

Minutes of the Informal Meeting with Members of the High-level Independent Panel on Peace Operations

Meeting Date and Time: Wednesday 28 January, 10:00-12:00 hours

Meeting Venue: Conference room 1, 5th floor, UNU HQ, Tokyo

Meeting Attendance: Annex A

Opening Remarks

1. The meeting was opened by UNU Rector Dr. David M. Malone who welcomed the participants and spoke of the significance of the informal consultation. This was followed by the opening remarks of Mr. Yasushi Akashi who chaired the meeting.

Explanatory Remarks by the Chairman of the High-Level Independent Panel on Peace Operations

2. **Dr. José Ramos-Horta** expressed his hope that the combined wisdom gained during the consultative meetings would enable the panel to produce a report that is “bold and creative”, as the Secretary-General had requested, in order to address the challenges faced by today’s peace operations. He commented that Timor Leste was the first UN mission where the UN took complete control of administering the territory. At that time, due to the constraints of UN resources, a time limit of two years was set on the mission during which period state-building was to take place. Today, similar pressures regarding time and resources are experienced in the Central African Republic, the Democratic Republic of Congo and Mali—all of which suffer from a fragile state. In situations where there is no peace to keep what should be the role of the UN? Should the UN always be called upon to intervene where there is a crisis? Some of the crises we face are extremely complex, and even the United States has been reluctant to intervene in such places as Syria and Libya. The UN should note that peacekeeping without adequate support is a recipe for disaster. Addressing highly volatile conditions such as those in Syria which is producing millions of refugees is the task that confronts us today, and we need to be realistic about what the UN can do in these situations.

Discussion

3. **Mr. Ian Martin** clarified how the panel’s concerns differ from those addressed by the Brahimi Report. Firstly, he said that the panel is undertaking a review of peace operations (including Special Political Missions) and not just peacekeeping. Although the Brahimi Report was not silent on conflict prevention, the focus on the subject is much stronger in the panel’s review. Conflict prevention has been shown to be particularly effective in Africa where UN special envoys have been engaged. Second, the present panel is likely to have more to say on the overall conduct of peacebuilding. The Brahimi Report had brought peacebuilding into the framework of multi-dimensional peacekeeping operations but this panel is called upon to refine the definition of peacebuilding. The recent tendency of the UN Security Council is to insist on earlier exit strategies, handing over peacebuilding activities to the Funds and Programmes. Therefore work still needs to be done on how to divide the work between the missions and the agencies. Another critical issue is the use of force in UN peace operations. The three traditional principles (consent of the parties, impartiality, and use of force only for self-defense) are coming under increasing pressure with the emergence of new and complex conflict dynamics. The mandating of peace enforcement in the DRC raises the question of whether the UN is crossing a red line or whether the use of force is simply a necessary extension of the UN’s activities in difficult operational environments. The protection of civilians is assuming greater importance in UN missions. Yet as the Brahimi Report pointed out, if the Security Council explicitly mandates the protection of civilians, that is likely to raise people’s expectations and the UN may face difficulties in meeting them. The role of regional actors is an issue that goes beyond what was canvassed in the Brahimi Report. Even in countries like South Sudan and Mali where the UN has a sizeable presence, the importance of regional actors in those countries (IGAD and Algeria respectively) cannot be discounted, and the question of how the UN should coordinate with such actors looms large. Some recommendations of the Brahimi Report such as the proposal to create an “Information and Analysis Secretariat” were never implemented. Yet with terrorism and organized crime emerging as serious challenges to peace operations

today, Mr. Martin stated that quality information and analysis are critical, and must reappear on the current review agenda.

4. **Ms. Henrietta Mensa-Bonsu** spoke of the need to build a new consensus for peace operations. She reflected that, the consensus that was built by the Brahimi Report 15 years ago has become frazzled around the edges and that even the scope of peacebuilding has become contested. The Brahimi Report had understood peacebuilding as taking place largely in post-conflict contexts; yet the Agenda for Peace advanced by Boutros Boutros-Ghali refers to the possibility of engaging in peacebuilding even before the outbreak of a conflict as part of conflict prevention. There is a need to derive a common approach to peacebuilding that goes beyond the established template of elections, constitution making, police reform etc. Another concern raised by Ms. Mensa-Bonsu was about the way in which donor funds tend to taper off quickly once a peacekeeping mission leaves. For example, mandates to reform the police without adequate provision for programmatic funding are problematic. There is a tendency for donors to cherry-pick, to look for quick wins and newsworthy activities, but such approaches render the quality of reform questionable. Other issues that must be addressed in the panel's review are: "rule of law" (and clarifying its meaning and scope), women peace and security (alongside a separate review process on UN Security Council Resolution 1325) and accountability of host nations with regard to the establishment of civil order and social inclusion.
5. **Mr. Yasushi Akashi** observed that the Brahimi Report was an unusual, exceptional report which enjoyed broad support within the Security Council and the General Assembly. Nevertheless, the fact that the report's recommendation of creating an Information and Analysis Bureau was not followed indicates the controversy surrounding UN's engagement in intelligence activities, and some member states are likely to adhere to their stance of opposing such an initiative. Mr. Akashi observed that there is an emphasis among the panel members on conflict prevention as part of a broader perspective on peacebuilding. Speaking from his experience of serving as the head of a conflict prevention unit in one of the UN departments working on humanitarian operations, Mr. Akashi said there are various challenges that can be expected in respect of conflict prevention. Questions such as "when does a conflict become a conflict?" need to be addressed in justifying a preventative focus. There is also a linkage between intelligence and conflict prevention in that we need information while a conflict is still in its infancy. Thus, methodological challenges remain as long as certain member states continue to oppose the creation of an information bureau. Henrietta was wise to refer to the trend in which peace operations have tended to constitute a template involving a pre-set pattern of activities. For example, elections are not a panacea. In Cambodia, although the election was ultimately successful, initially there was a revolt in three provinces. In Angola, the conflict continued and even enlarged in scope after the elections. If there are no requisite conditions elections cannot produce the step towards peace and democracy that is hoped for. What is needed is a political "sixth sense" to understand what must be done and what can be done. A template is insufficient, since each country has numerous unique features—whether geographical, cultural, political or other—and it is therefore difficult to pinpoint the relevant contextual elements of a particular peace operation from the outset. The UN experienced its limitation in respect of implementing peace enforcement in the Somalian mission but today new challenges are faced in places like Mali and the Congo. In this current dilemma, the UN may need to opt for something between the traditional national operations and UN missions in the form of a "coalition of the willing" which has been undertaken by the US, France and Belgium in Rwanda, and by Australia in East Timor. It is highly preferable that such "coalitions of the willing" have the blessing of the Security Council when they are formed.
6. **Mr. Kenzo Oshima** referred to the "Aide Memoire for the Consideration of Issues pertaining to the Protection of Civilians in Armed Conflict" which was prepared by the Office for the Coordination of Humanitarian Affairs (OCHA). Many humanitarian organizations were consulted in the course of preparing the Aide Memoire, and the document provides guidelines to help the Security Council devise resolutions on peacekeeping operations in respect of the protection of civilians (POC). The Aide Memoire, which was initially adopted by the Security Council in 2002 is now in its fifth edition, and those guidelines must be borne in mind when thinking about the future of UN peace operations. There is of course a limit to the extent the UN can provide protection, but POC will continue to be one of the most important aspects of peacekeeping, and it is often the yardstick by which the international community measures the success of a UN mission. In providing protection to civilians, it is important to strengthen dialogue and consultation within the UN agencies as well as with external actors such as the Red Cross. Mr. Oshima then stated that, in

his opinion, the three principles of peacekeeping (consent of parties, impartiality, and the use of force only in self-defense) should remain as the bedrock of UN peace operations. He understands that there are circumstances where robust and muscular measures need to be taken by peacekeepers for the purpose of POC and other mission mandates, but even so, he believes the peacekeeping principles must be maintained, particularly in respect of the use of force only in self-defense. Finally, Mr. Oshima offered his views on Japan's contribution to UN peace operations. Japan's financial contribution to UN peacekeeping still constitutes the second largest share in the world after the US, at around 10.8 % of the overall budget. Yet, Japan could probably do more with respect to its contribution of troops and police, even under the constitutional constraints of the country, and this is likely to be realized under the law reform proposed by the Abe administration to allow for a greater and smoother deployment of the Japanese Self-Defense Forces and better adaptation to the peacekeeping needs on the ground. He stated that the recommendations made by Mr. Hervé Ladsous, Under-Secretary-General of the DPKO, recently in Tokyo for Japan to focus on logistical support and other non-combat areas make a lot of sense in the context of increased Japan's contribution.

7. **Prof. Sukehiro Hasegawa** commented that more weight ought to be given to the information and assessments from the field level in UN peace operations. He then made several specific recommendations for the improvement of future UN missions: (1) The political nature of peacekeeping and peacebuilding missions should be better recognized and Special Political Missions (SPMs) should be reinforced; (2) The UN and the World Bank should hold an aid coordination meeting jointly under the chair of the host government, and national ownership and accountability of aid resources mobilization, allocation and utilization should be strengthened; (3) The chief of the Joint Operations Centre (JOC) should be given greater responsibility for the information sharing and coordination of an integrated team comprising staff from across the mission including political affairs, planning, civil affairs, human rights, and military, police and security components; (4) The Joint Mission Analysis Center (JMAC) should play a greater role in facilitating in-depth understanding of political, security, humanitarian and development realities. Better use should be made of JOC as well as JMAC to improve the command and control of peacekeeping operations in an integrated manner; (5) Japan, the United States, and European and other technologically advanced countries should provide more training as well as material and financial assistance for the operationalization of the Rapid Deployment Capability of the African Standby Force and the African Capacity for Immediate Response to Crises (ACIRC); (6) A UN Police Academy should be established in order to enhance the professionalism of UN police officers and achieve standardization of the rules of engagement. Japan should host this academy and advance the concept of community policing; (7) The international community should actively support the "g7+", an association of 20 conflict-prone and post-conflict countries formed to work together to find a transition to conflict resolution, peacebuilding and development. The heads of states of these 20 countries should carry out the peer-review of peace operations with the assistance of the United Nations and OECD.
8. **Prof. Akiko Yuge** said that, speaking from her 30 years of experience in UNDP, there is a continuum from conflict prevention, peacekeeping, to post-conflict peacebuilding and development, each of which is difficult to delineate from the other. She stressed the importance of applying a "conflict prevention lens" with greater rigor to all development activities. This is necessary not only in dealing with peacebuilding and democratic governance activities but other development activities, and this perspective should be incorporated in the planning and design of projects. Prof. Yuge also suggested that changes in the administrative rules may be beneficial to ensure that the UN system is agile and flexible to recruit the necessary human resources in a short time-span in rapidly changing situations. This is necessary not only for the deployment of personnel from within the UN system, but also for recruitment from external organizations such as NGOs and universities.
9. **Prof. Toshiya Hoshino** emphasized the UN's need for a clear framework so as to avoid encouraging unrealistic expectations among the general public with respect to peace operations that take place under political constraints. We also need to recognize the challenges accompanying state vulnerability, and to consider how core vulnerabilities can be addressed to make a country more resilient. Prof. Hoshino noted with pleasure the salience given to conflict prevention by the panel members, and commented that there is a rich plethora of conflict prevention activities in Japan. Although it is essential that peace operations help support and strengthen the host government, it is also true that such ownership cannot, and should not, exist without accountability.

10. **Ms. Junko Sazaki** observed that attention must be given to the way in which UN funds are distributed. In many UN agencies, half the funds are allocated to humanitarian assistance, and the other half to development. Thus, we need to think about how funds can be used for peace operations, including peace-building, in a more strategic manner. Sometimes the work of the UN agencies can become a source of conflict, especially if some sections of the community feel that a certain group is being privileged in the course of a development programme. These issues should be borne in mind when the UN works with the host government and/or considers whether to partner with certain NGOs.
11. **Ms. Ai Kihara-Hunt** maintained that there must be integration of a human rights presence in peace operations. Most missions are involved in institution building and reform such as SSR and DDR, in all these activities, human rights should be integrated. At the same time, attention should be given to the quality of personnel selected for these missions. At times the UN has accepted security personnel from countries which are notorious for committing human rights abuses, such as Fiji after the coup and Sri Lanka while investigating allegations of grave violations of international law. Mechanisms should be in place to ensure that personnel are selected according to the required criteria, and there must be careful monitoring of human resources. Ms. Kihara-Hunt further pointed out that there is some discrepancy in the way in that the immunity scheme has been implemented. For example, there are cases where immunity is claimed where it does not exist. Clearer policies must be set out to indicate when immunity applies and when it can and must be waived.
12. **Prof. Motoo Noguchi** expressed that he would be happy to see more weight given to conflict prevention and achieving sustainable peace in UN peace operations. As someone who has worked extensively in international criminal justice, he is aware of the suffering that goes on in post-conflict societies which live with the legacy of war-time atrocities. Many of these societies continue to be affected by weak governance and/or the absence of a proper government. What many expect of the UN is to help prevent conflict or the reoccurrence of conflict. After fighting breaks out, it is usually too late, and the damage done is irreparable.
13. **Ms. Rika Yamamoto** spoke from the standpoint of an NGO actor, and voiced concerns about the way in which UN missions are seen by the local civilians. She said that it might be difficult for conflict-affected civilians to understand why the UN cannot do or provide something in a situation of need. Usually, the constraints experienced by UN peace operations are due to their mandates and rules, but the people may not understand. Often their ardent wish is for the fighting to stop and for their children to go to school again. In order to address the limitations of the mandate and to address the needs of the people, peacekeeping operations should be expanded or merged with certain programmes. Ms. Yamamoto also highlighted the importance of partnership, as peace-building work ought to involve civil society, including NGOs and business actors. An inclusive approach would make peace more achievable.
14. **Prof. Yasunobu Sato** reiterated the importance of businesses for both conflict prevention and peace-building. He has found, from his experience in Cambodia, that structural causes like conflict minerals can fuel violence and corrupt local leaders. In order to promote real peace, we need to enable people to build a livelihood in a self-sustaining way. Businesses can play a major role in this process. Technical contributions can also be valuable in the peace-building phase. For example, in Japan, a subsidiary of Hitachi has developed mine-clearing machines. Although the private sector is contributing to development under the UN Global Compact, the issue of peace and security is missing from the compact's ten principles. Civil society could possibly play a role in effectively linking governments and businesses.
15. **Prof. Masako Yonekawa** spoke about the need to involve and work with refugees and IDPs in peace operations, as these people are the first victims of war. At the same time, some refugees become 'refugee warriors' taking up arms and fighting against their government, and thus refugee issues cannot be separated from the concerns of peace missions. Further, the UN must conduct better screening of peacekeepers, for some peacekeepers have in fact been perpetrators of abuses. For example, two commanders sent to Mali and Darfur were accused of supervising death squad during the Rwandan genocide. More action must be taken to ensure the quality of peacekeeping personnel.

(Minutes prepared by Emmi Okada)

ANNEX A

Attendees of the Informal Meeting with Members of the High-level Independent Panel on Peace Operations

PANEL MEMBERS/PERSONNEL

Name	Title	Organization
Jose Ramos-Horta	Chair	High-level Independent Panel on UN Peace Operations
Ian Martin	Panel member	High-level Independent Panel on UN Peace Operations
Henrietta Mensa-Bonsu	Panel member	High-level Independent Panel on UN Peace Operations
Suman Pradhan	Political Affairs Officer	High-level Independent Panel on UN Peace Operations

JAPANESE PARTICIPANTS (in alphabetical order)

Name	Title	Organization
Yasushi Akashi	Chairman	International House of Japan
Sukehiro Hasegawa	Visiting Professor	Hosei and United Nations University
Toshiya Hoshino	Vice-President	Osaka University
Ai Kihara-Hunt	Doctoral candidate	Essex University
Jun Kukita	Representative	UNICEF
Motoo Noguchi	President	Trust Fund for Victims at the International Criminal Court
Emmi Okada	Programme Advisor / JPO (from March 2015)	Secretariat of the International Peace Cooperation Headquarters, Cabinet Office / UNDP Timor Leste
Kenzo Oshima	Executive Director	Africa Association
Yasunobu Sato	Professor	University of Tokyo
Junko Sasaki	Director	UNFPA Japan
Ichiro Tambo	Director	JICA Research Institute
Jota Yamamoto	Director-General	Secretariat of the International Peace Cooperation Headquarters, Cabinet Office
Rika Yamamoto	Chief of Emergency Operations	Peace Winds Japan (NGO)
Naoki Yokobayashi	Principle Deputy Director	International Peace Cooperation Division, Ministry of Foreign Affairs
Masako Yonekawa	Professor	Rikkyo University
Akiko Yuge	Professor	Hosei University