

How Peacekeeping Policy Gets Made: Navigating Intergovernmental Processes at the UN

PROVIDING FOR PEACEKEEPING NO. 18

LISA SHARLAND



Cover Photo: The UN General Assembly approves budgets for thirteen UN peacekeeping operations, New York, July 1, 2011. UN Photo/Rick Bajornas.

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IMPROVE INFORMATION SHARING, REPORTING,
AND ACCOUNTABILITY

ENCOURAGE AWARENESS OF CHALLENGES IN
THE FIELD AMONG STAKEHOLDERS IN NEW YORK

Abbreviations

ACABQ	Advisory Committee on Administrative and Budgetary Questions
C-33	UN General Assembly's Special Committee on Peacekeeping Operations (before 1988)
C-34	UN General Assembly's Special Committee on Peacekeeping Operations (after 1988)
CANZ	Canada, Australia, and New Zealand
COE	Contingent-owned equipment
DFS	UN Department of Field Support
DPA	UN Department of Political Affairs
DPET	DPKO's Division of Policy, Evaluation and Training
DPKO	UN Department of Peacekeeping Operations
G77	Group of 77
HIPPO	High-Level Independent Panel on Peace Operations
MONUSCO	UN Organization Stabilization Mission in the Democratic Republic of the Congo
MSC	UN Security Council's Military Staff Committee
ONUC	UN Operation in the Congo
P5	Permanent five members of the UN Security Council
PCC	Police-contributing country
SPM	Special political mission
TCC	Troop-contributing country
UAV	Unmanned aerial vehicle
UNEF	UN Emergency Force
UNMISS	UN Mission in South Sudan
UNTSO	UN Truce Supervision Organization

Executive Summary

Partnerships are critical to effective UN peacekeeping, particularly in New York, where the Security Council, the Secretariat, and member states examine proposed reforms and seek consensus on the direction of peacekeeping. Yet throughout the nearly seventy-year history of UN peacekeeping, relationships among key stakeholders have frequently fractured due to different if not divergent interests. These differences have often been compounded by member states' limited access to information and differing views on the roles and responsibilities of different UN bodies in taking forward peacekeeping reforms.

This paper examines the intergovernmental processes and partnerships that support and guide the development of UN peacekeeping policy to identify what issues need to be considered to build consensus on the future direction of peacekeeping. These intergovernmental processes are particularly important for UN peacekeeping, as member states need to operationalize Security Council mandates through the provision of financing, personnel, and equipment. Consequently, negotiations in the General Assembly's Special Committee on Peacekeeping Operations (C-34) and Fifth Committee are of critical importance to key stakeholders such as major troop- and police-contributing countries (TCCs/PCCs) and financial contributors.

The stakeholders involved in formulating UN peacekeeping policy have different vested interests and perspectives on what needs to be reformed. Their positions vary depending on the nature of the issue being discussed and whether the proposed change is likely to have operational or financial implications. Financing of peacekeeping operations has frequently been a source of contention among member states and is exacerbated by the modern divide between major financial contributors and TCCs/PCCs. In some cases, such as in the C-34, this can be compounded by the differing views of military, police, and civilian representatives.

Despite the challenges presented by many of the complex and often overlapping intergovernmental processes, each body has unique areas of responsibility and offers different opportunities and formats for stakeholders to reach common ground.

Understanding the comparative advantages of these processes and how they can be most effectively used to build consensus is key to the success of peacekeeping. This paper offers several recommendations for the Secretariat, member states, and other stakeholders to strengthen the value and outcomes of intergovernmental processes, as well as the partnerships that guide the formulation of UN peacekeeping policy:

1. **Foster understanding of UN peacekeeping challenges and the policymaking process:** The UN Secretariat should work with member states and think tanks to develop an induction program for any delegates and members of the Secretariat working on peacekeeping issues to sensitize them to the key challenges, reform initiatives, roles and functions of different committees, and resources available to them.
2. **Strengthen consultation mechanisms:** Member states should support the development of and engage in ad hoc fora for discussing and exchanging views on issues related to peace operations without requiring an outcome. The Security Council should also explore options for engaging with a wider range of stakeholders in a more dynamic manner, particularly TCCs/PCCs.
3. **Demonstrate leadership and identify a shared vision:** The Secretariat should work with member states to foster dialogue on the limits of peacekeeping and the role of the peacekeeping principles and identify priorities for extra-budgetary funding. Furthermore, member states taking part in the C-34 should continue to consider reforming its working methods to make it nimbler.
4. **Improve information sharing, reporting, and accountability:** The Secretariat should engage more consistently with experts across the intergovernmental committees working on peacekeeping reform through informal joint briefings, open fora, or online platforms. Member states, for their part, should ensure their delegates are sharing information.
5. **Encourage awareness of challenges in the field among stakeholders in New York:** Member states should ensure their delegates are well briefed on challenges, national priorities, and developments related to peacekeeping. They

should also work with the Secretariat to pursue development of a tabletop exercise using mission scenarios and joint field visits to further understanding of challenges in the field among personnel in New York.

Introduction

Partnerships among a range of stakeholders are critical to effective UN peacekeeping.¹ This is particularly true in New York, where member states engage in various intergovernmental processes in the General Assembly and Security Council to examine proposed reforms and seek consensus on the direction of UN peacekeeping. Yet each of these stakeholders comes to the table with different vested interests, whether as a troop- or police-contributing country (TCC/PCC), a major financial contributor, a permanent member of the Security Council (P5), or a host country. As a consequence, the relationships among key stakeholders have frequently fractured over the seventy-year history of UN peacekeeping. These differences have often been compounded by the limited availability of information on the roles and responsibilities of different UN bodies in taking forward reforms of UN peacekeeping policy.

The evolving nature of peacekeeping as a tool of international peace and security has meant that stakeholders (the Security Council, TCCs/PCCs, and the UN Secretariat) have divergent views on what constitutes peacekeeping policy. In its narrowest form, peacekeeping policy refers to the official guidance and documents issued by the UN Secretariat to support stakeholders (e.g., TCCs/PCCs) in conducting peacekeeping operations.² Yet as history has shown, peacekeeping policy is much broader than guidance and training materials; it has been shaped largely by events in and decisions of UN intergovernmental bodies such as the Security Council and General Assembly. This paper adopts a broad definition of peacekeeping

policy, recognizing that while the Secretariat may have the lead in developing official policy and guidance, it needs to engage with other stakeholders to ensure this policy is supported and ultimately implemented in the field.

The intergovernmental processes that support UN peacekeeping have faced many challenges, demonstrated most recently during acrimonious negotiations in the UN General Assembly's Special Committee on Peacekeeping Operations (C-34) and Fifth Committee on issues related to peacekeeping policy and financing. In September 2013, the C-34 failed to reach consensus on its first substantive report in over two decades.³ While the disagreements were based on the group's working methods rather than the substance of the report, the outcome reflected a broader malaise among member states that had been dominating peacekeeping for some time already. In both 2011 and 2012, the committee had struggled to meet its March deadline to provide proposals, recommendations, and conclusions in its annual report. The standstill in 2012 was over whether the committee had a role in the debates over the rate of reimbursement to countries for their military and police contingents, which the Fifth Committee eventually settled with the late adoption of Resolution 68/281 in June 2014.⁴ This standstill had been preceded by years of acrimony and politics over the issue in various UN bodies, including the C-34, the Fifth Committee, and the Contingent-Owned Equipment (COE) Working Group.

Although in the intervening years the C-34 has successfully concluded several reports on time, there remains confusion and disagreement among member states over the C-34's mandate and role within the broader UN system. There is particular disagreement over its role in directing peacekeeping policy, whether certain issues belong on its agenda (e.g., special political missions), and how it should interact with the Fifth Committee, UN Security Council, and Secretariat. The committee

1 While this paper includes some examination of the politics and challenges as they relate to special political missions (particularly as conflict prevention and peacebuilding tools), it focuses primarily on peacekeeping operations, which currently have a unique set of principles, intergovernmental processes, stakeholders, and budgetary mechanisms.

2 As the UN Peacekeeping website states, "UN peacekeeping policy and guidance represents a body of knowledge that supports peacekeeping personnel in the implementation of their tasks." See <https://peacekeeping.un.org/en/policy-and-guidance>. Or as the UN Peacekeeping Resource Hub states, "A policy provides an articulation of an institutional position, intent and/or direction on an issue or activity in UN peacekeeping. A policy is a basis for institutional consistency in managing peacekeeping issues." See <http://research.un.org/en/peacekeeping-community/guidance>.

3 The C-34 eventually reached agreement on language that would result in a non-substantive report being issued while still facilitating inclusion of its agenda item in the sixty-eighth session of the General Assembly. See Special Committee on Peacekeeping Operations, 233rd Meeting, UN Doc. GA/PK/216, September 6, 2013.

4 See Fifth Committee, 47th Meeting (Resumed), UN Doc. GA/AB/4116, July 3, 2014.

meets annually to discuss an ever-growing agenda of issues related to peacekeeping reform, including mandated tasks such as the protection of civilians, peacebuilding, rule of law, gender, child protection, and cooperation with TCCs/PCCs, as well as partnerships, military capacities, policing, best practices, and training.

Yet these issues are also covered by an array of partners in other intergovernmental fora, including the Fifth Committee and Security Council. In effect, this means one issue may be dealt with in multiple fora, resulting in more debates over process than substance. While this ambiguity at times works to the advantage of seasoned diplomats who seize upon it to push for reforms in different fora, it creates a particular challenge for diplomats (including military and police advisers) who are new to New York and often have instructions to advance national priorities.

Intergovernmental consultations and negotiations form the backbone of the UN's work in New York, but they take on additional importance for UN peacekeeping. This is due to the operational nature of peacekeeping and the need for member states to provide support in the form of financing, personnel, and equipment. The 2015 report of the High-Level Independent Panel on Peace Operations (HIPPO) recognized the need to strengthen support to intergovernmental processes.⁵ It also recognized the importance of improved "triangular consultations" among the Security Council, the Secretariat, and TCCs/PCCs in the process of developing the mandates of peace operations. This recognition is in part a reflection of ongoing friction about the role of the Security Council and General Assembly in debates and discussions on peacekeeping.

There is both scope and need for better understanding of the different processes, intergovernmental bodies, and UN institutions that guide

the formulation of peacekeeping policy. There is also a need to inform stakeholders not directly engaged in these processes in New York but actively interested in influencing and shaping their outcomes, such as those working in capitals and the field.

Understanding the roles of these bodies and how they support peacekeeping reform is critical to ongoing efforts to strengthen the wider partnership among peacekeeping stakeholders, including through consultation mechanisms such as "triangular cooperation." During the UN Security Council debate on peacekeeping on March 28, 2018, Secretary-General António Guterres emphasized the importance of collective action by member states as part of his new reform initiative "Action for Peacekeeping."⁶ Substantive engagement of stakeholders through intergovernmental processes and other informal partnerships will be critical to supporting this and other ongoing peacekeeping reform initiatives going forward.⁷

This paper sets out to explore the intergovernmental processes and partnerships that influence the development of UN peacekeeping policy and to identify what issues need to be considered to build consensus on the future direction of peacekeeping. First, it examines the history and evolution of peacekeeping policy. Second, it explores the different types of politics, processes, and procedures that influence intergovernmental and bureaucratic processes to develop peacekeeping policy, with a focus on the C-34.⁸ Third, it examines some of the systemic challenges the UN faces in formulating and reaching consensus on coherent peacekeeping policy. Finally, it offers some lessons for member states and the Secretariat that they could draw on to strengthen intergovernmental processes and partnerships that support UN peacekeeping.

5 The HIPPO report noted that "legislative support and reporting must be strengthened for the Security Council and its subsidiary organs, the General Assembly's Fourth Committee, including the Special Committee on Peacekeeping Operations, the Fifth Committee and the Peacebuilding Commission." See United Nations, *Report of the High-Level Independent Panel on Peace Operations on Uniting Our Strengths for Peace: Politics, Partnership and People*, UN Doc. A/70/95-S/2015/446, June 17, 2015, p. 101.

6 UN Security Council, *United Nations Peacekeeping Operations*, UN Doc. S/PV.8218, March 28, 2018, p. 3.

7 See Arthur Boutellis and Alexandra Novosseloff, "Road to a Better UN? Peace Operations and the Reform Agenda," International Peace Institute, November 2017, available at www.ipinst.org/2017/11/peace-operations-and-the-reform-agenda.

8 Further consideration of issues related to peacebuilding, sustaining peace, and the role of the Peacebuilding Commission and other intergovernmental bodies are outside the scope of this paper, although they intersect with the formulation of peacekeeping policy.

The Emerging Need for Peacekeeping Policy

The formulation of policy on UN peacekeeping over the last seventy years has largely been evolutionary and ad hoc.⁹ Peacekeeping was not regarded as a primary function of the UN when the organization was established in 1945. There is no reference to the term “peacekeeping” or the spectrum of “peace operations” in the UN Charter. Yet it became evident in the post–World War II era that the international community needed a tool to “keep the peace” by observing and monitoring the implementation of peace agreements and cease-fires.

Since 1948, the processes that have guided the authorization, operationalization, financing, and professionalization of peacekeeping operations have slowly developed and evolved. Many of the mechanisms and practices that have developed have been prompted by a range of crises resulting from the deployment and management of UN peacekeeping operations.

This section looks at those developments and how they have directly and indirectly shaped the evolution of UN peacekeeping. First, it examines the deployment of some of the early peacekeeping missions, with a focus on the role of the Security Council and General Assembly. Second, it looks at the decision to establish the UN General Assembly’s Special Committee on Peacekeeping Operations (C-34) in response to a crisis in the financing of peacekeeping operations. Third, it explores the efforts to professionalize peacekeeping following the end of the Cold War and the subsequent surge in the deployment and expansion of the roles and functions of UN peacekeeping missions. Finally, it looks at some of the recent challenges that have pushed the peacekeeping partnership and intergovernmental processes to the brink in the last decade, with a focus on

challenges to reaching consensus among stakeholders.

THE EARLY DAYS: THE SECURITY COUNCIL VERSUS THE GENERAL ASSEMBLY

The UN Charter provides the Security Council with legal authority to mandate action in the event of a threat to the maintenance of international peace and security. Under Chapter VI, the council may mandate a range of actions to support negotiations, mediation, and arbitration to find a peaceful settlement to disputes. Under Chapter VII, on the other hand, the council has a range of coercive options at its disposal, including the disruption of economic relations, severance of diplomatic relations, and use of armed force. UN peacekeeping has historically, though not exclusively, relied on the authority afforded to the council by those two chapters within the Charter.¹⁰

It did not take long following the adoption of the UN Charter for the Security Council to be confronted with several situations that posed a threat to international peace and security. The General Assembly’s decision to partition Palestine in November 1947 and to create the state of Israel in May 1948 resulted in hostilities in the region when the decision was not accepted by Palestinian Arabs or Arab states. As a consequence, the Security Council adopted Resolution 50 on May 29, 1948, calling for a cessation of hostilities and for the supervision of the truce by a UN mediator “provided with a sufficient number of military observers.”¹¹ These observers formed part of the first UN peacekeeping mission—the UN Truce Supervision Organization (UNTSO).¹²

An essential precondition for the mission to function was the consent and cooperation of the parties in the region.¹³ Soon after the deployment of UNTSO, the Security Council agreed to deploy the UN Military Observer Group in India and Pakistan (UNMOGIP). Both these missions benefited from

9 The 2008 Capstone Doctrine notes that “the conduct of United Nations peacekeeping operations has been guided by a largely unwritten body of principles and informed by the experiences of the many thousands of men and women who have served in the more than 60 operations launched since 1948.” See United Nations, *United Nations Peacekeeping Operations Principles and Guidelines* (“Capstone Doctrine”), 2008, p. 8, available at www.un.org/en/peacekeeping/documents/capstone_eng.pdf.

10 Regional peace operations, for example, also draw on the authority provided under Chapter VIII of the Charter on regional arrangements.

11 UN Security Council Resolution 50 (May 29, 1948), UN Doc. S/801.

12 The United Nations classifies UNTSO as the first UN peacekeeping operations, although an earlier observer mission was deployed to the Dutch East Indies in 1947.

13 United Nations, “Fifty-Five Years of UNTSO,” May 9, 2003, available at www.un.org/en/events/peacekeepersday/2003/docs/untso.htm.

unanimity among the permanent five members of the council (P5).

Yet the council's ability to make unanimous decisions would be challenged in the coming decades as it was gripped by Cold War politics that made it more difficult to avoid the application of a veto in conflict situations. Due to these disagreements among the P5, as well as the fallout from decolonization, the General Assembly began to take a more active role in international peace and security, starting with the Korean situation in 1950.

These dynamics played out in the crisis that erupted when Egypt decided to nationalize the Suez Canal in July 1956, resulting in the military intervention of Israeli, British, and French forces. Action by the Security Council was blocked by the vetoes of France and the United Kingdom. Therefore, the matter was referred to the General Assembly under the "Uniting for Peace" resolution. That resolution resolved that if there was a deadlock in the council due to a lack of unanimity among the P5 and the council subsequently failed to fulfill its responsibility to maintain international peace and security, then the General Assembly could consider the matter.¹⁴

As a consequence, the General Assembly convened its first special emergency session on "The Situation in the Middle East" and adopted several resolutions, among them resolutions authorizing the deployment of the UN Emergency Force (UNEF).¹⁵ As with UNTSO, the consent of the parties (Egypt and Israel) was a precondition to the deployment of personnel.¹⁶ Furthermore, the force was intended to be removed from politics¹⁷ (impartial) and to refrain from using force except in the case of self-defense.¹⁸ Those three elements

(consent of the parties, impartiality, and non-use of force except in self-defense and defense of the mandate) are referred to today as the "peacekeeping principles."

In these early days of UN peacekeeping, several developments started to shape the characteristics of and actors involved in formulating peacekeeping policy. First, the secretary-general, as the chief administrative officer of the organization, had a significant role. Then Secretary-General Dag Hammarskjöld issued a bulletin with "Regulations for the United Nations Emergency Force" in February 1957.¹⁹ Hammarskjöld also started to codify the "peacekeeping principles" in later reports.²⁰ Some member states, such as the Soviet Union and France, had reservations about the growing remit and autonomy of the secretary-general's office, preferring a greater role for the Security Council in the conduct of UN peacekeeping missions.²¹

Second, due to the veto, the Security Council was unable to authorize peacekeeping missions when there was disunity among the P5. This resulted in the unique situation where the General Assembly authorized the deployment of UNEF. This deferment arguably weakened the role of the Security Council in the early days of UN peacekeeping and enabled the secretary-general to have greater leverage over its direction.

PEACEKEEPING'S COLD WAR FINANCIAL CRISIS: FINDING CONSENSUS THROUGH A SPECIAL COMMITTEE

The deployment of UNEF marked a significant departure from earlier observer missions authorized by the Security Council. It required the

14 The resolution had been adopted in 1950 in response to a deadlock in the Security Council over the situation in Korea. General Assembly Resolution 377 (V) (November 3, 1950), "Resolves that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security. If not in session at the time, the General Assembly may meet in emergency special session within twenty-four hours of the request therefor. Such emergency special session shall be called if requested by the Security Council on the vote of any seven members, or by a majority of the Members of the United Nations."

15 See UN General Assembly Resolution 1000 (ES-I) (November 5, 1956) and Resolution 1001 (ES-I) (November 7, 1956).

16 Egypt's withdrawal of support from the mission years later would result in the subsequent withdrawal of UNEF.

17 There were no troops deployed from the permanent five members of the Security Council.

18 See UN General Assembly, *Summary Study of the Experience Derived from the Establishment and Operation of the Force: Report of the Secretary-General*, UN Doc. A/3943, October 9, 1958.

19 The document was "intended to continue in effect the orders, instructions and practices" that had been in effect since the force existed, providing direction on privileges, command authority, good order and discipline, personnel, accommodation and amenities, and honors. See UN Secretary-General, *Regulations for the United Nations Emergency Force*, UN Doc. ST/SGB/UNEF/1, February 20, 1957.

20 See UN General Assembly, *Summary Study of the Experience Derived from the Establishment and Operation of the Force: Report of the Secretary-General*, UN Doc. A/3943, October 9, 1958.

21 UN Secretariat (author unknown), "Note to File: A Review of the History and Evolution of the Special Committee on Peacekeeping," 1990s, p. 2.

deployment of thousands of military personnel to implement a mandate focused on the withdrawal of the armed forces of Israel, France, and the United Kingdom. Consequently, its presence was contested by permanent members of the Security Council (France and the UK). The lack of unanimity among the P5 eventually spread to discussions and debates about how the mission would be financially supported. The secretary-general expected to apply the assessed contributions formula to fund the mission, as derived from Article 17 of the Charter.²² Yet this authority was disputed by several member states that argued that the aggressors—the UK, France, and Israel—should finance the mission.²³

The deployment of the UN Operation in the Congo (ONUC) in 1960 greatly added to the outstanding amount the UN owed to the member states contributing forces. Disagreement still existed over the interpretation of Article 17 of the Charter in terms of whether the cost of peacekeeping operations should be borne by all member states. An advisory opinion handed down by the International Court of Justice in July 1962 found that peacekeeping was consistent with the aims of the organization and therefore fell under Article 17 as an assessed expense.

Nonetheless, the Soviet Union and France refused to pay their assessed contributions. In response, the United States threatened to invoke Article 19, which would revoke the voting rights of those member states in arrears. This prompted the Soviet Union to threaten to leave the UN, which would effectively cripple the organization.²⁴ Consequently, every effort was made to avoid a confrontation on the issue during the nineteenth session of the General Assembly in 1964 and 1965.

Ultimately, the compromise solution was to establish a special committee “to undertake as soon as possible a comprehensive review of the whole question of peace-keeping operations in all their aspects, including ways of overcoming the present

financial difficulties of the Organization.”²⁵ The committee (C-33) had thirty-three members and met throughout 1965 to address the funding controversy and find a solution to the impasse over Article 19 in the General Assembly.²⁶

Discussions in the committee’s early years focused on the nature of peacekeeping, the relationship of the C-33 to other bodies, and some broad guidelines for peacekeeping operations. Finding a resolution to the financial impasse was the priority. By August 1965, the C-33 had reached consensus on the way forward over the issue of funding ONUC and UNEF, deciding that it would not apply Article 19 and that any financial difficulties should be addressed through voluntary contributions.²⁷ Instead of focusing on a formula for funding peacekeeping, the C-33 turned its attention to discussing guidelines on peacekeeping by establishing a working group.

Differing views over the peacekeeping funding formula, which had prompted the establishment of the C-33 in the first place, were consequently addressed by applying an assessed scale, which was first applied to UNEF II.²⁸ In effect, the C-33 was not needed to resolve peacekeeping’s financing impasse. The committee’s attention had already turned to developing guidelines for peacekeeping and starting to engage on operational issues, which it did largely on an ad hoc basis throughout the 1970s and 1980s. The character of the C-33 would start to shift by the late 1980s as the Cold War politics that had limited the establishment of missions started to thaw and the council started to look to UN peacekeeping as a tool to manage conflicts.

One of the characteristics that shaped intergovernmental negotiations within the C-34 (then the C-33) during this period was the consensual nature of its decision making. In 1965, during one of its early meetings,

[the Committee] agreed that on the question of the procedure for taking decisions it should be

22 Article 17 (2) of the UN Charter states that “the expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

23 The Soviet Union and some Latin American states argued that the aggressors (France, the UK, and Israel) should be responsible for paying for the mission. For more, see UN Secretariat, “A Review of the History and Evolution of the Special Committee on Peacekeeping,” p. 2.

24 *Ibid.*, p. 4.

25 UN General Assembly Resolution 2006 (XIX) (February 18, 1965).

26 UN Secretariat, “A Review of the History and Evolution of the Special Committee on Peacekeeping,” p. 5.

27 *Ibid.*, p. 7

28 *Ibid.*

the aim to conduct the work in such a way that the Committee should endeavour as far as possible to reach agreement by general consensus without need for voting. It was understood, however, that voting procedures would be resorted to whenever any member felt, and there was agreement in the Committee, that such procedure was necessary in any particular case.²⁹

This provision has been relied on by member states in situations where the committee came close to pushing an issue to a vote.³⁰

MULTIDIMENSIONAL APPROACHES: THE PROFESSIONALIZATION OF UN PEACEKEEPING

UN peacekeeping was in demand again as the Cold War came to a conclusion. Dozens of missions were established from 1988 onward, requiring increased engagement within the Security Council and among member states contributing personnel. These developments were also mirrored in the special committee, which broadened the range of issues under discussion during working group meetings.³¹

In 1988, China joined the Special Committee on Peacekeeping Operations, meaning the committee adopted the title it is commonly known by today—the C-34. The committee’s dynamics also started to shift as observer status was opened up and, in 1996, membership was opened to those that had been observers for three years.³² As a result of this change, the Non-Aligned Movement started to gain significantly more members in the committee.³³

One of the major issues that emerged for consideration by the C-34 during the 1990s was then Secretary-General Boutros Boutros-Ghali’s “An Agenda for Peace.”³⁴ In this document, formulated in response to the first Security Council meeting at the level of heads of state and government,

Boutros-Ghali attempted to define the concepts of preventive diplomacy, peacemaking, and peacekeeping.³⁵ At the same time, the UN Secretariat was starting to professionalize its support for the growth and expansion of UN peacekeeping operations. Another reform that emerged during this Security Council summit was a restructuring of the Secretariat, including the establishment of the Department of Peacekeeping Operations (DPKO).³⁶

The formation of DPKO preceded one of the most challenging periods in peacekeeping history. The UN was confronted with the failure of its peacekeeping missions to protect civilians in Rwanda in 1994 and Srebrenica in 1995. This resulted in a significant period of introspection about the primary objectives of UN peacekeeping missions. Consequently, by 1999, the Security Council had started to authorize peacekeeping missions with “protection of civilians” mandates in order to make this responsibility explicit. Shortly thereafter, the Security Council began deploying a range of multidimensional missions in places such as Timor-Leste, Liberia, Côte d’Ivoire, and Haiti, with complex mandates to support peacebuilding activities, undertake executive policing functions, and protect civilians.

This coincided with Secretary-General Kofi Annan’s appointment of a panel of experts chaired by Lakhdar Brahimi to examine shortcomings in UN peacekeeping.³⁷ The Brahimi Report, released in August 2000, offered a number of recommendations that would shape the direction of UN peacekeeping policy at the turn of the century. It stressed the important role of the Secretariat in providing frank advice to the council (“the Secretariat must tell the Security Council what it needs to know, not what it wants to hear”).³⁸ The

29 UN General Assembly, *Report of the Special Committee on Peacekeeping Operations*, UN Doc. A/5915, June 15, 1965, para. 3.

30 For example, some member states referred to this provision in 2013 when the committee was deciding how to proceed with negotiations.

31 UN Secretariat, “A Review of the History and Evolution of the Special Committee on Peacekeeping,” p. 15.

32 See UN General Assembly Resolution 51/136 (December 13, 1996).

33 UN Secretariat, “A Review of the History and Evolution of the Special Committee on Peacekeeping,” p. 23.

34 United Nations, *An Agenda for Peace*, UN Doc. A/47/277, June 17, 1992.

35 Peacekeeping was defined as “the deployment of a United Nations presence in the field, hitherto with the consent of all the parties concerned, normally involving United Nations military and/or police personnel and frequently civilians as well. Peace-keeping is a technique that expands the possibilities for both the prevention of conflict and the making of peace.” Ibid.

36 See UN General Assembly Resolution 47/71 (December 14, 1992), para. 25: “Invites the Secretary-General, as Chief Administrative Officer, to consider the necessary strengthening and reform of the Secretariat units dealing with peacekeeping operations, so that they can deal effectively and efficiently with the planning, launching, ongoing management and termination of peacekeeping operations.”

37 United Nations, *Report of the Panel on United Nations Peace Operations*, UN Doc. A/55/305-S/2000/809, August 21, 2000.

38 Ibid., Executive Summary.

report also stressed the importance of briefings by the Secretariat and of consultation between TCCs and the Security Council during the formulation of mandates. It suggested that such initiatives could be institutionalized by an ad hoc working group, as envisaged by Article 29 of the Charter. In 2001, the Security Council adopted Resolution 1353 to facilitate engagement with troop contributors as part of the mandate renewal process and later agreed to establish the Working Group on Peacekeeping Operations.

Developments surrounding the expansion, failure, and reform of peacekeeping in the 1990s had several implications for the evolution of peacekeeping policy within the UN system. First, the Secretariat took on a greater role in formulating peacekeeping policy, reinforced by the establishment of DPKO in 1992. Dedicated resources were now invested in supporting the professionalization of UN peacekeeping.

Second, the engagement of a wider range of member states with diverse interests in the C-34 started to limit the committee's ability to reach consensus on a range of issues. European and Western contributors were no longer able to dominate the discussions when it came to peacekeeping policy.

Third, the expanded engagement of member states in peacekeeping meant there was increased interest among TCCs in having a bigger voice in the work of the Security Council. This was particularly important as the council continued to expand the boundaries of peacekeeping missions' mandates. Triangular consultations among the Secretariat, the Security Council, and TCCs would no longer be optional, but a necessary platform for managing the political interests of the increasingly complex peacekeeping partnership.

PARTNERSHIP IN CRISIS: BROADENING THE BASE AND HIGH-LEVEL REFORM

The Secretariat continued to strengthen its role in formulating peacekeeping policy from 2000 onward. In 2007, the Division of Policy, Evaluation and Training (DPET) was established in DPKO, consolidating the work of best practices officers and the lessons learned processes that had started

to operate in peacekeeping missions. That same year, the Department of Field Support (DFS) was established to support operations in the field. UN leadership proposed a new reform agenda in 2009 as part of the "New Horizon" initiative. This initiative focused heavily on partnerships to address the increasing demands being placed on peacekeeping, including the need to generate more military and police personnel. It also proposed extensive reforms to the management of field operations through the Global Field Support Strategy.

Yet by 2010, the intergovernmental processes that supported the formulation of peacekeeping policy had started to come under strain. The divide between the member states that provided the troops and police and those that were significant financial contributors continued to widen. Major TCCs/PCCs felt they were long overdue for an increase in the reimbursement rate for deploying personnel, whereas the major financial contributors expected improvements in performance and more rigorous data collection to justify an increase in payments. A revised survey developed by the Secretariat at the insistence of TCCs/PCCs was endorsed by the General Assembly in Resolution 63/285 in June 2009 but was dead on arrival because of the failure of TCCs/PCCs to submit data. In 2011, TCCs/PCCs attempted to introduce proposals into the COE Working Group and the C-34 to increase the rate of reimbursement for personnel, delaying the finalization of the working group's report.

Ultimately, the compromise agreed to in the Fifth Committee and affirmed through Resolution 65/289 was to establish a Senior Advisory Group on rates of reimbursement to troop-contributing countries and related issues. Yet again, financial issues had started to cripple the functioning of the organization and prompted debates about the role and function of the intergovernmental bodies engaged in peacekeeping policy. In particular, they contributed to the dysfunction that gripped the C-34 throughout 2012 and 2013, eventually resulting in its failure to agree on a substantive report in 2013.³⁹ Nonetheless, the Fifth Committee agreed on a process to revise rates in 2013.⁴⁰ The first quadrennial review of rates under the new process

39 See UN General Assembly, *Report of the Special Committee on Peacekeeping Operations*, UN Doc. A/67/19, September 9, 2013.

40 See UN General Assembly Resolution 67/261 (May 10, 2013) and Resolution 68/281 (June 30, 2014).

was completed in 2014, and the second is ongoing as of May 2018.

The difficulties that had plagued the intergovernmental bodies were compounded by some of the complexities that missions were facing in the field. Rather than operating in environments where there was peace to keep, peacekeeping missions were deployed to hostile environments where they were often not welcome. More robust responses were needed, as demonstrated by the authorization of the Force Intervention Brigade in the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in 2013.

Moreover, missions were still struggling to implement their mandate to protect civilians (though they innovated on the ground when required, as when the UN Mission in South Sudan opened up its bases and established what are now known as “protection of civilians sites” following the December 2013 crisis in that country). Similarly, the establishment of “re-hatted” missions in Mali and the Central African Republic in 2013 and 2014 served as a reminder that the international community continued to rely on peacekeeping as a tool to respond to situations where civilians were under threat.⁴¹

These missions all pushed the limits of peacekeeping and the very principles that had been formulated to guide its use as a crisis-management tool. To respond to these challenges, UN Secretary-General Ban Ki-moon appointed a High-Level Independent Panel on Peace Operations (HIPPO) in June 2014. This took place alongside two other major high-level reviews (on women, peace, and security, and the peacebuilding architecture). It also coincided with high-level initiatives to strengthen performance, broaden the base of contributors to peacekeeping (including through ministerial summits), and improve accountability. While the HIPPO report’s recommendations have been considered by the General Assembly and Security Council, and some recommendations have

been implemented in a piecemeal manner, considerable reforms remain outstanding.

One of the key recommendations emerging from the HIPPO report was the need to consider the “spectrum of peace operations.” In other words, it suggested that peacekeeping sits on a spectrum of conflict prevention and peacebuilding tools that also includes special political missions (SPMs). Yet there are several structural impediments to considering UN peace operations more comprehensively. SPMs are funded through the regular budget based on the ordinary scale of assessments rather than the peacekeeping scale. Similarly, with the historical exception of a couple of missions, SPMs are managed by the Department of Political Affairs (DPA), whereas peacekeeping missions are managed by DPKO. Despite the advocacy of some member states,⁴² the General Assembly as a whole has expressed little willingness to engage more substantively on SPMs beyond as a relatively new agenda item in the Fourth Committee (see below).

Nonetheless, many member states see some merit in a more comprehensive approach to field missions. Secretary-General António Guterres has put forward a substantial proposal to reform the UN peace and security architecture.⁴³ As of May 2018, that proposal was before member states to consider through intergovernmental processes. Guterres also announced an “Action for Peacekeeping” initiative in March 2018, which is “aimed at mobilizing all partners and stakeholders to support the great enterprise of United Nations peacekeeping.”⁴⁴ In his statement to the Security Council announcing the initiative, Guterres acknowledged that “action by the Secretariat alone is not enough to meet the challenges we face.” Collective action with member states is required to move forward.

The history and evolution of UN peacekeeping policy have shown that engaging member states and intergovernmental processes will be key to any policy reform initiatives going forward. This was a point made by the director of DPET, David Haeri, in his most recent address to the C-34, in which he

41 The deployment of UN peacekeeping missions to the Central African Republic and Mali followed the deployment of African Union missions, which were effectively “re-hatted” into UN missions.

42 For example, Mexico has been an advocate of more detailed consideration of SPMs in the General Assembly. In 2012, Mexico acknowledged that there was no intergovernmental General Assembly forum to consider SPMs beyond financing. See UN General Assembly, Fourth Committee, 25th Meeting, UN Doc. GA/SPD/501, September 11, 2012. Many delegations in the G77 and some in the EU remain strongly interested in more substantive discussions on SPMs.

43 See UN General Assembly, *Restructuring of the United Nations Peace and Security Pillar—Report of the Secretary-General*, UN Doc. A/72/525, October 13, 2017.

44 UN Security Council, *United Nations Peacekeeping Operations*, UN Doc. S/PV.8218, March 28, 2018, p. 3.

stated, “The secretary-general has asked us to renew a dialogue that will provide the space for the Secretariat, uniformed contributors, host states, regional partners, and our legislative bodies to speak—candidly and in real terms—about what peacekeeping is, what it does, and what it means for those who benefit from its protection.”⁴⁵ Understanding the role of intergovernmental processes, the Secretariat, and other stakeholders is a key part of that process.

Policy, Politics, and Intergovernmental Processes

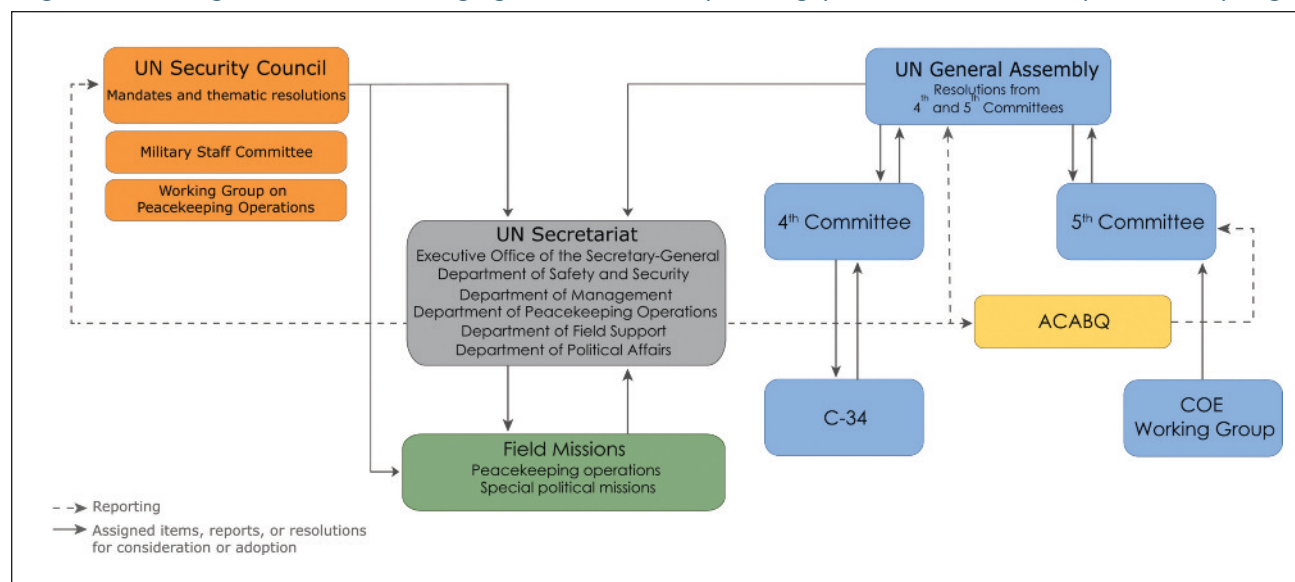
A range of stakeholders is engaged in formulating peacekeeping policy (see Figure 1). Three primary intergovernmental bodies influence the development of peacekeeping policy on an annual basis: the Security Council, the Fifth Committee, and the C-34 (through the Fourth Committee). This work is complemented by subsidiary bodies and working groups engaged on the periphery of peacekeeping policy on an irregular basis, including the Contingent-Owned Equipment (COE) Working Group (which meets every three years). Member states are represented in each of these intergovernmental fora, with different levels of influence

depending on whether they are a permanent member of the Security Council (P5); a major troop- or police- contributing country (TCC/PCC); a major financial contributor; or a member state hosting a peace operation.

In addition to these intergovernmental processes, the UN Secretariat has a pivotal role in formulating peacekeeping policy by issuing policy documents, guidance, and training materials on the obligations of TCCs/PCCs in the field. But because member states ultimately implement many of these policies, the Secretariat needs to consult and engage with them. The Secretariat can use various tools and processes to ascertain member states’ support for proposed reforms. Member states’ statements in briefings and debates on peacekeeping can indicate what issues are likely to be viewed favorably or to face opposition in upcoming committee sessions. Similarly, negotiated outcomes (by consensus or vote) such as the authorization of a peacekeeping mission, adoption of a thematic resolution, or agreement on a consensus report in the General Assembly can indicate where there is consensus or what is the “lowest common denominator” for taking a particular reform forward.

This section examines the roles of different intergovernmental bodies and the Secretariat in the formulation of peacekeeping policy.

Figure 1. Intergovernmental engagement and reporting processes for UN peacekeeping



⁴⁵ Remarks by David Haeri on behalf of Under-Secretary-General Jean-Pierre Lacroix, Opening Session of the Special Committee on Peacekeeping Operations, New York, February 12, 2018, available at <http://statements.unmeetings.org/media2/18271503/mr-david-haeri-on-behalf-of-ug-lacroix.pdf>.

GENERAL ASSEMBLY

The General Assembly's role in formulating peacekeeping policy is limited yet complex. Responsibility for peacekeeping within the General Assembly falls to two main committees: the Fourth Committee (Special Political and Decolonization) and the Fifth Committee (Administrative and Budgetary).⁴⁶ Each year, "comprehensive review of peacekeeping operations" is placed on the agenda of the General Assembly. This agenda item is assigned to the Fourth Committee for consideration by its subsidiary, the Special Committee on Peacekeeping Operations (C-34).⁴⁷ The General Assembly's agenda also includes "administrative and budgetary aspects of the financing of the United Nations peacekeeping operations," which is assigned to the Fifth Committee.

Except when the Security Council is deadlocked (under the conditions laid out in the "Uniting for Peace" resolution), the plenary of the General Assembly has a minimal role in discussions on peacekeeping. It usually only meets in session to adopt the resolutions on peacekeeping emerging from the main committees.

Yet the General Assembly still provides a platform for the issue to be raised in some contexts (see Table 1). For example, each year during the opening of the General Assembly, many heads of state and government refer directly to their country's contribution to peacekeeping or identify areas where they expect further reforms. Similarly, the General Assembly has held high-level meetings on a range of peace and security issues, including high-level debates on peacekeeping (although the most recent one focused exclusively on peacekeeping took place in 2010).⁴⁸ Indeed, some member states have brought peacekeeping issues to

the General Assembly for consideration, as Egypt did with sexual exploitation and abuse in peacekeeping in 2016.⁴⁹ Efforts to reform the peace and security architecture and restructure the Secretariat will likely require most substantive engagement with the General Assembly going forward.

Fourth Committee

Each year, the Fourth Committee hosts a debate on "comprehensive review of the whole question of peacekeeping operations in all their aspects" as part of the substantive General Assembly session from September to December. This debate usually takes place in the latter half of October over the course of four mornings, with statements from the under-secretary-general for peacekeeping and field support, followed by statements by member states.⁵⁰ Upwards of 60 member states usually deliver statements (although all 193 are eligible to take part).

The annual Fourth Committee debate on peacekeeping is important for a number of reasons. First, it is the first opportunity for the Secretariat to formally hear from a diverse range of member states on what reforms they are prioritizing ahead of the C-34 substantive session the following year. Second, the Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) provide an update and share their thoughts on priorities for peacekeeping reform. It therefore gives various stakeholders a good indication of priorities ahead of the C-34 session.

Another agenda item considered by the Fourth Committee shortly after the debate on peacekeeping is special political missions (SPMs).⁵¹ The item was included on the agenda of the sixty-eighth General Assembly in 2013.⁵² It was added in

46 However, issues relevant to peacekeeping may arise in other committees, such as the accountability of UN staff and experts for criminal acts committed in peacekeeping operations, which was referred to the Sixth Committee in 2006.

47 See UN Doc. A/72/252 (September 15, 2017), which allocates the agenda items for the seventy-second session of the General Assembly.

48 See UN General Assembly Thematic Debate on "UN Peacekeeping: Looking into the Future," June 22, 2010, available at www.un.org/ga/president/64/thematic/peacekeeping.shtml.

49 The General Assembly considered the issue of sexual exploitation and abuse in a plenary debate on September 7, 2016 (UN Doc. GA/11810) and adopted a thematic resolution on the issue in March 2017 (Resolution 71/278), which also requested that "sexual exploitation and abuse" be included as a separate agenda item of the General Assembly.

50 See, for example, the Fourth Committee debate in 2017. UN Docs. GA/SPD/646 (October 25, 2017), GA/SPD/647 (October 26, 2017), GA/SPD/648 (October 27, 2017) and GA/SPD/649 (October 30, 2017).

51 See, for example, UN Doc. GA/SPD/650 (October 31, 2017), which summarizes the Fourth Committee's consideration of special political missions during the seventy-second session of the General Assembly.

52 This followed the General Assembly's adoption of Resolution 67/123 on December 18, 2012, requesting the secretary-general to submit a report on "overall policy matters pertaining to special political missions" and deciding to place "comprehensive review of special political missions" as a new agenda item for the sixty-eighth session of the General Assembly. See UN General Assembly, *Agenda of the Sixty-Eighth Session of the General Assembly*, Item 54, UN Doc. A/68/251, September 20, 2013.

Table 1. Calendar of peacekeeping agenda items in the General Assembly

	September	October	November	December	January	February	March	April	May	June	July	August
General Assembly (plenary)	Agenda items: peace-keeping operations and special political missions	Thematic debates or adoption of resolutions on peacekeeping, including ad hoc reports from the secretary-general to the General Assembly on reform initiatives initiated by the Secretariat (e.g., reform of the peace and security architecture)							Adoption of resolution from Fourth Committee on C-34 report			
	Agenda items: peace-keeping operations, budgets, etc.								Adoption of resolutions from Fifth Committee			
Fourth Committee		Debate on peace-keeping operations and special political missions agenda items						Adoption of resolution on C-34 report				
C-34			Commencement of informal briefings to C-34	Secretary-general's report to C-34	Formulation of draft language	Substantive session of C-34: open debate and working group negotiations						
Fifth Committee (second resumed session)						Secretary-general and ACABQ reports to the Fifth Committee			Second resumed session: peacekeeping budgets, troop cost reimbursements (quadrennially), COE Working Group (triennially), and cross-cutting issues			
COE Working Group (triennially)	Submission of papers by member states and Secretariat				COE Working Group negotiations		Secretary-general and ACABQ reports to Fifth Committee on COE Working Group report					

large part due to the lack of progress in the Fifth Committee on the repeatedly deferred report on options for funding and backstopping SPMs. Although there is some overlap between this item and the C-34's consideration of issues related to peace operations in general, there is no detailed discussion in the C-34 of some of the issues unique to SPMs. Some member states opposed the idea of discussing SPMs in the C-34 due to fears this would lead to efforts to reform their financing model (SPMs are funded through the regular budget, not on the peacekeeping scale). Others were concerned that discussing SPMs in the C-34 would dilute the focus on peacekeeping-specific challenges and the particular contributions of TCCs/PCCs.

Special Committee on Peacekeeping Operations (C-34)

The C-34 consists of 153 members (as of March 2018), including countries that currently have personnel deployed in peacekeeping missions and those that have been observers for more than three years.⁵³ While the committee is largely dominated by major TCCs/PCCs, some of the most vocal members in peacekeeping negotiations in recent years have been countries that do not have personnel deployed in peacekeeping missions.⁵⁴ The C-34 is somewhat unique in that it includes military, police, and civilian delegates in negotia-

tions, who often approach issues from different operational, technical, and political perspectives.

The C-34 meets formally each year for four weeks as part of its substantive session in February and March. The aim is to adopt a report by consensus providing proposals and recommendations on peacekeeping. The plenary opens with the adoption of the agenda and the election of officers of the committee's bureau.⁵⁵ It then moves into two days of general debate, followed by three days of briefings on a range of topics predetermined based on requests from the previous year's report and consultations by the bureau and chair of the committee's working group.

Prior to the first week of this substantive session, the C-34 begins meeting informally in October to receive briefings from the Secretariat on a range of issues. Delegates to the committee are generally required to attend the briefings, where they have an opportunity to ask questions of the briefers in front of other participants. Almost every year there is criticism about the nature and format of the briefings, depending on the level of knowledge and experience of the delegates. Some delegations suggest the briefings serve little purpose, arguing that it would be more time-effective just to send the information to member states through written updates that could be forwarded to capitals.⁵⁶ In

Table 2. Summary of delegations and regional groups actively engaged in negotiations on the C-34 report⁵⁷

Regional Blocs	Countries
European Union	China
Non-Aligned Movement	Japan
Canada, Australia, and New Zealand (CANZ)	Norway
Argentina, Brazil, Uruguay, and Mexico (ABUM)	Russia
	Switzerland
	United States

53 Refer to Resolution 51/136 (December 13, 1996), which states "that those Member States which become personnel contributors to United Nations peacekeeping operations in years to come or participate in the future of the Special Committee for three consecutive years as observers, shall, upon request in writing to the Chairman of the Committee, become members at the following session of the Committee."

54 For example, Cuba led the Non-Aligned Movement's negotiations in the sub-working group on protection of civilians, supported by Nicaragua and Venezuela, when it had no peacekeepers deployed at the time.

55 See, for example, UN Doc. A/AC.121/2018/L.1 (November 17, 2017), which contains the provisional agenda for the 2017 session of the Special Committee on Peacekeeping Operations that ran from February 12 to March 9, 2018.

56 Most presentations are already circulated to delegations following the briefings.

57 This can vary from year to year, but it is a representation of the most actively engaged delegations in recent years.

some cases, these briefings provide an early opportunity to understand if there may be opposition to work underway in the Secretariat that could present an issue when negotiating text in the report.

Traditionally, discussions on proposals of language to include in the C-34 report commence around the same time as the informal briefings in November (although the current chair of the working group is trying to move discussions earlier to allow more time for preparation). Since 2012, the chair of the committee's working group has convened preliminary meetings with the delegations to put forward language for the report as part of the "stabilization" process (i.e., to determine which sections of the report will be up for negotiation that year). Each delegation puts forward a list of which sections they wish to negotiate that year (see Table 2). While some consideration is given to what was negotiated the year before, there is no guarantee that each section will be negotiated every other year, meaning some sections may not come up for review for several years (see Table 3). Once agreement is reached on the sections that will be "stabilized" (i.e., not negotiated), delegations start preparing their language proposals based on existing language in the previous year's report.

The process of drafting language submissions for the C-34 report is generally complex. For larger regional groups such as the EU and Non-Aligned Movement, this process may start months ahead of time, as the regional group has to agree on the language. For smaller groups or countries operating on their own, this process often takes place in January. Once all the language submissions have been sent to the chair of the committee's working group, they are compiled into a document for the negotiations. Delegations are encouraged to coordinate their submissions ahead of negotiations to reduce duplication ("streamlining"). This is often limited, however, as having text on the table can provide leverage in the negotiating process, reducing the incentive to streamline significantly

ahead of time. This "zero draft" is generally released to member states during or just prior to the first week of the C-34.

Negotiations within the working group of the C-34 generally take place in the third and fourth weeks of the substantive session. In past years, the report has been divided up among sub-working groups to examine and discuss different issues (there were two sub-working groups in 2018). Once the text of the report is agreed to by each sub-working group, the C-34 moves into a formal session to adopt the report. It is agreed to by the Fourth Committee in a resolution, then by the General Assembly.⁵⁸ The Fourth Committee's resolution also ensures that the same item is placed on the agenda for the next session of the General Assembly (see Table 1).

There have been ongoing efforts to review the working methods of the C-34 in recent years.⁵⁹ The concept of "stabilization" emerged from an annex to the C-34's 2012 report, making it only a recent addition to the committee's working methods. It was intended primarily to reduce the amount of content up for negotiation each year, given the growing length and complexity of the C-34 report. In effect, it means that delegations now have the same amount of time to focus on fewer issues. It has also contributed to a trend in recent decades whereby the report has been growing in length, despite ongoing efforts to shorten it.⁶⁰

Efforts to improve the working methods of the C-34 remain ongoing, driven by the engagement of the chair of the committee's working group and the "group of friends" of the C-34. Recent efforts to substantively reform the working methods in 2017 had limited success, although they did result in delegations seeking to engage informally on some language ahead of the negotiations.⁶¹

The influence of the C-34 on peacekeeping policy is debated, with member states and the UN Secretariat frequently holding different views. On the one hand, the C-34 has an opportunity to hold

58 See, for example, UN General Assembly Resolution 71/314 (July 19, 2017), which endorsed the conclusions and recommendations contained in the C-34's 2017 report (UN Doc. A/71/19).

59 For example, a "Decision on Working Methods" was annexed to the C-34 reports in 2014 (UN Doc. A/68/19), 2016 (UN Doc. A/70/19) and 2017 (UN Doc. A/71/19).

60 For example, the "Proposals, Recommendations and Conclusions" in 2014 contained 299 paragraphs, whereas this section had 401 paragraphs in 2017.

61 For example, while there were informal discussions among cross-regional groups on issues such as performance and triangular cooperation, those groups did not contribute joint language to the C-34.

Table 3. C-34 report topics negotiated from 2014 to 2018

Topic	2014	2015	2016	2017	2018
Introduction (A)—standardized in 2012					
Guiding principles, definitions, and implementation of mandates (B)—standardized in 2012					
Restructuring of peacekeeping (C)—standardized in 2012					
Safety and security (D) (addition of section on peacekeeping intelligence/information gathering and analysis from 2017 onward)					
• Peacekeeping intelligence/information gathering and analysis (from 2017 onward)					
Conduct and discipline (E)					
Strengthening operational capacity (F)					
• General					
• Military capacities					
• United Nations police capacities					
• Doctrine and terminology					
Strategies for complex peacekeeping operations (G)					
• General					
• Peacebuilding issues and the Peacebuilding Commission					
• Disarmament, demobilization, and reintegration					
• Security sector reform					
• Rule of law					
• Gender and peacekeeping					
• Children and peacekeeping					
• Health-related issues and peacekeeping					
• Quick-impact projects					
• Protection of civilians and other mandated tasks					
Cooperation with troop-contributing and police-contributing countries (H)					
Triangular cooperation among the Security Council, the Secretariat, and troop-contributing and police-contributing countries (I)					
Cooperation with regional arrangements (J)					
Enhancement of African peacekeeping capacities (K)					
Developing stronger United Nations field support arrangements (L)					
Best practices and training (M)					
Personnel (N)					
Financial issues (O)					
Other matters (P)					

the Secretariat to account each year for its work implementing peacekeeping reforms (although this accountability is limited to the topics discussed).⁶² A report from the secretary-general to the committee each December reviews key developments in peacekeeping. It also includes an addendum with a matrix of the Secretariat's actions to implement the "proposals, recommendations and conclusions" from the C-34 that year.⁶³ The Secretariat is required to show it is being responsive to the requests made by the C-34. It often draws on language from the C-34 report when identifying a consensus viewpoint or making extra-budgetary funding requests. On some occasions, conclusions from the C-34 report have been drawn on in debates in the second resumed session of the Fifth Committee to identify an agreed position, or in the Security Council to reach agreement on language for peacekeeping mandates.⁶⁴

Yet member states that can influence policy through other fora—particularly France, the UK, and the US—sometimes view the C-34 as a political and risk-management tool rather than a forum with a substantive role in policy formulation.⁶⁵ While many member states view their participation as important, they will likely continue to focus their energy on shaping policy reforms through other bodies such as the Fifth Committee or Security Council.

The current process of only opening up certain paragraphs for negotiation each year is likely to diminish the value of the C-34 over time, as sections quickly become out-of-date, making the committee less responsive to developments in the Secretariat and the field. The debate over the responsiveness of the C-34 to the development of DPKO's policy on peacekeeping intelligence in

2017 is an example. Some delegations decried the Secretariat for taking leadership on the issue without taking heed of the C-34's language.⁶⁶ In effect, the current working methods of the C-34 mean it is a committee "editing by consensus" rather than nimbly responding to and providing input on developments in UN peacekeeping.

Of course, the C-34's effectiveness as a body is not only about the outcomes it produces. Much of the process fulfills an important role in bringing together TCCs/PCCs with other member states to discuss peacekeeping developments. Indeed, the secretary-general noted the role of the C-34 as a body "competent to monitor peacekeeping" in his "Action for Peacekeeping" initiative.⁶⁷ But this is very much a political statement, and some member states prefer to push for reform in other bodies whose decisions tend to have a direct impact on peacekeeping.

Fifth Committee

History has shown that decisions about financing can significantly influence the direction of UN peacekeeping. The Fifth Committee has responsibility for the UN's administrative and budgetary matters, as outlined by Article 17 of the UN Charter.⁶⁸ It agrees on annual resolutions that are then adopted by the General Assembly to ensure the UN and its work continues to be funded. The committee meets on three occasions throughout the year: the main session of the General Assembly from September to December, the first part of its resumed session in March, and the second part of its resumed session in May. The peacekeeping support account (which includes funding for posts at headquarters), the budget for shared service centers, and the budgets for most UN peacekeeping missions are considered during the session in May

62 A good example of this was the inclusion of language on protection of civilians for the first time in 2009, which initiated work within the Secretariat to develop an operational concept, lessons learned, and eventually a policy on protection of civilians.

63 See UN General Assembly, *Implementation of the Recommendations of the Special Committee on Peacekeeping Operations—Report of the Secretary-General*, UN Doc. A/72/573, November 3, 2017.

64 For example, the Security Council drew on language from the C-34 for MINUSCA's renewed mandate in 2016. Interview with UN Security Council diplomat, New York, October 2016.

65 Interview with member-state representative, New York, October 2016.

66 See statement by Russian Foreign Minister Sergey Lavrov at the Security Council debate on peacekeeping on September 20, 2017, on the new intelligence policy: "We welcome the intellectual efforts underway in the Secretariat to reform peacekeeping. The Secretary-General has certain latitude in making administrative decisions, including those on institutional changes in the structure of the Secretariat and UN missions. However, when the matter deals with the political dimension of peacekeeping, it is necessary to receive approval of any changes from competent intergovernmental bodies. This applies, in particular, to sensitive issues concerning the sovereignty of states... We consider the arbitrary interpretation of the member states' requests to the Secretariat as unacceptable. This is damaging the UN authority and will have a negative impact on peacekeeping operations."

67 United Nations, "Summary of the Initiatives Undertaken by the Secretariat to Strengthen United Nations Peacekeeping," March 28, 2018.

68 (1) "The General Assembly shall consider and approve the budget of the Organization" and (2) "The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly." UN Charter, Article 17.

(and through to June) so that funding resolutions can be adopted before the start of the peacekeeping financial year on July 1st.⁶⁹

The Fifth Committee's work is heavily guided by a substantial number of reports providing recommendations. In the case of the peacekeeping budget, the process generally begins a year before the start of the financial period in question with the issuance of budget instructions for missions from the assistant secretary-general for program planning, budgets, and accounts in the Department of Management. Missions then formulate their budget proposals and submit them to headquarters in December or January. The controller then finalizes the budgets and prepares reports for submission to the General Assembly. As with most General Assembly reports with administrative or budgetary implications, these are first considered by the Advisory Committee on Administrative and Budgetary Questions (ACABQ), which holds hearings and issues recommendations to the Fifth Committee.

As a result, by the time the Fifth Committee considers its agenda in May of each year, there have already been several battles over peacekeeping budgets within the UN Secretariat. The ACABQ wields considerable power, and its recommendations are afforded significant weight in the Fifth Committee's negotiations. Rule 157 of the Rules of Procedure of the General Assembly notes that it is "responsible for expert examination of the programme budget of the United Nations and shall assist the Administrative and Budgetary Committee (Fifth Committee)."⁷⁰

While the members of the ACABQ are supposed to be technical experts serving in their personal capacity, many are former Fifth Committee delegates or are still members of their national civil or diplomatic services.⁷¹ The committee operates on the basis of a multitude of views as interpreted by its chairman (who is elected by the members of the committee). Because the ACABQ is supposed to be a technical body, it generally does not directly attack the Security Council's approach to

peacekeeping mandates. Nonetheless, it can "chip away" at certain issues by modifying recommendations. It can also elect to further analyze certain issues, such as by looking at developments on them in its reports.⁷² It therefore can influence the focus and direction of discussions within the Fifth Committee, particularly as they relate to reforms likely to have significant financial implications.

The Fifth Committee traditionally makes decisions by consensus. As a consequence, draft resolutions are not put forward by particular delegations, as is the practice in many other intergovernmental bodies. Instead, they are drafted during informal consultations convened by delegates appointed as "coordinators." In some instances, the coordinators can perform a pivotal role in finding middle ground or a compromise in contentious negotiations.

Within the Fifth Committee, many of the dynamics mirror those of the General Assembly, with a divide between the countries in the Group of 77 (G77) and the major financial contributors to the UN. These dynamics can become more complex in Fifth Committee negotiations over peacekeeping budgets, in which members of the G77 negotiate in smaller regional blocs, of which the Africa Group is the most prominent. One of the key challenges within the Fifth Committee is finding a broader compromise between the needs of missions in the field and the bartering among delegations over particular posts (from the "bottom up") and what the major financial contributors are willing to pay (from the "top down"). Several of the major contributors (primarily the US, the UK, and France) often predetermine what overall figure they are willing to accept for total requirements across mission budgets, the support account, and budgets for service centers. This frequently requires careful negotiation of a package deal that balances multiple issues and competing priorities.

The Fifth Committee can also influence peacekeeping policy directly through its resolutions, particularly—but not limited to—on crosscutting issues. For instance, in the last decade,

69 The two exceptions are the UN Truce Supervision Organization and the UN Military Observer Group in India and Pakistan, which are funded through the regular budget as their establishment predates the creation of separate funding modalities for peacekeeping operations.

70 The ACABQ consists of sixteen members elected by the General Assembly for three-year terms.

71 Interview with representative of the UN Secretariat, New York, October 2016.

72 Interview with representative of the UN Secretariat, New York, October 2016.

the committee has passed resolutions approving changes to how missions are supported, setting new rates of reimbursement to TCCs/PCCs, tackling processes for addressing sexual exploitation and abuse, and examining issues related to technology such as unmanned aerial vehicles (UAVs). Nevertheless, the Fifth Committee's influence over peacekeeping policy comes largely from its role in deciding the budget and resources for UN peacekeeping each year.

Contingent-Owned Equipment Working Group

Every three years the Fifth Committee also considers recommendations emerging from the Contingent-Owned Equipment (COE) Working Group.⁷³ The COE Working Group had its origins in reports from the secretary-general and ACABQ in 1994, which identified problems with the process of reimbursing member states for the deployment of their equipment to peacekeeping missions.⁷⁴ The working group meets to review and update policies, procedures, and rates of reimbursement for COE. Delegates generally include a mix of financial and technical experts, largely from capitals (including many military representatives), but also diplomats based in New York. The COE Working Group meets every three years in January for two weeks of negotiations, although preparations commence well in advance. Member states and the Secretariat are encouraged to submit national cost data and “issue papers” regarding changes they want to see in the COE policies and procedures.⁷⁵

The working group operates by consensus, providing a series of recommendations that are considered by the Fifth Committee following the reports of the secretary-general and ACABQ.⁷⁶ The Fifth Committee and General Assembly subsequently adopt resolutions on the “triennial review of the rates and standards for reimbursement to Member States for contingent owned equipment.” Those changes are then included in a

new edition of the COE Manual, a compendium of the latest policies, procedures, and rates of reimbursement pertaining to COE. The COE Working Group is in the unique position of directly working with the Secretariat to propose changes to policy through updates to the COE Manual.

SECURITY COUNCIL

The Security Council engages in a range of activities that directly shape and influence peacekeeping policy, given its Charter responsibility to maintain international peace and security. Most of this work consists of holding briefings and consultations and adopting resolutions and presidential statements on mission mandates and situations in countries on the council's agenda. Subsidiary bodies such as the Military Staff Committee and the Working Group on Peacekeeping Operations, as well as groups of experts on a range of thematic issues, also have the ability—though a lesser one—to shape and influence the council's consideration of peacekeeping issues, particularly mandate renewals.

Whether or not the Security Council has a role in developing peacekeeping policy is controversial, given that major TCCs/PCCs that implement its decisions on the ground are not members. Much of the council's day-to-day work on peacekeeping is driven by briefings and consultations on missions. Council members engage with senior mission leadership from the field and senior management at headquarters to discuss developments and directly seek their views on reforms that may be required to mission mandates—a privilege not often afforded to non-members of the council. Similarly, the council can engage in closed consultations, meaning its discussions are not on the public record (so divisions on sensitive issues, such as the peacekeeping principles, may not be publicly understood). Sensitive reporting from the Secretariat and from independent investigations is sometimes shared with the council but not with the

73 The COE Working Group was established by General Assembly Resolution 50/222 (May 10, 1996) to consider the reimbursement rate to member states for COE.

74 See UN General Assembly, *Effective Planning, Budgeting and Administration of Peace-Keeping Operations—Report of the Secretary-General*, UN Doc. A/48/945, May 25, 1994; and *Report of the Advisory Committee on Administrative and Budgetary Questions*, UN Doc. A/49/664/Add.1, November 18, 1994.

75 The 2017 COE Working Group had 104 issue papers for consideration, which was greater than the number of issue papers provided for the 2011 and 2014 working groups combined. See UN General Assembly, *Letter Dated 8 February 2017 from the Chair of the 2017 Working Group on Contingent Owned Equipment to the Chair of the Fifth Committee*, UN Doc. A/C.5/71/20, February 28, 2017.

76 See, for example, UN General Assembly, *Triennial Review of the Rates and Standards for Reimbursement to Member States for Contingent-Owned Equipment—Report of the Secretary-General*, UN Doc. A/71/802, February 20, 2017; and *Triennial Review of the Rates and Standards for Reimbursement to Member States for Contingent-Owned Equipment—Report of the Advisory Committee on Administrative and Budgetary Questions*, UN Doc. A/71/872, April 12, 2017.

wider UN membership.⁷⁷ Although efforts have been made to improve the working methods of the council to include regular cooperation with TCCs/PCCs, there is still scope for more to be done.

Even within the Security Council, its fifteen members are beset by challenges of governing by committee and taking on board a wide range of interests. The resulting so-called “Christmas tree” mandates have increased the demands on missions in the field, leading Secretary-General Guterres to declare “Christmas is over” during the March 2018 Security Council debate on peacekeeping.

Mandates and Thematic Resolutions

The Security Council can shape the direction of peacekeeping policy through various outputs. These include resolutions to authorize and renew mission mandates, as well as thematic resolutions on a range of crosscutting issues (e.g., peacekeeping; protection of civilians; children and armed conflict; women, peace, and security; sustaining peace; policing). The P5 have the most influence over mission mandates within the council. France, the UK, and the US in particular are usually the penholders for peacekeeping mandates, meaning they guide the drafting process when missions are established or come up for renewal.⁷⁸ These mandates contain a number of elements that can influence the overall direction of peacekeeping on the ground. For example, the first mandate to protect civilians, in the UN Mission in Sierra Leone in 1999, set the ground for an evolution in peacekeeping policy on protection of civilians. It took over a decade for the General Assembly (through the C-34) and Secretariat to catch up and develop policy and guidance on the issue for peacekeeping missions.

The P5 (given their veto power) generally set the “outer limits” of peacekeeping. While the

Secretariat may advise the council on the feasibility of deploying a mission in a certain security context, it is ultimately up to the Security Council whether to authorize the mission. For example, the Secretariat was cautious about deploying a mission in Mali in April 2013, yet ultimately the council decided to proceed.⁷⁹ These decisions on when to deploy missions have a profound impact on the direction and evolution of peacekeeping policy. They have led the UN Secretariat to focus more on developing guidance for peacekeepers on countering improvised explosive devices (IED) and gathering intelligence. Similarly, the council’s decision to deploy a Force Intervention Brigade in the Democratic Republic of the Congo with a mandate to “neutralise armed groups” prompted a debate on the protections afforded to peacekeepers operating with a more offensive set of rules of engagement.⁸⁰ These developments and innovations by the council have ensured that it continues to set the terms and limits of how UN peacekeeping is defined.

At the same time, the council has avoided getting too involved in the micromanagement of policy. This was the case when it came to the decision to deploy UAVs to the Democratic Republic of the Congo toward the end of 2012. In that instance, the council did not interfere with the decision, despite the reservations of Russia, China, and Rwanda (then a nonpermanent member of the council).⁸¹ A statement of the president of the Security Council noted that UAVs should be deployed on a case-by-case basis and “without prejudice to the ongoing consideration by the relevant United Nations bodies of legal, financial and technical implications of the use of unmanned aerial systems.”⁸² In other words, the issue was still being actively considered in the General Assembly’s Fifth Committee and C-34. This ambiguity in the council’s decisions can drive contention in other intergovernmental

77 For example, this has been the case with violations of status of forces agreements and obstructions to UNMISS, which are reported to the council on a monthly basis. See “UN Mission in South Sudan (UNMISS): Renewal of Mandate,” Security Council Report, March 14, 2018, available at www.whatsinblue.org/2018/03/un-mission-in-south-sudan-unmiss-renewal-of-mandate.php.

78 See Loraine Sievers and Sam Daws, “A Historical Overview of the ‘Lead Country’ or ‘Penholder’ Practice,” in *The Procedure of the UN Security Council*, 4th ed. (Oxford: Oxford University Press, 2014), available at www.siprocedure.org/chapter-5-section-6c.

79 See UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2013/189, March 16, 2013.

80 See Scott Sheeran and Stephanie Case, “The Intervention Brigade: Legal Issues for the UN in the Democratic Republic of the Congo,” International Peace Institute, November 2014, available at www.ipinst.org/2014/11/new-ipi-report-examines-legal-issues-surrounding-uns-intervention-brigade.

81 Michele Nichols, “UN Security Council Allows for Drones in Eastern Congo,” Reuters, January 24, 2013, available at www.reuters.com/article/us-congo-democratic-un/u-n-security-council-allows-drones-for-eastern-congo-idUSBRE90N0X720130124.

82 See UN Security Council, *Letter Dated 22 January 2013 from the President of the Security Council Addressed to the Secretary-General*, UN Doc. S/2013/44, January 22, 2013.

processes in the General Assembly.

In addition to mandate formulation, the council's engagement on thematic resolutions and presidential statements continues to guide peacekeeping. Ironically, these initiatives are often taken forward by nonpermanent members that wish to make a mark during their presidency of the council. For example, in 2013 Pakistan made peacekeeping a flagship activity of its council presidency with the adoption of Resolution 2086, despite holding strong views on the preeminence of the General Assembly when it comes to peacekeeping. While the Security Council sometimes makes requests of the Secretariat in its thematic resolutions, it rarely attempts to assume the role of General Assembly bodies on the minutiae of peacekeeping policy. Similarly, thematic resolutions may be perceived to have some buy-in from peacekeeping stakeholders given the engagement of nonpermanent members and the potential opportunity for co-sponsorship by the wider UN membership. Nonetheless, given the Security Council's role in the maintenance of international peace and security, it continues to have considerable scope to undertake a direct role in peacekeeping operations and, consequently, peacekeeping policy.

Subsidiary Groups, Expert Groups, and Working Methods

The Security Council has several subsidiary bodies engaged in a range of advisory and consultative activities with council members and other peacekeeping stakeholders. One of these is the Military Staff Committee (MSC). It is the longest-standing subsidiary body of the council due to its inclusion in the UN Charter, but its role in formulating peacekeeping policy is limited.⁸³ At the time the MSC was envisaged, there was no secretariat within the organization to support the deployment of military capacities, and it was anticipated that the MSC would fulfill this role in some capacity. Yet as peacekeeping has evolved, so has the UN's support for it through the establishment

of DPKO, DFS, and other bodies within the Secretariat. Consequently, the MSC has had to take on a different role.⁸⁴

Today, the MSC can engage, advise, and influence the work of the UN Security Council and Secretariat (through the Office of Military Affairs), although in a largely informal capacity. Only military representatives of the P5 are members of the MSC, but they can invite nonpermanent members to engage in discussions (this happens at a more informal level). The committee meets every two weeks to consider mission-specific items or the Secretariat's reform initiatives, often engaging closely with the Office of Military Affairs. It is touted as a body that can facilitate triangular cooperation among the Security Council, the Secretariat, and TCCs/PCCs by engaging military representatives from nonpermanent members of the council.⁸⁵

The primary method for engaging TCCs/PCCs in triangular cooperation is through the Security Council's Working Group on Peacekeeping Operations. The Security Council committed to holding consultations with TCCs in January 2001 with the establishment of the working group,⁸⁶ followed by agreement on joint meetings between the council and TCCs/PCCs.⁸⁷ Each year, a nonpermanent member of the council is appointed to chair the working group.

The program and engagement of the working group and, subsequently, its ability to provide substantive recommendations for consideration by the council depend largely on how engaged its chair is in the agenda and outcomes of discussions. The working group often adopts a mix of mission-specific and thematic agenda items. Yet its program of work and the invitation of external participants can at times be controversial, with some delegations expressing concerns that its agenda overlaps with that of General Assembly bodies such as the C-34.

Nonetheless, the working group could bridge some of the divides between the council and

83 Article 47 of the UN Charter.

84 For further examination of the role of the Military Staff Committee, see Alexandra Novosseloff, *The UN Military Staff Committee: Recreating a Missing Capacity* (New York: Routledge, 2018).

85 UN Military Staff Committee, "Relationships and Collaboration," available at www.un.org/sc/suborg/en/subsidiary/msc/relationships_collaboration.

86 UN Security Council, *Statement by the President of the Security Council*, UN Doc. S/PRST/2001/3, January 31, 2001.

87 UN Security Council, *Note by the President of the Security Council*, UN Doc. S/2002/56, January 14, 2002.

TCCs/PCCs if used effectively, such as by sharing the program of work and agenda in advance and serving as a forum for substantive engagement with the P5. The working group could also be used to engage a greater array of stakeholders, including regional organizations and host governments, which has largely been underexplored given its initial remit. Unlike the meetings convened under Resolution 1353, the working group has much broader scope to engage on policy issues, providing yet another forum for the Secretariat to engage with and understand the concerns of member states.

THE UN SECRETARIAT AND THE FIELD

The primary responsibility for drafting peacekeeping policy and guidance rests with the UN Secretariat, namely DPKO, DFS, and DPA. The responsibilities of each of these departments are captured in a series of bulletins from the secretary-general.⁸⁸ For DPKO and DFS, these responsibilities are managed by the Department of Policy, Evaluation and Training (DPET), which is a joint office between the departments. DPET was established in 2007, building on earlier organizational learning and the deployment of “best practices officers” to field missions.⁸⁹ That work is now managed by the Policy and Best Practices Service, which engages closely with field missions and member states on the formulation of peacekeeping policy. Both the Office of Military Affairs and the Police Division similarly support the development of doctrine and guidance for troops and police, respectively. DPA has a Policy and Mediation Division that facilitates lessons-learned and policymaking processes for special political missions.

The Secretariat has several functions when it comes to peacekeeping policy. First, different departments are involved in the development of policies, guidance, and training materials that guide the work of military, police, and civilian personnel in the field. In developing these materials, they are frequently required to engage directly with personnel in the field, as well as with member states in New York.

Second, the Secretariat may have a role in supporting and monitoring the implementation of those guidance materials. In the case of military and police personnel, responsibility for pre-deployment training rests with member states. However, in-mission training is the responsibility of the UN Secretariat and missions. Consequently, the Secretariat and field missions have an important role in measuring and evaluating the implementation of policy in the field and sharing any feedback with member states engaged in the peacekeeping policymaking process through intergovernmental bodies in New York.

Peacekeeping policy is not issued as a top-down directive from headquarters in New York. The evolution of peacekeeping policy has demonstrated that many of the innovative approaches and lessons learned have come from the field. For example, MONUSCO innovated by creating the roles of community liaison assistants and community liaison networks. Similarly, some missions have been forced to improvise and develop policies as events unfold, such as the evolution of the protection of civilians sites in UNMISS. It is critical that lessons learned from these developments are captured to ensure that peacekeeping policy is responsive to the needs of those in the field and draws on their experience. This is one of the reasons the HIPPO report acknowledged the need for a more field-focused approach.

Despite these formal processes, there is a need for caution in treating the Secretariat as a monolithic entity with a uniform view on policy issues. While it is attempting to demonstrate a consistent organizational stance, departments also have their own interests that lead them to go after funding and seek member-state support.

OTHER MECHANISMS AND TOOLS

There are a range of tools outside formal processes that can have a direct or indirect impact on the direction of peacekeeping policy. Most of these are initiatives led by member states to coalesce support for various issues. One of the most high-profile initiatives in recent years has been the ministerial summits convened by the US, the UK, and Canada.

⁸⁸ See UN Secretariat, *Organization of the Department of Peacekeeping Operations*, UN Doc. ST/SGB/2010/1, February 5, 2010; *Organization of the Department of Field Support*, UN Doc. ST/SGB/2010/2, March 4, 2010; and *Organization of the Department of Political Affairs*, UN Doc. ST/SGB/2009/13/Corr.1, November 5, 2009.

⁸⁹ See UN Peacekeeping Resource Hub, available at <http://research.un.org/en/peacekeeping-community/guidance>.

While these have been focused on generating peacekeeping capabilities, they have also had policy implications. For example, each summit has adopted a communiqué or resulted in further support for initiatives such as the Kigali Principles on the Protection of Civilians and the Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers. These fora, though outside formal UN processes, have been useful vehicles to generate engagement at the ministerial level and political commitment to policy initiatives. Such high-level engagement can provide leverage in negotiations within intergovernmental bodies in the UN system.

To draw on expertise from those serving in peacekeeping missions, the UN secretary-general has appointed expert and high-level committees to undertake a comprehensive review of the UN's approach to peacekeeping, most recently demonstrated by the HIPPO report and the 2017 report on "Improving Security of United Nations Peacekeepers."⁹⁰ The appointment of these independent groups often ensures a greater degree of attention and momentum within the UN system for proposed reforms. However, past practice has shown that implementation of the reforms is often piecemeal, depending on the level of support for the recommendations among member states and on how threatening the reforms are to interest groups within the Secretariat's bureaucracy.

At the working level, member states also focus on progressing peacekeeping policy reform through informal fora such as workshops, roundtables, and regional meetings around the globe.⁹¹ These fora provide an opportunity to discuss challenging issues outside formal UN bodies and beyond the politics that sometimes make issues toxic in New York. Initiatives such as "groups of friends" have also proven to be invaluable in developing constituencies of support for specific issues related to peacekeeping, including the C-34, the reforms proposed by HIPPO, policing, protection of civilians, women, peace, and security, and children and armed conflict. Similarly, professional groups

such as the Military and Police Advisers' Community can provide an informal forum for engagement with the Secretariat on a range of peacekeeping reforms. These informal arrangements also afford a valuable opportunity for civil society and think tanks to engage in these discussions, which can inject them with unfiltered perspectives from the field.

Challenges and Tensions in Policy Formulation

Many of the challenges identified in this paper are common to multilateral negotiations and policy formulation. Yet the level of direct member-state support to peace operations—through the deployment of uniformed personnel and compulsory financial contributions to the peacekeeping budgets of all missions—makes peacekeeping somewhat unique within the UN system.

As this paper has shown, the stakeholders involved in UN peacekeeping have different vested interests and perspectives on what needs to be reformed to improve UN peacekeeping. Member states' positions vary depending on the nature of the issue being discussed, their national interests, and whether the proposed change is likely to have operational or financial implications. Member states' level of influence also varies depending on how many personnel they have deployed and in what missions, their influence over the budget (and whether they are significant financial contributors that can set the terms of the debate), and, ultimately, whether they are a member of the Security Council, and especially of the P5.

But the level of influence member states have does not always match their expectations. For example, major TCCs/PCCs need to justify the decision to deploy personnel into harm's way.⁹² This is one of the reasons they expect to engage directly in efforts to reform peacekeeping and to contribute to policy formulation. Similarly, significant financial contributors need to demonstrate to their domestic constituencies that they are getting a

90 United Nations, *Improving the Security of United Nations Peacekeepers*, December 19, 2017.

91 For example, since January 2009, Australia and Uruguay have co-hosted a regular workshop series on the protection of civilians in peacekeeping to bring together field representatives, diplomats, and Secretariat officials to discuss emerging challenges on the issue.

92 Concerns about the safety and security of peacekeepers may prompt countries to withdraw their personnel. For example, several countries, including Austria, Croatia, and Japan, withdrew personnel from the UN Disengagement Observer Force (UNDOF) in the Golan Heights in 2013 due to concerns about security on the ground.

good return on their investment.⁹³ They therefore expect to have more sway in negotiations over the budget. Moreover, there is little overlap between major TCCs/PCCs and major financial contributors, often putting them at odds with each other, as demonstrated by the debate over troop cost reimbursement and performance in peacekeeping.

These dynamics mean that the formulation of UN peacekeeping policy remains an inherently political process. Consequently, the political dimension needs to be considered by those involved in driving policy reform processes, whether they be departments within the UN Secretariat or member states wishing to push a reform. This requires understanding the challenges that have emerged from the past seventy years of UN peacekeeping.

This section examines some of the key tensions surrounding and perspectives on the formulation and implementation of UN peacekeeping policy. These include different views among stakeholders on the value of outcomes versus processes; mechanisms for consultations between the Security Council and TCCs/PCCs; the concept of “experts” and the role of the Secretariat; negotiating dynamics and the role of regional groups; fora and financing; and the gap between New York and the field.

THE VALUE OF PROCESSES VERSUS THE IMPORTANCE OF OUTCOMES

Outcomes such as resolutions or reports are often used as an indicator of success within the multilateral environment in New York. In the context of UN peacekeeping, these outcomes might include Security Council resolutions and presidential statements, General Assembly resolutions for the peacekeeping budget in the Fifth Committee, or the report of the Special Committee on Peacekeeping Operations (C-34). Most of these outcomes, partic-

ularly in the General Assembly, are adopted by consensus.⁹⁴ Consequently, these products are an important indicator of consensus within the council or the wider peacekeeping partnership (in the case of the General Assembly).

For these reasons, the adoption of a new resolution is viewed as an achievement by member states. For example, the adoption of the two simultaneous resolutions on “sustaining peace” by the Security Council and General Assembly in April 2016 after weeks of negotiations was viewed as a significant achievement in advancing this relatively new concept within the UN system.⁹⁵ Yet by focusing solely on outcomes as the barometer of success for intergovernmental processes, there is a risk stakeholders will not engage in genuine dialogue on some of the challenges facing UN peacekeeping.

Processes to negotiate agreed outcomes on UN peacekeeping in the Security Council and General Assembly face similar challenges. Discussions are often initially focused on language rather than substance. This presents a particular challenge in the C-34, which only meets periodically on peacekeeping throughout the year. As previously noted, the chair of the C-34 working group, in conjunction with the bureau of the C-34, has tried to reform and manage language as part of the negotiating process in the committee.⁹⁶ In its 2012 report, the C-34 adopted Annex I on “Working Methods of the Special Committee on Peacekeeping Operations and Its Working Group of the Whole.” Among other things, this annex encouraged delegations to agree to text that would not change and require negotiation each year. It also encouraged delegations to streamline their text ahead of the formal two-week negotiation period while making the full draft available to all delegations.⁹⁷ The process has improved somewhat in recent years, with agreement reached on

93 See, for example, the statement by the United States to the second resumed session of the Fifth Committee on May 7, 2018: “We each have a duty to our taxpayers to ensure that their resources are being used wisely.”

94 The C-34 report and the various Fifth Committee resolutions on the budget are adopted by consensus, except for the budget of the UN Interim Force in Lebanon (UNIFIL).

95 UN Security Council Resolution 2282 (April 27, 2016); General Assembly Resolution 70/262 (April 27, 2016).

96 The 2011 report of the Special Committee on Peacekeeping Operations stated: “The Special Committee encourages its members to continue to hold an informal dialogue with a view to enhancing the work of its Working Group, without prejudice to the rules and procedures of the General Assembly and its resolution 2006 (XIX) of 1965. The Special Committee encourages the Bureau to facilitate this dialogue and to keep Member States updated on developments related thereto prior to its next session.” UN Doc. A/65/19, May 12, 2011, para. 277. The International Peace Institute and the Center for International Cooperation were subsequently tasked with examining options for reforming the working methods of the C-34 in 2011 and developed an options paper on “Enhancing the Work of the C-34” in December 2011.

97 See UN General Assembly, *Report of the Special Committee on Peacekeeping Operations 2012*, UN Doc. A/66/19, September 11, 2012, Annex I, paras. (a)(i), (a)(ii).

“stabilizing” the text and only negotiating some sections each year (modeled on the approach to biennial resolutions on other issues at the UN).

Nevertheless, the committee faced significant challenges when it attempted to implement other reforms agreed to in 2012, namely dividing the report into “operational” and “non-operational” paragraphs. The aim of the reform—which had significant support from the largely military negotiators who were accustomed to clear and direct language—had been to provide more clarity on the recommendations. However, that ignored the inherent value of the report as a product of negotiation—namely that it relied on “constructive ambiguity” to reach consensus. In the C-34, that ambiguity had allowed the outcome to be interpreted multiple ways, helping delegations demonstrate their successes to their capitals. Perhaps most importantly, it had also often provided the Secretariat with enough latitude to develop and take forward work on a range of peacekeeping reforms (provided there was no language in the report explicitly opposing them). These new working methods stalled committee negotiations in 2013, resulting in no substantive discussion over any of the pressing issues before the committee that year.⁹⁸

It is worth noting that the C-34’s approach to negotiating an outcome document on peacekeeping differs from that of the Security Council and Fifth Committee. In the Security Council, the penholder circulates a “zero draft,” which forms the basis of negotiations. Similarly, the Fifth Committee works from a “skeleton text” containing the bare minimum language needed for technical reasons or by tradition. By contrast, the C-34 commences with the previous year’s report, with members proposing significant amendments and additions, but only to some of its sections.

There is still resistance to the idea of starting with a blank report template or chair’s text as the basis for a zero draft for the C-34 negotiations, despite efforts to again reform this process throughout 2017.⁹⁹ Part of this resistance stems from battles to

secure language on difficult issues in previous years and the resulting preference that this language is included as a starting point for the following years. Similarly, some delegations are concerned that starting from a “blank page” will allow some of the principles of peacekeeping to be chipped away at if they are not restated in each report.

While many of these concerns can be overcome, recent attempts to reform the committee’s working methods suggest it would be better off focusing its energy on more substantive dialogue throughout the year (see section below) rather than on reforming the negotiating process. This also requires the UN Secretariat to be proactive in engaging member states about the reforms it is proposing. That will allow for more comprehensive discussion of ideas before they come before the committee as language in the negotiating process.

Whether or not the C-34’s inability to reach agreement on a consensus report in 2013 is considered a failure depends on the importance attached to the outcome over the process. Even though the committee did not reach an outcome that year, it did avoid going to a vote on any issues. As a result, the committee’s value in delivering a consensus outcome since its inception in 1965 was maintained.¹⁰⁰ Similarly, delegations and regional groups were forced to put forward their ideas on reforms for UN peacekeeping, both through statements during the general debate and as part of preparations for the negotiations. In much the same way that the Security Council regularly holds briefings, debates, and consultations, C-34 members were still engaging in discussions about the issues.

Therefore, while the outcome was far from ideal, it did serve a purpose in keeping member states engaged in peacekeeping, even if only to debate the relevance of the C-34 as part of the wider peacekeeping policymaking process. It also highlighted the limited potential of other fora to fill its role in facilitating broad-ranging consultation with TCCs/PCCs within the UN system.

98 See UN General Assembly, *Report of the Special Committee on Peacekeeping Operations 2013*, UN Doc. A/67/19, September 9, 2013.

99 Although efforts to institute substantial reforms to the working methods have made minimal progress, the 2018 report of the C-34 did include summaries of briefing requests for the Secretariat in some sections that were negotiated. See UN General Assembly, *Report of the Special Committee on Peacekeeping Operations 2018*, forthcoming.

100 UN General Assembly, 233rd Meeting, UN Doc. GA/PK/216, September 6, 2013.

CONSULTATION BETWEEN THE SECURITY COUNCIL AND TCCs/PCCs

The relationship between the Security Council and TCCs/PCCs on peacekeeping has often been fraught. Among the P5, only China is close to being among the top ten TCCs/PCCs, and that is a relatively recent development.¹⁰¹ This means that there is little overlap between the countries with the authority to drive peacekeeping mandates and those deploying personnel (TCCs/PCCs).

Consequently, most of the major TCCs/PCCs, represented largely by the Non-Aligned Movement, argue that the C-34 is the only body entrusted with the “comprehensive review of the whole question of peace-keeping operations in all their aspects.”¹⁰² In contrast, others, especially France, the UK, and the US, view the C-34 as a less important forum for influencing policy.¹⁰³ Some more cynical representatives from these countries view engagement in the C-34 as a risk-management tool to prevent the committee from being

used to block peacekeeping reforms.¹⁰⁴ Notably, Russia has sought to reassert the value of the C-34 in recent debates over the use of intelligence in peacekeeping.

Yet despite the arguments of many major TCCs/PCCs, the Security Council still has the primary role in guiding the development of peacekeeping policy. It is the forum where briefings and consultations with senior mission leadership and host governments take place. The Security Council (largely the P5) also can object to the appointment of representatives of the secretary-general, who are likely to shape the direction of peacekeeping in the field. And perhaps most importantly, it adopts thematic resolutions and resolutions that guide the development of policy through mandates. Therefore, the council wields significant influence over peacekeeping policy. Nonetheless, it requires the political support of TCCs/PCCs to implement many of its decisions. This means it cannot act without some form of

Table 4. Major TCCs/PCCs and financial contributors¹⁰⁵

Top Ten TCCs/PCCs ¹⁰⁶	Top Ten Financial Contributors ¹⁰⁷
1. Ethiopia	1. United States
2. Bangladesh	2. China
3. India	3. Japan
4. Rwanda	4. Germany
5. Pakistan	5. France
6. Nepal	6. United Kingdom
7. Egypt	7. Russia
8. Indonesia	8. Italy
9. Tanzania	9. Canada
10. Ghana	10. Spain

101 China is currently the eleventh largest TCC/PCC, contributing 2,491 military and police personnel as of March 31, 2018.

102 For example, see statement by Morocco on behalf of the Non-Aligned Movement during the 2016 debate of the C-34 on February 16, 2016: “We wish to reaffirm that the C-34 is the only intergovernmental body mandated by the General Assembly to review comprehensively the whole question of United Nations Peacekeeping Operations. We therefore reiterate our call to the Secretariat to refrain from working on streams of policy that have not been agreed in an intergovernmental process.”

103 Interviews with member states representatives, New York, October 2016.

104 Ibid.

105 UN Peacekeeping, “Summary of Troop Contributing Countries by Ranking,” March 31, 2018, available at https://peacekeeping.un.org/sites/default/files/2_country_ranking.pdf.

106 All the current top ten TCCs/PCCs are members of the Non-Aligned Movement.

107 Based on the scale of assessments for 2016 to 2018. See UN General Assembly, *Implementation of General Assembly Resolutions 55/235 and 55/236—Report of the Secretary-General*, UN Doc. A/70/331/Add.1, December 28, 2015.

consultation with TCCs/PCCs and the Secretariat, resulting in what has been commonly termed “triangular cooperation” among these three groups.

There are currently several formal and informal mechanisms to facilitate triangular cooperation. Formally, these include the Security Council’s Working Group on Peacekeeping Operations, which regularly opens its meetings to TCCs/PCCs to take part in discussions. TCCs/PCCs of particular missions are also invited to take part in consultations with the council ahead of the renewal of those missions.¹⁰⁸

Yet all parties acknowledge that these formal consultation mechanisms are often inadequate. The council and the C-34 have frequently referred to the need to strengthen triangular cooperation.¹⁰⁹ According to some commentators, “The gap between the Security Council, the Secretariat and the TCCs has become too wide.”¹¹⁰ Security Council members complain that TCCs/PCCs come ill-prepared to discuss challenges on the ground. TCCs/PCCs, on the other hand, complain that they are not provided with enough warning about meetings, are often consulted too late in the mandate renewal process, and do not receive the report of the secretary-general early enough.¹¹¹

Much more can be done to ensure that TCCs/PCCs are substantively engaged in consultations on peacekeeping reforms and mandate renewals. Part of the onus rests with delegates from these countries to ensure they are prepared with questions to raise in these public consultations. At the same time, consultation mechanisms need to allow for more substantive and informal dialogue. For example, New Zealand launched an initiative during its 2015–2016 term on the council to host informal triangular consultations on specific missions. This opened up more opportunities for

TCCs/PCCs to engage informally with council members ahead of mandate renewals. The US and France have hosted similar meetings to engage more informally on some issues ahead of mandate renewals.¹¹²

Yet much more can be done to improve triangular consultations and fulfill the spirit of the HIPPO report in this regard. Greater effort is also needed to ensure that consultations between the Security Council, TCCs/PCCs, and the Secretariat focus not only on missions but also on some of the wider challenges facing peacekeeping.

THE CONCEPT OF “EXPERTS” AND THE ROLE OF THE SECRETARIAT

Another challenge relates to the remit of the Secretariat to develop peacekeeping policy. The secretary-general has outlined the responsibilities of DPKO, DFS, and DPA in a series of bulletins, although it is expected these will change with the proposed restructuring of the peace and security architecture.¹¹³ Yet the line between the Secretariat drafting and developing policy and member states offering guidance on policy matters through intergovernmental processes remains fluid and contested.¹¹⁴ This often leads to considerable disagreement among member states about whether the Secretariat has overstepped its mark in developing guidance materials and policies.

The Secretariat’s efforts to reform peacekeeping are often highly technical and rely heavily on the input and expertise of individuals who have served in peacekeeping operations in the field. For example, the HIPPO review process involved a panel of seventeen “experts,” many of whom had served in the field in senior mission leadership positions. The recently released report on “Improving Security of United Nations Peacekeepers” (the “Cruz Report”) was led by a retired lieutenant general who had served as the force

108 This is part of the closed consultations that routinely take place in fulfillment of Security Council Resolution 1353.

109 See, for example, UN Security Council Resolution 2378 (September 20, 2017), para. 12; and General Assembly, *Report of the Special Committee on Peacekeeping Operations 2017*, UN Doc. A/71/19, March 20, 2017, Section I.

110 Alexandra Novosseloff, “Triangular Cooperation: Key to All,” *Global Peace Operations Review*, November 10, 2015, available at <https://peaceoperationsreview.org/thematic-essays/triangular-cooperation-key-to-all/>.

111 Interviews with member-state representatives, New York, October 2016.

112 *Ibid.*

113 See UN Secretariat, *Organization of the Department of Peacekeeping Operations*, UN Doc. ST/SGB/2010/1, February 5, 2010; *Organization of the Department of Field Support*, UN Doc. ST/SGB/2010/2, March 4, 2010; and *Organization of the Department of Political Affairs*, UN Doc. ST/SGB/2009/13/Corr.1, November 5, 2009.

114 For example, refer to the statement by Russian Foreign Minister Sergey Lavrov at the UN Security Council debate on peacekeeping on September 20, 2017.

commander in several UN peacekeeping missions.¹¹⁵ Yet the Secretariat's preference for input from those with experience working in UN peacekeeping often sets up a dilemma when it comes to formulating policy based on the resulting recommendations. Some reforms may be within the purview of the secretary-general (and therefore of the Secretariat) to take forward with minimal oversight, but others are not.

Unlike in the Secretariat, representatives in most of the intergovernmental committees engaged in peacekeeping are diplomats who have taken on the "peacekeeping" file upon their arrival in New York. Many of them turn over every three to four years, meaning there is little time to build up expertise or institutional memory. The C-34 (and, to some extent, the Fifth Committee) is unique in that a considerable number of the delegates taking part are serving military or police personnel. Yet while these personnel have operational experience, many have not had exposure to political debates on peacekeeping reform. There is also an assumption that diplomats engaging in these negotiations are backstopped by capitals, when many are not. For the most part, negotiations in the C-34 and the Fifth Committee are driven by senior diplomats representing negotiating blocs within those committees, meaning the focus in the negotiations is largely political. Some bodies engaged in peacekeeping policymaking rely more heavily on technical expertise (such as the COE Working Group), but they are still largely driven by politics among the negotiating groups. These dynamics make it imperative that the Secretariat engage substantively with representatives in these committees on challenges in peacekeeping, developments in the field, and required reforms.

The level of engagement between the Secretariat and member states varies depending on how contentious the issue is, the level of technical expertise required, and the time available. For instance, policies guiding the roles and functions of civilian components in missions often come under far less scrutiny from member states than materials that provide guidance or direction to military and

police components. This is largely because TCCs/PCCs are likely to have strong views on the formulation of policies and guidance materials that their nationals will be required to follow. Consequently, the Office of Military Affairs and the Police Division are often more substantively engaged with member states in developing policy, particularly in capitals.

For DPKO, this heightened scrutiny has provided difficult lessons about working with member states to support reforms. For example, in 2010 DPKO worked with key TCCs to host three regional conferences on robust peacekeeping.¹¹⁶ Despite this engagement, several member states still opposed the idea of recognizing the concept or developing guidance on the issue. Consequently, the Office of Military Affairs made a concerted effort to develop military guidance as part of the UN Military Unit Manual project in 2013. Through this project, it heavily engaged member states by having them chair working groups and send experts to take part. This has been viewed as a model process in the development of guidance.¹¹⁷ A similar approach was adopted by the Police Division in developing the Strategic Guidance Framework for International Police Peacekeeping.

Views on the need to engage member states, however, are not consistent across the Secretariat. Parts of the Secretariat are reluctant to consult member states on policy reform initiatives. Sometimes this is due to concerns that doing so may politicize the development of a largely technical document that the Secretariat already has the tools and resources to take forward. Substantively consulting and engaging member states often takes significant time and may delay the finalization of guidance or training materials. These are all risks and challenges that the Secretariat needs to weigh in determining how to engage member states.

At the same time, member states have differing views on the level of engagement they should have in the policymaking process. One challenge the C-34 has often confronted is attempts by some member states to introduce language instructing

115 United Nations, *Improving the Security of United Nations Peacekeepers*, December 19, 2017.

116 See UN DPKO/DFS, "The New Horizon Initiative: Progress Report No. 2," December 2011, p. 12.

117 Interview with UN official in Office of Military Affairs, New York, October 2016.

the committee to formally review and approve any policies related to peacekeeping.¹¹⁸ This would be cumbersome and time-consuming, effectively micromanaging the Secretariat's work drafting and promulgating policy. In addition, because intergovernmental bodies have varying levels of input into policy on different issues, member states sometimes seek to bring an issue to a particular body to seek a more expeditious outcome. This was demonstrated by the United States pushing for the adoption of Resolution 2272 on sexual exploitation and abuse (see section below).

One of the most contentious areas for policy development led by the Secretariat is the limits set on the direction of UN peacekeeping. For example, the Security Council pushed the boundaries to authorize the deployment of a peacekeeping mission in a hostile environment in Mali in April 2013. This was despite warnings from senior officials within the Secretariat that a UN peacekeeping mission would face significant challenges if deployed in that environment.¹¹⁹ Similarly, the HIPPO report stated that UN peacekeeping is not the right tool for conducting counterterrorism operations.¹²⁰

This example demonstrates that the Security Council ultimately authorizes what it wishes without having to follow the advice of the Secretariat. In this manner, the Security Council is driving policy formulation. This serves as a reminder of the importance of strong leadership in publicly communicating the limitations of UN peacekeeping and the need for more substantive dialogue among stakeholders on these contentious issues. Otherwise, missions deployed in such environments will not have the support they need to effectively carry out their mandated tasks.

NEGOTIATING DYNAMICS: INFLUENCE OF REGIONAL GROUPS

The dynamics and influence of negotiating groups and blocs in peacekeeping negotiations are complex. Most member states are not in a position to choose which regional group they fall into, as this has been predetermined by geopolitics (e.g.,

whether a country is part of the EU or Non-Aligned Movement in the C-34, or the G77 in the Fifth Committee). In debates, some groups deliver only one regional statement and negotiate closely as a group (for example, Canada, Australia, and New Zealand as CANZ), whereas others choose to deliver separate national statements in addition to the agreed group statement (for example, the Non-Aligned Movement). Some regional groups do not negotiate together but still deliver regional statements reflecting their views (for example, the Association of Southeast Asian Nations, or ASEAN). Similarly, some informal groups are known to coordinate negotiating positions yet work independently in the negotiations in the C-34 and Fifth Committee (for example, Japan, the US, and CANZ as JUSCANZ).

Depending on the size and interests of a country, taking part in negotiations in the C-34 or Fifth Committee as part of the EU or Non-Aligned Movement can have benefits. Regional groups allow for significant burden sharing among member states during negotiating processes, meaning a country's views can be taken into consideration in formulating the group's position on an issue and pursued as part of that group's position. This is particularly valuable for permanent missions with a small diplomatic footprint in New York. Furthermore, with the general exception of the US, China, and Russia, regional groups tend to have higher profiles and greater weight in negotiations than member states. Their voice matters when the negotiations on peacekeeping budgets or contentious policies come down to the wire. Therefore, participating in a regional group can amplify the voices of smaller countries by ensuring their interests are guarded by more influential member states.

Yet those same potential benefits also have drawbacks, particularly in larger regional groups such as the EU and Non-Aligned Movement. The size of these groups makes it difficult for the nuances of every member state's views to be represented. More vocal and influential delegations

118 Interview with member-state representatives, New York, October 2016.

119 See remarks by Under-Secretary-General Jeffrey Feltman at UN Security Council meeting on Mali on April 3, 2013, in UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/PV.6944, April 3, 2013, p. 5.

120 United Nations, *Report of the High-Level Independent Panel on Peace Operations*, para. 130 (c).

can drown out the voices of smaller delegations within the groups. It is well known that there are often differing views among the EU members on financing, particularly as some EU members pay a significant portion of the assessed peacekeeping budget and therefore have a more direct interest in looking for savings. In the Non-Aligned Movement, South Asian and African TCCs often have different views on policy reforms such as the use of force and protection of civilians. African TCCs tend to be more supportive of robust approaches in line with that of the African Union. For example, the issue of whether to recognize the Kigali Principles on the protection of civilians in the C-34's 2016 report became a significant source of tension within the Non-Aligned Movement that year, with some suggesting that the Africa Group might seek to negotiate separately.¹²¹

Despite these differences, the negotiating blocs tend to be disciplined in negotiations in the General Assembly. Some member states represented in these larger regional groups see significant value in fora such as the Security Council's Working Group on Peacekeeping Operations that enable them to clearly state their national views without being encumbered by the negotiating position of their group.¹²²

While larger regional groups provide some degree of burden sharing, some smaller permanent missions struggle to have their views and voices heard in the C-34 and Fifth Committee.¹²³ This is a challenge for smaller TCCs that may be committing personnel to peacekeeping for the first time (such as several Pacific island countries). These countries often do not have the capacity to engage substantively in negotiations. Their missions are small and have few staff, and they may have less access to the Secretariat and senior officials, given their relative size and influence.

The Secretariat needs to make a conscious effort to engage these TCCs as part of policy reform initiatives to broaden the base and ensure these countries remain engaged in peacekeeping. Other member states and regional groups should also reach out to these smaller and emerging TCCs to

share their views on peacekeeping reforms. Cross-regional engagement through informal mechanisms such as groups of friends and workshops is also critical.

Some countries have formed their own ad hoc regional groups in peacekeeping negotiations. Argentina, Brazil, and Uruguay, for instance, are observers in the Non-Aligned Movement but members of the G77. In the C-34 they historically have negotiated individually, whereas in the Fifth Committee they are part of the much larger G77. In order to amplify their voices in the C-34 and to effectively burden share, they formed a new group with Mexico (ABUM) to put forward language in the negotiations. Like other smaller regional groups (such as CANZ), ABUM is a group of like-minded countries, so its members' negotiating positions are close together.

FORA AND FINANCING: DRIVERS OF POLICY

The lack of clarity and evolution in the policy-making approach of the C-34, Fifth Committee, and Security Council has often resulted in issues being address in an ad hoc manner across these fora, despite their unique roles and functions. For example, even though the Fifth Committee is responsible for administrative and budgetary matters in accordance with Article 17 of the UN Charter, it still directly and indirectly considers policy matters. For example, during the second resumed session of the Fifth Committee, the crosscutting resolution on financial support has considered the issue of sexual exploitation and abuse, and during its 2017 session, the committee adopted a resolution on special measures for protection from sexual exploitation and abuse.¹²⁴

Similarly, the Fifth Committee has indirect influence over policy on a range of issues. Its decisions on budgets affect the way peacekeeping is implemented on the ground. The committee makes decisions about the level of resources—both financial resources and civilian personnel—for missions' activities. The Fifth Committee receives far more reports on developments in peacekeeping missions given its granular focus on budget details.

121 Interview with member-state representatives, New York, October 2016.

122 Ibid.

123 Notably, some smaller delegations that have not had peacekeepers deployed have still been vocal and influential in the committees.

124 See UN General Assembly Resolution 71/297 (June 30, 2017).

The divisive issue of troop cost reimbursement highlights an area where different views about the role of the C-34 and Fifth Committee created significant fractures in the peacekeeping partnership. Until the secretary-general set up the Senior Advisory Group in 2011, troop reimbursement rates had not been reviewed since 2002. Therefore, the major TCCs wanted to bring the issue to the General Assembly for discussion. The Non-Aligned Movement unsuccessfully attempted to include language on the need to revise the reimbursement rate from 2011 onward in the C-34 report. It argued that this issue affected the deployment of personnel and therefore needed to be considered by the C-34. However, the EU and other like-minded delegations were of the view that the issue was within the remit of the Fifth Committee, as it was financial in nature.¹²⁵ Similarly, they argued that reimbursement could not be removed from discussions about performance.

This set up a challenging and confusing situation, as some member states disputed the differing roles of the C-34 and Fifth Committee. Notably, the C-34 had initially been established to address a financial impasse within the organization, whereas the Fifth Committee continued to involve itself directly in policy matters (as demonstrated by its consideration of sexual exploitation and abuse). With the Fifth Committee's session following that of the C-34 each year, this meant the C-34 report was delayed in 2011 and 2012. Eventually, the impasse was resolved in 2012 after the secretary-general established a Senior Advisory Group on the rate of reimbursement to troop-contributing countries and related issues to examine the way forward.¹²⁶ This eventually resulted in a series of reforms in 2013 and 2014 to revise reimbursement rates, change rotational deployment periods, and address performance.¹²⁷ All these changes were adopted in the Fifth Committee.

With no terms of reference to guide which issues are addressed in each committee negotiation, it is generally up to member states to make the case for bringing an issue into a particular forum and to

lobby for support. This was the approach the United States took when it decided to raise the issue of sexual exploitation and abuse in the Security Council, despite the objections of many major TCCs/PCCs, which argued it was an issue to be considered by the General Assembly.¹²⁸ Yet despite the issue traditionally being considered by the Fifth Committee and C-34, the council adopted Resolution 2272. It is not surprising that diplomats new to UN peacekeeping are confused about which committees and processes have a role in formulating policy on particular issues. Those delegations with more knowledgeable or more seasoned diplomats are often at an advantage.

Another area where member states shape policy indirectly is through the commitment of extra-budgetary funding to support particular posts or projects in the Secretariat. This is one mechanism used by the Secretariat to supplement funding approved through assessed budgets and by donor countries to ensure that national priorities are resourced. In many cases, these extra-budgetary positions are in the Secretariat's departments and may support the development and implementation of policy. Similarly, various sections in these departments often draw on extra-budgetary funding to support costly policy work (such as workshops to support the development of guidance materials drawing on the expertise of field officers).

Extra-budgetary funding presents a few problems. It requires different sections to approach member states for discrete projects. This may mean that issues that are popular with some member states (for example, protection of civilians) are well funded, whereas important issues that receive less attention (for example, corrections) receive less funding (though this is also likely the case in the assessed budget negotiations). It also means the UN leadership lacks direction on which issues require additional funding as a priority. As a result, member states are often assessing the merits of various approaches rather than deciding where funds are desperately needed.

125 See summary of statement by EU in Special Committee on Peacekeeping Operations, 227th and 228th Meetings, UN Doc. GA/PK/212, February 19, 2013.

126 It is worth noting that the Senior Advisory Group included ambassadors from each of the main constituencies in the Fifth Committee.

127 UN General Assembly Resolution 67/261 (May 10, 2013) and Resolution 68/281 (June 30, 2014).

128 As the representative of Egypt stated at the debate, "The Security Council has chosen to act on an issue outside its purview, since conduct and discipline, including in relation to sexual exploitation and abuse, are matters at the very core of the competence of the General Assembly." See UN Security Council, *United Nations Peacekeeping Operations*, UN Doc. S/PV.7643, March 11, 2016.

Despite these challenges, extra-budgetary funding will remain important for the organization to take forward its work. Funding appeals are already used by some sections of DPKO (for example, the Office of Rule of Law and Security Institutions) to generate extra-budgetary funding. Similarly, DPA frequently runs funding appeals (such as for the work of its Mediation Support Unit). Yet other approaches are more ad hoc, providing a less clear picture of where further funding from member states is needed. The Secretariat should attempt to address these gaps more comprehensively when informing member states about the challenges being faced in the field to improve its approach to policy development and implementation.

THE GAP BETWEEN HEADQUARTERS AND THE FIELD: IMPLEMENTATION AND MEASUREMENT OF SUCCESS

This paper has focused on debates and processes at UN headquarters in New York to influence, develop, and shape peacekeeping policy. Although member states and the Secretariat may be able to claim small victories in promulgating a new policy from the under-secretary-general for peacekeeping operations or reaching agreement on a paragraph of the C-34 report, the real measurement of success happens in the field. Yet the greatest difficulty often arises in assessing whether policy developments in New York are having an impact on the ground.

One key policymaking platform used by the Secretariat is reports from the secretary-general. Various reports go to different committees based on the nature of their working methods. The C-34 receives an annual report from the secretary-general examining overarching developments in peacekeeping and reporting back to the committee on how its proposals and recommendations have been implemented across the Secretariat and in the field. Similarly, the Fifth Committee receives a range of reports on the financing of peacekeeping and mission-specific budgets, along with reports from the ACABQ on the efficacy of the recommendations made by the Secretariat. The Security Council receives its own reports on the implementation of mission mandates and various crosscutting issues.

Nevertheless, except for independent reports such as the HIPPO report, there is no regular comprehensive update on peacekeeping. Instead, specific issues are addressed to each committee, further compounding the stove-piped nature of these intergovernmental processes. While most practitioners and diplomats working on peacekeeping become accustomed to finding this information, the Secretariat (through the secretary-general) could provide a regular and more comprehensive update on the state of UN peacekeeping. This has started to take place as part of broader discussions on the reform of the peace and security architecture and the restructuring of DPKO, DFS, and DPA, but much more can be done to ensure regular dialogue between the UN leadership and member states on peacekeeping reform.

Another key challenge in closing the gap between New York and the field is ensuring that the diplomats taking part in negotiations in the Security Council, C-34, and Fifth Committee understand realities on the ground. Field visits can demonstrate some of the challenges requiring attention in missions. The Security Council and Fifth Committee have organized visits for diplomats for some time, while the C-34 has recently started to do so as well. This is a welcome and long overdue move for the C-34, given its role in policy discussions. Closing the gap also requires effective communication within delegations and capitals about the challenges faced by peacekeeping contingents. Such initiatives could be further enhanced by giving diplomats more exposure to the scenarios facing mission leadership. There has been some discussion about running tabletop exercises in New York to raise awareness of the impediments and challenges facing mission leadership on the ground.¹²⁹

Ultimately, those engaged in peacekeeping policy in New York need to ensure that they are being guided by developments in the field rather than the politics at headquarters. The HIPPO report noted the importance of a more people-centric and field-centric approach. That requires those considering, debating, and negotiating reforms to UN peacekeeping to be responsive to the needs of those on the front lines.

¹²⁹ Interview with member-state representatives, New York, October 2016.

Recommendations and Opportunities for Collective Action

There is a collective willingness among peacekeeping stakeholders to strengthen the effectiveness of UN peacekeeping and peace operations more generally. Member states have broadly welcomed initiatives such as the HIPPO report and sustaining peace resolutions and, more recently, have supported Secretary-General Guterres's "Action for Peacekeeping" initiative. Yet the real test for those initiatives is not the statements issued by member states but how effectively they work to reach consensus on key reforms and policies in intergovernmental bodies such as the C-34, Fifth Committee, and Security Council.

The intergovernmental processes that guide UN peacekeeping have evolved to address the various policy, operational, and financial issues facing missions on the ground. General Assembly fora such as the Fourth Committee, Fifth Committee, and C-34 allow input from a wide range of stakeholders, enabling TCCs/PCCs and major financial contributors to influence decisions on a range of policy issues. More exclusive intergovernmental fora such as the Security Council wield considerable power to develop mission mandates but need to engage more broadly to maintain their legitimacy among the TCCs/PCCs that implement their wishes on the ground. Despite the various advantages and disadvantages of each of these bodies, they are important mechanisms for member states to provide input to the Secretariat and to hold the Secretariat accountable for its peacekeeping reforms.

The stakeholders engaged in the intergovernmental processes that inform and guide the formulation of peacekeeping policy represent a range of different interests that must be reconciled through negotiations. Those processes are most effective when the actors trust each other. TCCs/PCCs need to trust that the Security Council is listening to them when it mandates changes to missions on the ground, and that the UN Secretariat is listening to them when it develops guidance materials that will affect their uniformed

personnel in the field. Major financial contributors and the Secretariat need to trust that TCCs/PCCs are going to fulfill mandates and perform effectively in the field. And the Secretariat needs to trust that member states are going to acknowledge its expertise in managing peacekeeping missions while providing personnel, equipment, and financial support as needed.

Unfortunately, that trust has been severely compromised in the last decade as these constituencies have drifted apart, polarizing discussions on reform initiatives. The "Action for Peacekeeping" initiative provides an opportunity to assess the progress UN peacekeeping has made over the last seventy years and where it is going in the future. As the UN embarks on another major reform initiative to strengthen peacekeeping, in the words of Secretary-General Guterres, there is a need for a "quantum leap in collective engagement."¹³⁰ It is hoped that this paper will contribute to those efforts.

This report offers five broad lessons and recommendations for increasing understanding and improving the functioning of the intergovernmental processes that guide the formulation of peacekeeping policy.

FOSTER UNDERSTANDING OF UN PEACEKEEPING CHALLENGES AND THE POLICYMAKING PROCESS

Key stakeholders do not understand the range of UN bodies and intergovernmental processes or the Secretariat's work developing peacekeeping policy. It can be difficult for newly arrived diplomats (including military and police advisers) and Secretariat staff in UN headquarters to quickly acquire an understanding of how they can effectively use these processes to advance reforms. To address these challenges:

1. The Secretariat, working collaboratively with member states, think tanks and nongovernmental organizations, should develop a briefing or induction program for incoming delegates working on the peacekeeping file. This program would sensitize them to the issues facing peacekeeping, the role of different committees, and the resources available to them. This could be modeled on the existing

130 UN Security Council, *United Nations Peacekeeping Operations*, UN Doc. S/PV.8218, March 28, 2018, p. 3.

induction briefing run by the Military and Police Advisers' Community for newly arrived military and police advisers. A combined program would have the additional benefit of ensuring military, police, and civilian delegates working across different committees engage with one another.

2. The Secretariat, working with member states, should conduct comprehensive outreach to new and emerging TCCs/PCCs to engage them in intergovernmental processes. Member states with experience engaging in intergovernmental processes should seek to partner with TCCs/PCCs that may not have the capacity to do so (particularly those with small permanent missions). This would ensure a diverse range of views are being heard in discussions on peacekeeping.

STRENGTHEN CONSULTATION MECHANISMS

Most information available on peacekeeping is stove-piped among experts working on different committees in the General Assembly or Security Council. Different reforms, issues, and reports also tend to be discussed more comprehensively among like-minded stakeholders rather than those with different views. This often makes negotiations more acrimonious than necessary. To address these challenges:

3. Member states should support the development of and engage in ad hoc fora for discussing and exchanging views on issues related to peace operations without requiring an outcome. Many formal intergovernmental processes that allow for discussion and consultation (e.g., the Security Council's Working Group on Peacekeeping Operations, C-34 briefings, Security Council consultations with TCCs/PCCs) limit the ability of delegates to talk freely and share their concerns on initiatives. Informal fora could include delegations known to disagree in order to identify a way forward ahead of formal intergovernmental processes. P5 members could also conduct more informal outreach as part of mandate renewal processes.
4. The chair of the Security Council's Working Group on Peacekeeping Operations should explore options for engaging with a wider

range of stakeholders. This could include efforts to open up working group meetings to C-34 members, regional organizations, and host governments on issues of interest.

DEMONSTRATE LEADERSHIP AND IDENTIFY A SHARED VISION

Intergovernmental processes frequently result in piecemeal approaches to reform. Furthermore, they often do not allow for substantive discussions on strategic issues such as peacekeeping principles or the future direction of UN peacekeeping. To address these challenges:

5. In line with the secretary-general's "Action for Peacekeeping" initiative and recommendations from the Cruz Report, the Secretariat should work with member states to foster dialogue on the limits of peacekeeping and the role of the peacekeeping principles. This does not necessarily mean revising the principles, but increasing understanding of what they mean for modern peacekeeping operations, particularly in terms of the limits and expectations of peacekeeping.
6. The Secretariat should clearly identify priorities for extra-budgetary funding for the Department of Peacekeeping Operations and Department of Field Support to ensure member states have a clearer understanding of where there are shortfalls in existing budget requests.
7. Member states taking part in the C-34 should continue to consider reforming the committee's working methods to make it nimbler in adopting its annual report and ensure it is responsive to major peacekeeping reforms, independent reviews, and the concerns of TCCs/PCCs that may have arisen since the last C-34 report.

IMPROVE INFORMATION SHARING, REPORTING, AND ACCOUNTABILITY

Information sharing across different intergovernmental bodies and among delegates working on them is limited. Announcements of new reform efforts are generally well communicated, but there is often much less information on their progress. Member states often rely on infrequent open debates on peacekeeping in the Security Council for comprehensive updates on reform efforts. To address these challenges:

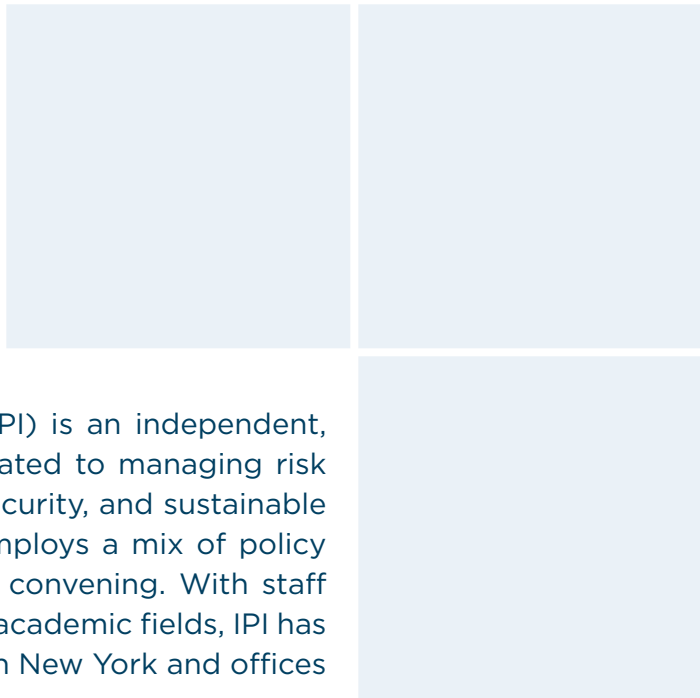
8. The Secretariat should engage more consistently with experts across the intergovernmental committees working on peacekeeping reform through informal joint briefings, open fora, or online platforms. The Secretariat, member states, or a think tank should consider developing an interactive platform to track and strategically communicate peacekeeping reform across different committees.
9. Member states, through their permanent missions, should ensure their delegates to the various General Assembly and Security Council bodies working on peacekeeping are sharing information so they have a consistent approach.

ENCOURAGE AWARENESS OF CHALLENGES IN THE FIELD AMONG STAKEHOLDERS IN NEW YORK

Stakeholders in New York lack understanding and awareness of some of the challenges faced by peacekeeping missions on the ground, despite these issues being considered during intergovernmental processes in New York. To address these

challenges:

10. Member states, particularly TCCs/PCCs must ensure their delegates (political, military, and police) are well briefed on challenges and national priorities related to peacekeeping. They should also ensure they are exposed to developments in the capital and in the field.
11. The Secretariat should pursue development of a tabletop exercise using mission scenarios for diplomats working on peacekeeping issues to further their understanding of challenges in the field.
12. Member states, working with the Secretariat, should consider conducting joint field visits for Fifth Committee representatives, C-34 representatives, and Security Council delegates working on peace operations to foster understanding across bodies in New York. One option might be for these visits to be taken forward by the chair of the UN Security Council's Working Group on Peacekeeping Operations.



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