrated demonstrations in the streets of Khartoum protested against UN infringement of Sudan's sovereignty. Finally, in the summer of 2007, the impasse was broken when the United States and others agreed to compromise language for the UNPKO that the force would be "predominantly African." There is disagreement on what precisely that language means. Khartoum has claimed that it gave the Sudan government power to approve proposed troop contributing countries to UNAMID. This asserted veto power by Khartoum has contributed to the excruciatingly slow deployment of UNAMID to full strength as proposed peacekeepers from Nepal and Thailand were repeatedly disallowed.

During my tenure as the President's Special Envoy to Sudan, a great deal of my time and attention was focused on UNAMID. I recognized that even at UNAMID's full strength of 27,000 peacekeepers, this UN mission will be inadequate to impose peace on an area of arid desert the size of Darfur. However, it was my belief that full deployment of UNAMID could create a larger security footprint. Thereby critical international humanitarian assistance could flow to more Darfuris. Some of the predatory violence of militias, rebels and bandits could be crowded out. It would contribute to a more stable situation that might contribute to meaningful peace talks and a return of displaced Darfuris. But accelerating UNAMID deployment proved enormously difficult. As we meet today it is 18 months since UNAMID was launched and it still is not at full strength. There is plenty of culpability to spread around.

Khartoum has been the major impediment to UNAMID's full deployment. Unlike most UNPKOs in places like Timor Leste, Sierra Leone, and the Democratic Republic of the Congo, Sudan does not have a weak government unable to project power throughout its territory. Indeed, the Khartoum government is strong, discipline, and, history has demonstrated, willing to engage in extreme and quite ruthless acts to stay in power. Khartoum has freely wielded its sovereign prerogatives, strength, and ample capacities to impede UNAMID: slowing UNAMID cargo at the Port of Sudan, limiting access to land with water for UNAMID camps, delaying issuing visas, and so on and so forth. The UN Secretariat, especially in the earlier months, proved inept at consultations with the sovereign government of Sudan, anemic in pressing its case, inflexible and very risk adverse. The result was a real botch of it.

The United States was not the only UN member state greatly disappointed and highly frustrated by the glacial pace of UNAMID deployment. We sought out Canada to join us as coleaders of an ad hoc group we called "Friends of UNAMID." Its mission was to prioritize and coordinate the efforts of donor countries in concert with the UNPKO Secretariat and the African Union to accelerate UNAMID deployment and to support UNAMID politically and materially.

It was the first such group in the history of the United Nations. After consulting with UN

Secretary General Ban Ki moon and gaining his public support, our new mechanism was launched with over a dozen donor countries participating in the weekly meetings and in providing various extraordinary material support for UNAMID. After a slow start, once Alain Le Roy became the new Under Secretary General for Peacekeeping Operations and Susana Malcorra the new Under Secretary General for Field Support, the Friends of UNAMID really took off and gradually the pace of deployment accelerated. I cannot say enough good things about the leadership and innovation brought to their tasks by Under Secretaries General Le Roy and Malcorra. They have demonstrated repeatedly how personalities, energy and innovation can empower leaders and improve performance.

Meanwhile, in addition to launching the Friends of UNAMID, the United States has been very active on other fronts to accelerate deployment. The United States' built African peacekeeper camps in Darfur have become UNAMID camps. The United States spent \$100 million to train and equip peacekeepers for UNAMID from Rwanda, Senegal and other African countries. The United States has supplied transportation lift to get some of the peacekeepers to Darfur. And the United States, in coordination with the UN Secretariat, has been relentless in pressuring Khartoum to lift their many impediments to UNAMID deployment and operations.

Is UNMIS *the* answer to Sudan North/South peace and full implementation of the Comprehensive Peace Agreement? Is UNAMID *the* answer to the tragic genocide in slow motion in Darfur? Absolutely NOT! But UNMIS and UNAMID are each *an* answer. Each of these UNPKOs are making the situations better. Each is contributing to an improved situation on the ground and contributing to some improved stability for peace to have a chance. Are they worth the cost, the personnel, the risks they assume? That's a difficult decision which with UNMIS and UNAMID, as in all UNPKOs, is a case by case decision that warrants reconsideration as events unfold.

General Observations

United Nations Peacekeeping Operations, like all mechanisms of foreign and security policy, are imperfect. There are times UNPKOs are very useful in advancing United States interests. In general UNPKOs deserve our support. However, there is ample room for improvement and the United States as a Permanent Member of the UN Security Council and as the largest financial contributor to UN Peacekeeping budgets must be a leader and forward leaning in working to reform and improve UN Peacekeeping Operations.

One, the United States must be realistic about what a UNPKO can do, the limits of its capacity. There are limits of available peacekeepers from Troop Contributing Countries. There are limits of available equipment such as helicopters with night vision. There are limits to the political leverage and influence of the United Nations, especially when dealing with deeply entrenched sovereign governments. These limits and others must be understood, acknowledged, and be part of the analysis of whether or not to support authorization of any new UNPKO.

Two, the United States must be steely-eyed and crystal clear in assessing the real support within the UN Security Council for any new UNPKO. Both political will and material support is required not only at the launch of a new UNPKO but it must be sustained throughout. Especially

if one or more of the Security Council Permanent Members have direct interests in a conflict or with one party of a conflict, the effectiveness of the UNPKO will be compromised on various fronts. In such situations the likelihood of success is substantially compromised.

Three, the United States should not be so anxious to launch a UNPKO that it accepts inadequate mandates or too small a force size to get the job done. Nor can it accept infringement on UNPKO's composition, freedom of movement and so on. Better not to approve a UNPKO than to launch one inadequate to the assignment.

Four, UNPKOs ought not be immortal. Some UNPKO interpositional forces such as in Cypress and Western Sahara were deployed in acute situations that, over time, have calmed down. The dispute is resolvable but the pain on either side is not acute enough to compel compromise. The status quo may not be preferable, but it is acceptable. The UNPKO allows a comfort to set in. Unresolved issues remain unresolved because, due to the UNPKO, they don't need to be resolved. That's rubbish. The parties should be forced to resolve their problems and move on. UNPKOs ought not become nannies allowing complacency to set in and issues to remain indefinitely unresolved.

Five, UNPKOs must be more flexible. They must be better at adapting to the situation and adjusting. For example, helicopters with night vision might be preferable to transport UNPKO equipment and personnel and to aid peacekeepers under attack. However, if unavailable, helicopter without night vision are better than no helicopters. For example, tragically last year some UNAMID peacekeepers were attacked and some killed. Attack helicopters without night vision had been available for months, but UNAMID's position was they did not meet specifications, so they refused the offer. For the UNAMID peacekeepers under attack during daylight, the available helicopters certainly would have been welcome.

Six, recognize that in difficult environments a lead dog can be very helpful. The United Kingdom played that lead role with peacekeeping in Sierra Leone and France in Cote D'Ivoire.

Seven, there needs to be reform of the work program of the UN's Fifth Committee. That body spends the entire year on the UN Regular Budget of approximately \$3 billion. However, it devotes only the month of May to the UN Peacekeeping budget of almost \$8 billion.

Eight, UN Peacekeeping Operations, like other UN bodies and mechanisms, should conform to the highest standards of procurement and management. Unfortunately, such standards have not always been met. To insure appropriate oversight and accountability, the UN Office of Internal Oversight Service (OIOS) should be supported politically and financially. It should be urged to deal appropriately and expeditiously with the cases referred by the Procurement Task Force and a permanent appointment should be made for the person in charge of investigations.

Nine, progress must be made to "standardize" UNPKO equipment, especially common communications equipment system wide.

Ten, often the most important determinant of a successful UNPKO is the Special Representative of the Secretary General (SRSG) and the Deputy SRSG. The personality, energy, drive, political

skill, commitment, innovation and overall talent of the SRSG and Deputy SRSG are absolutely critical. Nonetheless, the capabilities of SRSG range from outstanding personalities like Laktar Brahimi and Sergio Vieira de Mello to the merely adequate to the buffoonish. Geographic consideration, cronyism, and a general lack of rigor in the selection of SRSGs and Deputy SRSGs must end. Both the Secretary General and the Security Council must change past sloppy, haphazard selection practices and slack accountability and reform to provide the sort of selection process and oversight of these posts warranted by their importance and the seriousness of their mission.

Eleven, similarly UNPKO Force Commanders often are picked because of nationality and politics, not competence. This too must end. It's a deadly serious business and should be treated as such.

Twelve, there should be common training for UNPKOs whatever their country of origin: a common procedure, manual and practice.

Thirteen, progress has been made but more is required for UNPKO activity to be integrated with the World Food Program and other important UN humanitarian agencies active in conflict and post-conflict arenas.

Fourteen, there needs to be better training and monitoring of UNPKOs on human rights – especially exploitation of women and children, and HIV-AIDS. Let me note that under the supervision of United Nations Under Secretaries General Alain Le Roy and Susana Malcorra the Department of Peacekeeping Operations and Department of Field Support this month published an excellent 46 page Non-Paper titled *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*. It contains some of the recommendations I have mentioned and others to improve UN Peacekeeping Operations. Many critical issues are raised. I commend it to the members of this Committee and your staff.

Conclusion

I close where I began my testimony. United Nations Peacekeeping Operations can be very useful in advancing United States interests and in helping make the world safer and more secure. UNPKOs deserve support. But, at the same time, reform is needed to improve their operations. And, most important, hard eyed realism is required of the United States in the Security Council and discrimination is necessary on whether or not to approve UNPKOs. It is not the place to off load problems. It is not the place to overload the mechanism's capacity. It is not the place to approve missions for which our or other's political will equivocates or toward which inadequate resources will be deployed. The most critical UNPKO mistakes are often in their inception and launch. Passing a problem to a UNPKO is *not* solving a problem. It is only a beginning of a solution that requires political and material support and efficient, effective, and persistent leadership and very hard work on the ground. Thank you.

Testimony of Roger P. Winter, Former Special Representative on Sudan

Chairman Payne, Ranking member Smith and Members of the Subcommittee, thank you for inviting me to be here with you today. And to you, Mr. Payne, your consistent and persistent leadership on Sudan has honestly made you one of my heroes. I mean that sincerely.

To paraphrase one of my favorite authors, I often wonder with awe at the willingness of good people, especially Americans, to suspend all their protective instincts and to accept some of the worst killers in the human race into their midst. I remembered that thought when seeing photos of the Khartoum delegation that arrived recently to discuss Sudan's Comprehensive Peace Agreement (CPA). Perhaps I have seen too much in the Sudan over these last 28 years and have become jaundiced. Still, a necrology of three million dead civilians in Sudan, targeted victims of the policies and actions of the National Congress Party (or National Islamic Front) since its coup in 1989, has got to be noteworthy, especially as the leadership of the NCP have as yet never been held accountable for their crimes. Surely three million is unambiguously a Holocaustic number. The gentleman who headed the NCP delegation to Washington recently and received substantial public exposure (e.g. in the Washington Times) has one of the worst track records of all. Surely three million deaths is unambiguously a Holocaustic number, a reality for which he makes no apology whatsoever.

Not only has the NCP not paid a price for that body count, its leadership now controls much of Sudan's economy; its indicted President is politically protected by the morally - challenged leadership of the African Union and the Arab League; and it continues to undermine both the CPA itself and also the Sudan Peoples Liberation Movement, its "Partner" in the National Unity government established by the CPA. The NCP has a 100% perfect record. It NEVER ever keeps the agreements it signs with its opponents. The pattern is clear. Take, for example, the issue of the volatile town of Abyei. President Bashir's three - year - long refusal to implement the Abyei Protocol of the CPA after signing it on multiple occasions was followed by his Sudan Armed Forces 31st Brigade's destruction of Abyei town in May of last year. Again, he and his Party have paid no price. In fact, he's essentially been rewarded and now is now threatening to undermine the CPA's promised Referendum on Abyei's future.

Just one month ago, President Bashir celebrated his twentieth anniversary as President. He came to power by coup and, ever since, he and his Party have been at war with the Sudanese people, North, South, East and West. The National Islamic Front/NCP leadership team has been the same since it took power. Since then that able and well - experienced team has confronted a revolving door of U.S. diplomats and 'special envoys' who do their best to end Khartoum's destructive behavior. Often they think that Khartoum can be successfully appealed to "to do the right thing" on behalf of the marginalized people of Sudan. It's just not so. Khartoum reads us very well.

Personally, I have changed my perspective on Sudan. As someone who worked for our Government on the CPA, I believed in the vision of "New Sudan". I believed the

“democratic transformation” of Sudan had a chance to succeed. I believed that “maybe” there was a faint chance the NCP “might be” willing to “make unity attractive” and so sustain a unified state of Sudan. But Khartoum has killed all that. Those goals are not in any way achievable any longer. In my view there are only two general directions that are supportable by the people of South Sudan at this point: (1)The South will vote overwhelmingly for separation in the Referendum provided for by the CPA or (2)The South will be forced into unilaterally declaring its independence because its CPA - mandated Referendum is frustrated by Khartoum’s actions and/or the hollow commitments of the International Community. The International Community’s wishy - washy approach to the CPA has helped assure that either option will be messy. However, delay or abandonment of the Referendum would be the worst - possible outcome. I believe, in such a case, return to war would be essentially guaranteed.

Because I believe the Referendum must happen timely and in at least reasonably good form in order for there to be any viable chance for peace and development in the region, I believe it is mandatory that the U.S. fully embrace the people of the South and Abyei, and that we escalate our efforts to achieve a soft - landing as the result of a successfully - held Referendum. The U.S. must be clear and upfront that we will support and protect the outcome of that Referendum; many people died to achieve that right.

It is no secret that South Sudan and Abyei are plagued with serious problems but, under the circumstances, they have come a long way against incredible odds.

For twenty years I was the CEO of a non - profit which was then called the U.S. Committee for Refugees. In that role I was personally exposed to virtually every human rights and humanitarian disaster in the world. I can assert with great confidence my view that, before the CPA, South Sudan and Abyei were the most destroyed places in the entire world. For more than 80% of the time Sudan has been an independent state Khartoum has fostered war in South Sudan and Abyei. Khartoum has not been a genuine government but has generally functioned partisanly on behalf of a narrow range of Arab interest. As a clear result, calling the South “marginalized” became an understatement. It is amazing what forty - seven years of war can do to people. I would visit Abyei which was essentially denuded of its population and overgrown by bush. I would travel during the war throughout the South seeing the unspeakable conditions, but survivors had to live in it. I’ll not focus on it except to say it wasn’t only infrastructure that was destroyed, it was much of humanity and human society.

At the time the CPA was signed, there was great optimism about the future. The international community made many promises. Khartoum was playing charades and winning. The SPLM and the newly created Government of Southern Sudan were hopeful. The problems they faced were overwhelming and mostly man - made. Because the South had become quiet and Darfuris were being exterminated in growing numbers by Khartoum forces, attention shifted away from the implementation of the CPA and the delivery of an adequate peace dividend for the South’s war - affected civilians. Khartoum, despite signing the CPA, has consistently undermined it. Supporting violence

in the South, destroying Abyei in May 2008, regularly withholding funds due the South and Abyei to cripple the functioning of governance, and activating its friends and 'fellow travelers' in the South to foster civil unrest have all been part of Khartoum's pattern of behavior.

Despite Khartoum, the South has come a very long way and has received substantial international assistance, including major support from the U.S. The South has a functional government, substantial growth in education, health services, roads, and other critical services, all in fifty - five months since the CPA was signed. Candidly, however, the South's progress is also being undermined by internal forces, especially in terms of some civil violence, some official corruption, and some serious weaknesses in governance. My use of the word 'some' here, is to be fair. These problems are serious, especially as they erode popular confidence, but they do not eclipse the progress that has been made, given where they started from and the constant undermining by Khartoum. Let me mention one example of how Khartoum routinely works: Abyei.

Khartoum signed the CPA, including the Abyei Protocol, on January 9, 2005. Khartoum never implemented the Protocol. That meant there was NO government in Abyei and no government services for three years. In May 2008, Khartoum forces completely burned to the ground the market place and all residential areas. One hundred percent of the population, who were all returned displaced people, were again displaced. Subsequently Khartoum forces blew up the SPLM facilities in Abyei. Forced by international neglect of these developments in Abyei, the SPLM agreed to international arbitration by the Permanent Court of Arbitration(PCA) in the Hague. While the PCA was moving forward, an Abyei administration was finally created. That administration was intended to provide services to the population funded by a percentage of oil revenues as specified in the CPA. The Abyei administration's budget was to begin October 1, 2008; it never happened. After much pressure, the Abyei administration got only a small "advance" in February 2009 and another in April. Effectively Abyei administration personnel have not been paid since last January; there is little money for services; the hospital is basically empty. There is still no approved budget for Abyei for the fiscal year now almost over. This is how Khartoum implements the CPA in the single most volatile location in Sudan, with clear intention to undermine stability. This is also typical of how Khartoum has dealt with every important issue in the CPA. To top it off, many of the officers of the 31st Brigade(now renamed) and related militias that destroyed Abyei in May 2008 were promoted, and today hundreds of those men, commanded by thugs like Lt. Col. Thomas Thiel Malual Awak, Major Moyak Mobil Ajak and Captain Joseph Garang Nyoul, among others, are just a short distance north of Abyei town waiting for the next instruction from President Bashir to do their evil deeds. And, in my view, he is preparing to do just that. He has already announced in a very threatening way how he will try to torpedo the Abyei Referendum in 2011.

This is how Khartoum behaves across the board on every important issue. This is the Government our Administration is seeking to "make nice" with. Comparing the problems of the GOSS with those of Khartoum, which really is the failed state? Is it Khartoum,

the one rolling in cash, thoroughly corrupt, a killer regime whom WE have accused rightly of genocide, the 'government' that undermines all the marginalized populations in Sudan and never keeps its agreements? Or is it the four - and - a - half year old GOSS, struggling to reconstruct a war - devastated South with an almost 100% war - traumatized population of survivors minus several million that didn't survive? Morally, by any assessment, the South wins hands down. And morally, that's where America's heart should be.

Why? I believe that with all their shortcomings, the SPLM and the GOSS politically are fundamentally democrats and genuinely want to provide development for all the population for which they have governing responsibility. In my view it is in advancing precisely those commitments that U.S. national interests are ultimately located.

To me that requires a U.S. surge in coming along side in a full - blown partnership with the struggling GOSS to improve its performance in terms of governance quality so it can deliver servicesto and inspire the hopes of the people of South Sudan and Abyei. While I cannot be comprehensively prescriptive on specific programmatic solutions, there are some that are obvious: improved financial management, establishment of corruption detection and prosecution mechanisms, preparation for managing the South's petroleum sector, enhancing their public information capacity so the public is well - informed, increased training of police, and capacity - building in reducing inter - community violence. For the remaining timeline of the CPA and for sometime thereafter, the U.S. should stimulate capacity transfer by an infusion of capable American, Indian and other nationality expertise to work along side their Sudanese counterparts. It also means Washington confronting Khartoum when in big or little ways they obstruct CPA requirements and undermine GOSS capacity.

To me this is an approach of which the American people ultimately will be proud. It will free the people of Abyei and the South and will also best secure our own fundamental interests.

Testimony of Colonel William J. Flavin, Directing Professor Doctrine, Concepts, Training, and Education Division, U.S. Army Peacekeeping and Stability Operations Institute, U.S. Army War College Challenges for Peace Operations

Challenges for Peace Operations

GENERAL

Seven decades after peacekeeping began and ten years after the Brahimi report the world is facing increasing demands to engage and bring stability to regions where fragile governance is endemic. Global peacekeeping is at an all time high. The number of troops deployed in UN operations alone has risen 600% in the past six years. The number and sophistication of the spoilers have increased as has the demands on the international community to act. Peace building has become a part of most missions and has proved not only complicated and difficult but also dangerous. Security is at the heart of these conflicts. The challenge is how to establish a safe and secure environment so that the peace process and peace building can succeed.

The new USIP Book soon to be published, *Guidelines on Reconstruction and Stabilization*, states that in its broadest sense, security is an “all encompassing condition” that takes freedom, safety, governance, human rights, public health, and access to resources into account. This is commonly known as “human security.” USIP defines security as the physical security which permits the freedom necessary to pursue a permanent peace.

Security rests the four following elements: information, management of spoilers, reform of the security sector and protection of human rights.

Information:

Sharing timely information about threats and potential threats to the peace process or the population is vital to security. It requires developing deep links with and an understanding of the population.

Management of spoilers

Spoilers are individuals or parties who believe that the peace process threatens their power and interests and will therefore work to undermine it. The peacekeeping mission should understand what gives power brokers power, including their financing, their roles in the previous regime and their standing in the community. It should recognize that they exist in the economic, political, and security arenas, both at the local and national level. They may have fed off the conflict or emerged in the wake of defeat as new spoilers. If reconcilable, spoilers should be encouraged to change their behavior over time. Depending on their motives and capacity at state and local levels, spoilers may need to be dealt with militarily, or through political or economic negotiations.

Reform of the security sector

Control of the security apparatus is the basic source of state power and its use will likely have been one of the major drivers of conflict. Its reform therefore is a priority. Security sector reform touches every aspect of an S&R mission: actors directly involved in protecting civilians and the state from violence (e.g., police and military forces and internal intelligence agencies), institutions that govern these actors and manage their funding (e.g., ministries of interior, defense, and justice; and national security councils), Challenges for Peace Operations and oversight bodies (legislative and non-governmental). Reform aims to create a professional security sector that is legitimate, impartial and accountable to the population.

Protection of human rights

A human rights-based approach, where all actions uphold human rights, is required to establish the necessary conditions for each and every end state selected. This involves a mandate to protect and promote human rights and ensure that the host nation has the will and capacity to do so on its own. Rights protected under international law include life, liberty and security of person; the highest attainable standard of health; a fair trial; just and favorable working conditions; adequate food, housing and social security; education; equal protection of the law; and a nationality. These also include freedom from arbitrary interference with privacy, family, home or correspondence; arbitrary arrest or detention; torture and cruel, inhuman or degrading treatment or punishment; slavery; and freedom of association, expression, assembly and movement.

Below is the status of the US and UN attempts to address the issues of security since the operations in the Balkans and Rwanda. There has been some progress at least in recognizing that this is an issue that must be addressed. This reflects my personal assessment and not that of DOD.

1. Policy and Direction

a. National Security Strategy 2006: The national security policy contains some key phrases that deal with the issue of human security and civilian protection but this direction was not echoed in any of the following documents that provided guidance to the Department of Defense. Here are the two mentions of Genocide and civilian protection in the NSS:

- i. In Darfur, the people of an impoverished region are the victims of genocide arising from a civil war that pits a murderous militia, backed by the Sudanese Government, against a collection of rebel groups.
- ii. Genocide: Patient efforts to end conflicts should not be mistaken for tolerance of the intolerable. Genocide is the intent to destroy in whole or in part a national, ethnic, racial, or religious group. The world needs to start honoring a principle that many believe has lost its force in parts of the international community in recent years: genocide must not be tolerated. It is a moral imperative that states take action to prevent and punish genocide. History teaches that sometimes other states will not act unless America does its part. We must refine United States Government efforts – economic, diplomatic, and law-enforcement – so that they target those individuals responsible for genocide and not the innocent citizens

they rule. Where perpetrators of mass killing defy all attempts at peaceful intervention, armed intervention may be required, preferably by the forces of several nations working together under appropriate regional or international auspices. We must not allow the legal debate over the technical definition of “genocide” to excuse inaction. The world must act in cases of mass atrocities and mass killing that will eventually lead to genocide even if the local parties are not prepared for peace.

iii. National Defense Strategy 2008: This document contains neither Genocide nor Mass Atrocities nor Human Rights Violations nor any other code word for Genocide or anything about civilian protection.

iv. National Military Strategy 2005: This document contains neither Genocide nor Mass Atrocities nor Human Rights Violations nor any other code word for Genocide.

2. Concepts and Doctrine

a. UN Concepts and Doctrine

i. The UN made great strides with the publication of their capstone doctrine in 2008, UN Principles and Guidelines that provided overarching guidance. It states that one of the core business of UN peacekeeping is to “create a secure and stable environment while strengthening the State’s ability to provide security, with full respect for the rule of law and human rights.”

ii. The UN doctrine goes on to address the issue of civilian protection without mentioning genocide or mass atrocities. The following is an extract from the document:

1. “In situations of internal armed conflict, civilians account for the vast majority of casualties. Many civilians are forcibly uprooted within their own countries and have specific vulnerabilities arising from their displacement. As a result, most multi-dimensional United Nations peacekeeping operations are now mandated by the Security Council to protect civilians under imminent threat of physical violence. The protection of civilians requires concerted and coordinated action among the military, police and civilian components of a United Nations peacekeeping operation and must be mainstreamed into the planning and conduct of its core activities. United Nations humanitarian agencies and non-governmental organization (NGO) partners also undertake a broad range of activities in support of the protection of civilians.”

2. Although this guidance is essential, there is still a need for subordinate guidance to assist the Mission Commanders and the SRSG. For example, what guidance does a mission commander have in doctrine on how to

establish a safe and secure environment that includes the protection of civilians? What guidance do the police have? The Challenges Forum is addressing this gap:

iii. Challenges Forum and Future Doctrine and Concept Development for 2008/2009. The International Forum for the Challenges of Peace Operations is currently comprised of 16 partner nations and seeks to promote and broaden the international dialogue between key stakeholders addressing peace operations issues in a timely, effective and inclusive manner. In January 2009, PKSOI hosted a workshop that brought together military and civilian partners from governments and international organizations to plan and initiate a series of workshops and engagements designed to “operationalize” the three “core businesses of peacekeeping operations” as stated in the UN Peacekeeping Operations: Principles and Guidelines document. The series consists of three parallel workshop strands, the results of which will be presented at the International Forum for the Challenges of Peace Operations in Australia in April 2010. These work strands are:

1. Working Group One: “Create a secure and stable environment while strengthening the State’s ability to provide security, with full respect for the rule of law and human rights.” Lead Pakistan; assist United States (PKSOI). The key questions that this group must answer are:

- a. What is a secure and stable environment?
- b. What are the short term immediate requirements?
- c. What are the long term requirements?
- d. What are the recurring operational tradeoffs?
- e. How to determine the proper prioritization and sequencing of mandate’s tasks as related to their functional relationships in a balanced manner to include Military, Police, etc
 - A. Identified the points of friction/gaps
 - B. Synchronize the relationships
 - C. Consider capability and capacity limitations
 - D. Where will risk be assumed or tolerated

2. Working Group Two: “Facilitate the political process by promoting dialogue and reconciliation and supporting the establishment of legitimate

and effective institutions of governance.” Lead Canada (Pearson Peacekeeping), assist India.

3. Working Group Three: “Provide a framework for ensuring that all United Nations and other international actors pursue their activities at the country-level in a coherent and coordinated manner.” Lead South Africa, assist Australia.

iv. SPU Training Mission Essential Task List Development 2009: Police are an essential part of providing for a safe and secure environment and ensuring human security. PKSOI is working with the UN on Police Training and Certification to develop a Formed Police Unit FPU Mission Essential Task List (METL) and Training Certification Standards. The results of this are being published now July 2009.

v. Center of Excellence for Standing Police Units (CoESPU) G-8 Action Plan June 2004: This center was established as “...international training center that would serve as a Center of Excellence to provide training and skills for peace support operations. The center will build on the experience and expertise of the Carabinieri, Gendarmerie and other similar forces to develop carabinieri/gendarme-like units of interested nations, including those in Africa, for peace support operations.” CoESPU commits itself to train 3000 Officers and Non-Commissioned Officers, who will, following the principle of train-the-trainer, return to their countries. It has trained 1,932 stability police trainers from 29 countries and plans to complete the training of at least 4,500 additional personnel before the end of 2010. US has provided financial, technical, and staffing support to COESPU.

b. US Concepts and Doctrine

i. US Government Counterinsurgency Guide 2009 This is the only multi-agency doctrinal guide that the US Government possesses. It emphasizes that the central focus of COIN is on the people of the country and their needs. Neither genocide nor requirement to protect civilians or peoples is mentioned specifically but it is implied by the sections on security and security sector reform. Here is the section on Security: “Security operations, conducted in support of a political strategy, coordinated with economic development activity and integrated with an information campaign, will provide human security to the population and improve the political and economic situation at the local level. This should increase society’s acceptance of the government and, in turn, popular support for the COIN campaign. COIN functions therefore include informational, security, political and economic components, all of which are designed to support the overall objective of establishing and consolidating control over the environment, then transferring it to effective and legitimate local authorities.”

ii. USIP Guiding Principles for Stabilization and Reconstruction: USIP goal in writing this document was to develop guiding principles based on the collective experience of multiple actors to guide strategic-level, whole-of-government planning for stabilization and reconstruction. USIP, with support from the U.S. Army Peacekeeping and Stability Operations Institute (PKSOI), conducted a comprehensive review of existing documents produced by international and U.S. actors to identify shared principles and to present them in a user-friendly format for policymakers and practitioners. This is to be published by the end of July 09. One of the key sections is “establishing a safe and secure environment.” This provides key concepts and approaches to be followed.

1. “A safe and secure environment is one in which the population has the freedom to pursue daily activities without fear of politically motivated, persistent or large-scale violence. Such an environment is characterized by an end to large-scale fighting, an adequate level of public order, the subordination of accountable security forces to legitimate state authority, the protection of key individuals, communities, sites, and infrastructure, and the freedom for people and goods to move about the country and across borders without fear of undue harm to life and limb. The document has identified the following as the key components of a Safe and Secure environment in addition to addressing gaps and measurers of success. The constituents of a safe and secure environment are:

- a. Cessation of large-scale violence
- b. Establishment of public order
- c. Legitimate state monopoly over the means of violence
- d. Physical security
- e. “Territorial security”

2. The document then identifies the following operational tradeoffs that the senior leadership in a mission must consider:

- a. Prioritizing short-term stability vs. confronting impunity: Dealing with groups or individuals who prosecuted the conflict may be necessary early on to bring certain factions into the fold or to mitigate tensions. But turning a blind eye to continued use of political violence against rivals or exploitation of criminal networks to generate illicit revenue will enshrine a culture of impunity that threatens sustainable peace.
- b. Using local security forces to enhance legitimacy vs. using international security forces to ensure effectiveness: While

international security forces may be more effective in performing security functions, having local security forces assume these responsibilities would enhance legitimacy. But local forces often lack the capacity to perform effectively and may have a reputation for corruption and grave human rights abuses. Balancing this tradeoff involves training and mentoring local forces and gradually transitioning responsibilities from international actors.

c. Applying force vs. maintaining mission legitimacy: Public order operations may require the use of force, especially where spoilers and a culture of impunity are widespread. Assertive action ensures credibility, but excessive force can also jeopardize the legitimacy of the mission, especially early on when a mission is under public scrutiny. Finding a way to balance this tradeoff is essential and should involve international stability police who are proficient in the use of non-lethal force.

d. Public order functions performed by the military vs. the police: Achieving public order in these environments often presents a difficult dilemma as to which institution – military or police – should perform public order functions. While the military has training and experience in the use of force against violent spoilers, they lack the requisite skills in investigations, forensics and other critical law enforcement functions. Traditional police units, on the other hand, are trained in nuanced use of force and non-lethal means. Meshing the capabilities of both these organizations is critical to meet public order needs.

e. Short-term security imperatives vs. investments in broader security reform: With limited resources to work with, it may be difficult to balance short- and long-term requirements. The need for immediate security (i.e., protection for elections) may divert donor resources and energy from long-term SSR efforts. Demonstrating quick wins can build credibility, but may jeopardize the development of a foundation for deeper reform of the security sector. A proper balance must be struck.”

ii. US Military Doctrine and Concepts

3. Army Doctrine: The Army has adopted the concept of “Full Spectrum Operations” that directs that the military must continuously address tasks dealing with the population of a region. The Army must “shape the civil situation” as all future conflicts will most likely be “among the people.” There can be no lasting peace unless the Army supports all of the instruments of power to gain a sustain peace after major combat operations have succeeded.

a. FM 3-0 2008 States that the nature of “land power is to gain, sustain and exploit control over land, resources, and peoples.” This will be accomplished through the following campaign Themes: Peace Time Engagement, Peace Operations, Limited Interventions, and Irregular Warfare. The objective is to create a “secure environment” so that a viable peace can be achieved through the use of the other instruments of power.

b. FM 3-0 does provide a provision for removing a government but not for violation of human rights or Genocide. The document states: “On the president’s order, Army forces support insurgencies that oppose regimes that threaten US interests or regional stability.”

c. FM3-0 does provide adequate guidance at the operational level to accomplish any mission related to the prevention and response to Genocide or civilian protection. However, there is a lack of discussion or direct recognition concerning the protection of vulnerable or affected populations. The thrust of the doctrine is broad toward achieving viable peace. Limited Interventions include noncombatant evacuation operations, strike, raid, show of force, foreign humanitarian assistance, consequence management, and sanction enforcement. Several of these operations would be applicable in a limited response to Genocide. In the case that a government is the cause of the Genocide the document is silent.

d. FM 3-24 Counterinsurgency 2006 The US ARMY and USMC manual is the only manual written that uses the word Genocide when describing the environment. This is how it is used: “A society is not easily created or destroyed, but it is possible to do so through genocide or war.” Beyond that general statement the word is not used in the manual again.

e. The basis for COIN is to build local capacity and address the drivers of conflict to control the insurgency. Civilian security is key and essential. The manual states: “The cornerstone of any COIN effort is establishing security for the civilian populace.” It does not address the complicating issues associated with the requirement to protect populations. It does however go into some detail on the requirement to protect military contractors.

f. The manual does recognize some international law that applies. It states: “Fundamental human rights. The United Nations Declaration on Human Rights and the International Convention for Civil and Political Rights provide a guide for applicable human

rights. The latter provides for derogation from certain rights, however, during a state of emergency. Respect for the full panoply of human rights should be the goal of the host nation...In conventional conflicts, balancing competing responsibilities of mission accomplishment with protection of noncombatants is difficult enough. Complex COIN operations place the toughest of ethical demands on Soldiers, Marines, and their leaders.”

g. The manual does recognize that the host nation security forces may be a problem and need to be reformed: “During any period of instability, people’s primary interest is physical security for themselves and their families. When HN forces fail to provide security or threaten the security of civilians, the population is likely to seek security guarantees from insurgents, militias, or other armed groups. This situation can feed support for an insurgency. However, when HN forces provide physical security, people are more likely to support the government. Commanders therefore identify the following: Whether the population is safe from harm. Whether there is a functioning police and judiciary system. Whether the police and courts are fair and nondiscriminatory. Who provides security for each group when no effective, fair government security apparatus exists? The provision of security by the HN government must occur in conjunction with political and economic reform.”

h. The manual provides some tools that will assist the commander in identifying issue related to civilian concerns such as a significant section on culture and another on civilian considerations.

i. This manual still assumes that there is a host nation government that has legitimacy and the problem is with insurgent forces trying to undermine that legitimacy. In that situation this manual provides enough guidance for a military force to address Genocide or mass atrocity caused by forces not associated with the host nation government. It does come up short on addressing the problems associated with defining what civilian protection might entail. However, if the host nation government itself is the cause of the Genocide then that situation is not covered by this document.

j. FM 3-07 Stability 2008: This document provides capstone guidance. “FM 3-07 Stability” has a chapter about Security Sector Reform and talks about military support to a comprehensive approach to increasing local capacity to provide security. In the aftermath of conflict or disaster, conditions often create a significant security vacuum within the state. The government

institutions are either unwilling or unable to provide security. In many cases, these institutions do not operate within internationally accepted norms. They are rife with corruption, abusing the power entrusted to them by the state. Sometimes these institutions actually embody the greatest threat to the populace. These conditions only serve to ebb away at the very foundation of the host nation's stability. The following is an extract from that manual:

k. "Security is the most immediate concern of the military force, a concern typically shared by the local populace. A safe and secure environment is one in which these civilians can live their day-to-day lives without fear of being drawn into violent conflict or victimized by criminals. Achieving this condition requires extensive collaboration with civil authorities, the trust and confidence of the people, and strength of perseverance.

l. The most immediate threat to a safe and secure environment is generally a return to fighting by former warring parties. However, insurgent forces, criminal elements, and terrorists also significantly threaten the safety and security of the local populace. The following objectives support a safe and secure environment:

A. Cessation of large-scale violence enforced.

B. Public security established.

C. Legitimate monopoly over means of violence established.

D. Physical protection established.

E. Territorial security established"

4. Joint Doctrine: JP 3-0 is the Joint Forces Capstone Doctrine. The following are taken from the current manual written 17 September 2006

a. Genocide or mass atrocity is not mentioned in this manual. There is limited guidance in this document concerning the protection of civilians. The only discussion of protection aside from protecting the force is the following: "protection extends to civil infrastructure of friendly nations and non-military participants (NGO, IO)." "Protection may involve the security of host national authorities and OGA, IGO, and NGO members if authorized by higher authority." "Limited contingency operations may involve a requirement to protect nonmilitary personnel. In the absence of the

rule of law, the JFC must address when, how, and to what extent he will extend force protection to civilians and what that protection means.” There is no discussion about any requirement to protect populations at risk.

b. The general guidance for Stability Operations in this document states: “Of particular importance will be Civil Military Operations (CMO); initially conducted to secure and safeguard the populace, reestablishing civil law and order, protect or rebuild key infrastructure, and restore public services. US military forces should be prepared to lead the activities necessary to accomplish these tasks when indigenous civil, USG, multinational or international capacity does not exist or is incapable of assuming responsibility. Once legitimate civil authority is prepared to conduct such tasks, US military forces may support such activities as required/necessary.”

c. Again JP 3-0 does provide adequate guidance at the operational level to accomplish any mission related to the prevention and response to Genocide and civilian protection. However, there is still a lack of any in-depth discussion or direct recognition concerning the protection of vulnerable or affected populations. It does cover the support to an insurgency to over-throw a government but there is no mention of dealing with a government who is perpetrating Genocide.

d. The joint staff has directed that a joint manual on stability be developed based on Army FM 3-07. This manual should expand on the work already started in the Army manual. JFCOM has developed a handbook “The Rule of Law and Security Sector Reform Handbook: A Practical Guide for Operational Planners and Commanders” as an immediate guide that will form the basis for future doctrine.

5. The Mass Atrocity Response Operations (MARO) Project: Based on the paucity of doctrinal writing on the topic of protection, mass atrocities and genocide, the MARO project was started. MARO is a partnership between PKSOI and the Carr Center at the Kennedy School of Government, Harvard. The Director of the Carr Center, Professor Sarah Sewall, envisioned the project’s objective as developing a military concept of operations to guide intervention in a mass atrocity. An Annotated Planning Framework, was developed in August 2008. It is generically written to serve as a guide and tool for combatant command-level planners in modifying their planning methods to better fit this mission. The framework was developed in concert with several military and civil planners and was considered May 09 by Unified Quest the US Army Title

10 War Game and will be examined at the International Experts Workshop Sep 09 in UK. Despite a National Security Strategy (2006) that declares "...genocide must not be tolerated. It is a moral imperative that states take action to prevent and punish genocide.... We must refine United States Government efforts – economic, diplomatic, and law-enforcement – so that they target those individuals responsible for genocide... Where perpetrators of mass killing defy all attempts at peaceful intervention, armed intervention may be required..." This has as of yet not found its way into the Defense directives that would drive defense planning. MARO is an attempt to gain awareness so that the QDR and guidance from the DOD will address these issues.

c. Assessing the Situation for the Whole of Government

i. Addressing the causes and consequences of weak and failed states has become an urgent priority for the U.S. Government (USG). To address the issues of mass atrocities and human security understanding must occur. Conflict both contributes to and results from state fragility. To effectively prevent or resolve violent conflict, the USG needs tools and approaches that enable coordination of U.S. diplomatic, development and military efforts in support of local institutions and actors seeking to resolve their disputes peacefully.

ii. A first step toward a more effective and coordinated response to help states prevent, mitigate and recover from violent conflict is the development of shared understanding among USG agencies about the sources of violent conflict or civil strife. Achieving this shared understanding of the dynamics of a particular crisis requires both a joint interagency process for conducting the assessment and a common conceptual framework to guide the collection and analysis of information.

iii. ICAF (Interagency Conflict Assessment Framework) ICAF is an NSC approved assessment tool to develop a commonly held understanding across relevant USG Departments and Agencies of the dynamics driving and mitigating violent conflict within a country that informs US policy and planning decisions. It may also include steps to establish a strategic baseline against which USG engagement can be evaluated.

iv. ICAF is now a part of Army doctrine FM 3-07 and is taught to the USMC at their training centers as a tool to begin to understand the dynamics of the situation.

d. Education and Training

i. United Nations: UN has just posted the Core Pre-deployment Training Materials (CPTMs), which are based primarily on the Capstone doctrine and the DPKO/DFS Policy on Authority, Command and Control. The Core Pre-

deployment Training Materials are now posted on a new website, the Peacekeeping Resource Hub (peacekeepingresourcehub.unlb.org) and DPKO is starting to work with training centers on integrating them into their pre-deployment training programs.

1. The finalization of the CPTMs has been a huge step forward in the improvement of the new UN Peacekeeping Pre-deployment Training Standards, are unfortunately still not quite complete. Following a positive response from the C-34, ITS has begun the process of issuing formal UN Peacekeeping Pre-deployment Training Standards for specific categories of staff (individual police officers, military experts on mission, staff officers, etc.). This is an authoritative document transmitted to Member States which outlines the objective of pre-deployment training for those personnel, and the required course specifications. It is through this Standards document that DPKO are making it clear to Member States that the Core Pre-deployment Training Materials (and the relevant Specialized Training Materials, where they exist) must be covered during pre-deployment training. This should hopefully start to rectify the problem of certain topics in the old SGTMs being left out by Member States who may not have felt that topic was important.

2. By the end of the year, we intend to have a set UN Peacekeeping Pre-deployment Training Standards for:

- a. Individual police officers
- b. Formed Police Units (FPUs)
- c. Military experts on mission (military observers, liaison officers etc.)
- d. Military staff officers
- e. Civilians

ii. United States: The US military has taken several initiatives to address the educational issues.

1. POTI (Peace Operations Training Initiative): POTI is an extensive online course that allows individuals to become familiar with how the UN plans and conducts operations as well as key issues such as protection of civilian and populations at risk. It is available with little or no charge to Africa, Latin America and Canada and some other allies but not to US personnel. PKSOI is coordinating with OSD to pay for a certificate that allows DOD personnel to take this online education. PKSOI is also coordinating with SCRS through the training and education sub-PCC to

make this distance learning available to the Civilian Stabilization Initiative.

2. US Army War College: PKSOI facilitated the participation of UN DPKO officials in the US Army War College run Joint Force Land Component Commander (JFLCC) Courses, Elective Courses, and Strategists Courses. The UN DPKO Military Advisor, Former Special Representative of the Secretary General (SRSG), and planners from the UNDPKO have participated annually in support of these educational opportunities.

3. US Army Combined Arms Center (CAC), Ft Leavenworth: PKSOI conducts UN training and awareness for the C&GSC class every year and collaborates with UN DPKO to ensure currency. CAC is expanding its education this year to support the new FM 3-07 Stability Operations doctrine and will be looking to raise awareness Army-wide on the UN and its operations.

4. Joint Knowledge on Line: PKSOI on behalf of SOUTHCOM working with US Joint Forces Command is developing an on-line instructional package on the UN Integrated Mission Planning Process to be completed in Aug 2009. PKSOI is coordinating through UN DPET which will review the contents for possible use in a UN context. This supports the needs of the COCOM as well as DPKO.

5. Army Training:

a. CTC Realistic Challenges: CTCs have shifted from their traditional focus to train on stability tasks using the population as the center of gravity. They have contracted for role players to replicate not only local actors but also members of the other agencies of government. Security of civilians is one of the issues that are addressed. It is always a challenge to obtain the correct role players and members of the current other agencies of government to insure valid portrayals of the issues.

b. Training Advisors: Significant efforts are underway to prepare US forces to train others. The Field Manual that supports this effort does discuss civilian protection based on FM 3-07. The Army Universal Task List does contain tasks on commander's obligations to civilian populations. This was just published this year so the concepts are working their way through the system but needs monitoring. The FMs that deal directly with advising and training are silent on any issue dealing with civilian protection so more work needs to be done.