

UN STATEBUILDING AT A TURNING POINT

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AND PEACEKEEPING DRONES?

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- Last March the UN Security Council authorised the so-called Intervention Brigade to undertake ‘targeted offensive operations’ against illegal armed groups operating in the Eastern part of the Democratic Republic of the Congo (DRC). The Brigade, which undertook its first operations in August, differs from traditional UN peacekeeping in terms of its robust mandate and mobility.
- The UN has simultaneously adopted a new technology, unmanned aerial vehicles (UAVs), in the DRC, which represents the first-ever use of UAVs as a part of UN peacekeeping. UAVs will be deployed in the DRC at the end of November, and start operating in early December.
- The Intervention Brigade and UAVs have been hailed as a turning point in UN peacekeeping. However, they should not be perceived as completely new or standalone instruments of UN conflict management. They could instead be best understood as a continuum and extension of the long-held statebuilding doctrine applied by the UN. These new instruments enable the UN to perform one of its key functions of statebuilding and protection of civilians, namely controlling and policing the whole territory of a state where an intervention has been undertaken more effectively than before.
- The lessons learned from the UN peace operation in the DRC indicate that the UN statebuilding doctrine remains self-contradictory on account of the tendency of UN statebuilding missions to spill over into wars and the mismatch between the ambitious goals set for statebuilding and the chronic lack of resources.
- The Intervention Brigade and UAVs can potentially help the UN to resolve that mismatch by enhancing the UN’s statebuilding and protection capacities. However, they cannot resolve the other major disadvantage of statebuilding, namely collateral damage inflicted in statebuilding wars, and may even aggravate that problem.

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General Basir Bonapa and Lieutenant General Carlos Alberto Dos Santos Cruz of MONUSCO in the trenches of Munigi hill as the Intervention Brigade launches its first artillery strikes on M23 positions. UN Photo/Sylvain Liechti.

The UN peace operation in the Democratic Republic of the Congo, MONUC (*Mission de l'Organisation des Nations Unies en République démocratique du Congo*), was established in 1999 by Security Council Resolution 1258 as an observer and monitoring mission to assist in the implementation and monitoring of the Lusaka Ceasefire Agreement, which had temporarily brought an end to the Second Congo War. This first phase of MONUC entailed functions of traditional UN peacekeeping such as the observation and monitoring of ceasefires.

In the second phase, MONUC's mandate, provided in Security Council Resolution 1856 (2008), was significantly expanded to enable it to undertake much more demanding and ambitious statebuilding tasks, including the protection of civilians, the promotion of the rule of law, and the extension of the state authority of the central government – by force, if necessary. The Security Council authorised MONUC to perform comprehensive reforms and reconstruction of the DRC, expanding its size to 19,815 military personnel. The stabilisation of the security situation in the DRC, particularly in its Eastern part, became the primary aim of the mission.

In June 2010 the Security Council decided to establish the UN Organization Stabilization Mission (MONUSCO, *Mission de l'Organisation des Nations Unies pour la stabilisation en RD Congo*) to continue MONUC's work. The new mandate provided in Security Council Resolution 1925 (2010) puts further emphasis on the protection of civilians, authorises

the concentration of military forces in the Eastern parts of the country, and underscores assistance to security and justice sector reforms.

MONUSCO provides a typical example of the statebuilding doctrine which has evolved in UN peacekeeping since the 1980s. Statebuilding is primarily aimed at facilitating the host government to extend its state authority and judicial control over sub-state actors, including militia groups, to cover the whole territory of the target state by all necessary means, including the use of force.

Extending the administrative control of a state is expected to improve comprehensive human security by enabling the whole population to access basic security, healthcare and public services provided by the government, even in the remotest areas. In this way, statebuilding operations aim to ensure more sustainable and long-term human security for civilians. The means applied to achieve that objective include comprehensive and multi-functional reconstruction and peace-building of weak, fragile and failed states, including security and justice sector reform, the extension of their state authority, and the strengthening of their rule of law.¹

1 Touko Piiparinen, 'Responsibility to Protect: The Coming of Age of Sovereignty-Building', *Civil Wars*, 15(3), 2013, pp. 380-405.

The purpose of this briefing paper is to examine whether the adoption of two new instruments by MONUSCO during recent months, namely the Intervention Brigade and UAVs (unmanned aerial vehicles), signifies a departure from the UN's statebuilding doctrine towards a new type of UN peace operation, or merely constitutes a statebuilding continuum.

UN engagement in the DRC: Two contradictions of statebuilding

MONUSCO provides a classic example of the UN statebuilding doctrine and its sheer ambitiousness. The UN Capstone Doctrine published in 2008, which constitutes the rule book for contemporary UN peacekeeping, outlines the main objectives of statebuilding. The Capstone Doctrine argues that the deployment of UN troops and civilian police must be accompanied by international efforts to restore the state's monopoly over the legitimate use of force, to re-establish the rule of law, to strengthen respect for human rights, to foster the emergence of legitimate and effective institutions of governance, and to promote socio-economic recovery.

However, MONUSCO also provides a classic example of the ubiquitous potential of statebuilding operations to spill over into statebuilding wars, in which the UN supports and facilitates the national army to occupy territories from insurgency groups in order to (re-)establish the ostensibly responsible state authority in those areas – in the case of MONUSCO, particularly in the Eastern part of the country. Joint military operations conducted by MONUC/MONUSCO and the national army, FARDC (*Forces Armées de la République Démocratique du Congo*), against diverse militia groups have occasionally proved counterproductive in terms of the overall improvement of humanitarian conditions on the ground because of the lack of human rights training and discipline of FARDC soldiers, and collateral civilian casualties resulting from the joint operations.

Operation Kimia II, the joint operation between the Congolese government and MONUC against the FDLR (*Forces démocratiques de libération du Rwanda*) rebel group, launched in March 2009, caused particular controversy on moral and humanitarian grounds. As the UN investigation concludes, “In a

bleak calculation by the coalition, for every rebel combatant disarmed during the operation, one civilian has been killed, seven women and girls have been raped, six houses burned and destroyed, and 900 people have been forced to flee their homes”.²

Although a single operation by no means paints the whole picture of the UN engagement in the DRC and the primary responsibility to protect civilians, and accountability for the misconduct of FARDC soldiers falls to the Congolese government, the case in point here illustrates the inherent self-contradictions of statebuilding: the primary aim of UN statebuilding in the DRC is to protect civilians, but in doing so it has to engage in a war against illegal armed groups, which, in turn, paradoxically causes or enables further civilian casualties.

The second self-contradiction of MONUSCO relates to the mismatch between its ambitious statebuilding functions, on the one hand, and the lack of material capacities to perform those functions, on the other. In spite of the large number of deployed UN peacekeepers, MONUC/MONUSCO has been unable to fulfil its initial objective to transform the DRC. That is partly because of the lack of an adequate logistical base and aerial support capacity to conduct operations effectively throughout the territory of the DRC – the size of all Western Europe. The mission tends to resort to short-sighted ‘peacekeeping through remote-controlling’ tactics, occupying and policing areas for a limited time and protecting civilians in those areas, and removing troops to new hotspots where they are needed more urgently.

Although Security Council Resolution 1856 (2008) provides MONUC/MONUSCO with the highest prioritisation for the protection of civilians of any Council mandate granted to UN peace operations to date, its actual impacts on bringing about human security in its area of responsibility (AOR) remain wanting to date. In 2011, for example, the lack of helicopter capacity in MONUSCO was considered so critical that the operation “is no longer able to implement

2 Victoria Holt and Glyn Taylor, *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*, Independent study jointly commissioned by the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs (New York: United Nations, 2009), p. 286.

critical parts of its priority mandated tasks related to protecting civilians, addressing the presence of armed groups and supporting elections”.³

On the one hand, the remote-controlling tactics applied by MONUSCO provide it with flexibility, mobility and agility, allowing the rapid deployment of troops to areas of priority in terms of the protection of civilians. When the level of threat to human security in those areas subsides or decreases, the UN troops are relocated to new areas where the threat is assumed to be higher. On the other hand, a UN report reveals fatal flaws in that mode of action. At the headquarters level of MONUC, one senior military officer noted: “You can dominate a small area for a month or six months and change nothing in the overall picture”.⁴ The report summarises: “[I]n the absence of a strategy to consolidate the medium- to long-term security in the first area of deployment, the threat often intensifies after they are relocated. One former military officer described this as ‘a game of cat and mouse’.”⁵

The metaphor of a cat (the UN operating alongside the central government) chasing mice on a vast and rugged sweep of lawn (approximately 30 illegal armed groups operating in the Eastern DRC) perfectly captures the dynamics of the UN statebuilding war in the DRC. In the case in point here, the ‘cat’ is equipped with attack helicopters and Special Forces, but even those specialised assets and formed units have at least thus far failed to sustain MONUC’s/MONUSCO’s control over the whole territory of the DRC, and to police it.

This example demonstrates how the objective of ‘policing the space’ in UN statebuilding operations is never fully realised because of, inter alia, their chronic lack of material resources. This, in turn, generates disillusionment with the objectives of full-fledged state-building initially set for these missions, a problem which appears strikingly similar to the predicament of ISAF (International Security Assistance Force) in Afghanistan. The next sections

will examine whether the UN’s new instruments, namely the Intervention Brigade and UAVs, could solve these inherent problems of statebuilding in the DRC.

The added value of the Intervention Brigade for UN peacekeeping

In March 2013 the UN Security Council authorised the deployment of the so-called ‘Intervention Brigade’ to neutralise and disarm militia groups operating in the Eastern DRC, particularly in Northern Kivu. The Council’s decision has been perceived as a reaction to the failure of MONUSCO to prevent the city of Goma from falling under the control of a notorious rebel group, *Mouvement du 23 mars* (M23), in November 2012.

The Intervention Brigade, composed of more than 3,000 troops, is expected to protect the civilian population more effectively in the Eastern part of the DRC, where approximately 30 illegal armed groups – with at least four of them having ties to neighbouring governments – continue to fight over territory and exploit natural resources, committing atrocity crimes against civilians. Security Council Resolution 2098 establishing the Intervention Brigade is the first time the Council has ever used the term ‘neutralise’⁶ in its mandate given to a UN peace operation.

The Intervention Brigade is widely described as a significant innovation in UN peacekeeping in that it signifies greater willingness and readiness on the part of the UN to apply the use of force for the protection of civilians. It is viewed as an indication or hallmark of the current paradigm shift, or interventionist turn, of UN peacekeeping away from the conservative vision promoted by India (along with some other members of the Non-Aligned Movement at the UN) towards an interventionist approach pursued by members of the African Union (AU) and Western governments. The former vision emphasises the principles of neutrality and impartiality of peacekeepers, the consent of target states, respect for their sovereignty, and strict limits on the use of

3 United Nations, ‘Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo’, UN Doc. S/2011/656, 24 October 2011, p. 16.

4 Holt and Taylor, *Protecting Civilians*, p. 168.

5 Holt and Taylor, *Protecting Civilians*, p. 233.

6 United Nations, ‘Security Council Resolution 2098’, UN Doc. S/RES/2098 (2013), 28 March 2013, p. 7.

force in peacekeeping. The latter vision advocates more robust tactics and strategies in peacekeeping.

African governments, notably South Africa and Tanzania, played a pivotal role in lobbying for the authorisation and deployment of the Intervention Brigade in the DRC, while India unsuccessfully campaigned against it. In addition to the Intervention Brigade, another manifestation of the current interventionist turn of UN peacekeeping has been the UN peacekeeping operation in Côte d'Ivoire (UNOCI, *Opération des Nations Unies en Côte d'Ivoire*). In April 2011 UNOCI resorted to the use of force to destroy the military installations and heavy weapons of the former President Laurent Gbagbo's regime.

Security Council Resolution 2098 emphasises the *sui generis* nature of the Intervention Brigade and thus attempts to play down its potential application as a precedent in future UN peacekeeping. On the one hand, the Intervention Brigade has a clear and innovative conceptual framework and modality: it envisages a rapid reaction force designed to conduct 'targeted offensive operations' against militia groups in a flexible and swift manner, which could potentially be replicated in future UN peacekeeping. At the paradigmatic level, however, the Intervention Brigade does not represent anything substantially new in UN peacekeeping for two reasons.

Firstly, for more than a decade, the UN Security Council has been accustomed to authorising peace operations to use force, if necessary, to protect civilians under Chapter VII of the UN Charter, including the operations undertaken in Haiti, Sudan, Liberia, and Côte d'Ivoire. In fact, the term 'peace enforcement' was introduced in *An Agenda for Peace* (1992) published by the then Secretary-General Boutros Boutros-Ghali, which signalled a more active and resolute collective security system for the UN after the Cold War paralysis. The term 'peace enforcement' was later transformed into the expression 'Chapter VII operations' in UN jargon, referring to the fact that the UN Security Council has the competence under international law, namely under the UN Charter, to authorise robust enforcement-type operations.

The willingness of the Security Council to authorise Chapter VII operations has increased continuously from the early 1990s until the present day. Therefore,

the commonly applied descriptions of the Intervention Brigade by policy-makers as a 'step change in peacekeeping operations', 'extraordinary measure' and 'turning point' in UN peacekeeping seem like overstatements.⁷

UN peacekeeping has traditionally been based on incrementalism with regard to the use of force. All operations, regardless of whether they are deployed under Chapter VI or VII of the UN Charter, are at the outset expected to apply the minimum use of force and respect the consent of all parties, which are always preferred over coercive measures, and to gradually intensify the use of force only if necessary. The Intervention Brigade signifies a departure from that incrementalist rule of thumb in that the unusually robust and assertive language adopted in its mandate indicates its readiness to apply robust use *even at the outset* of the mission. However, its *actual* capacity to conduct coercive operations will ultimately depend on its material capacities provided by troop-contributing countries (TCCs) which are neighbouring states of the DRC.

The second reason to adopt a more realistic viewpoint on the potential added value of the Intervention Brigade for UN peacekeeping resides in the fact that it forms only a part of the existing political and military wheelwork of UN conflict resolution in the DRC. The Intervention Brigade operates under the command of MONUSCO and thus forms part of the wider UN statebuilding operation in the DRC.

The normative and political foundation upon which the Intervention Brigade was established is the Peace, Security and Cooperation Framework agreement for the Democratic Republic of the Congo and the region ('the PSC Framework'), which was signed in Addis Ababa on 24 February 2013 by the neighbouring governments of the DRC. The Framework consolidates and renews the collective attempt by the international, sub-regional and regional

7 See for example Patrick Cammaert and Fiona Blyth, *Issue Brief: The UN Intervention Brigade in the Democratic Republic of the Congo*, 3 July 2013 (New York: International Peace Institute), p. 5; Lansana Gberie, 'Intervention Brigade: End Game in the Congo? UN Peacekeeping Task Enters a New Phase', *Africa Renewal*, August 2013. <http://www.un.org/africarenewal/magazine/august-2013/intervention-brigade-end-game-congo>.

communities to extend the state authority of the DRC, which has been the long-held statebuilding mission of MONUSCO.

Thus, the Intervention Brigade constitutes only an additional tool – not *the* tool – of MONUSCO to extend the state authority of the DRC against militia groups. It is part of the overall political trajectory of statebuilding maintained by the international, sub-regional and regional communities to create space for the central government of the DRC in Eastern areas controlled by sub-state armed groups, rather than a standalone military trajectory.

UN officials themselves emphasise the relatedness of the Intervention Brigade to the renewed political will that emerged in spring 2013. As one interviewed UN official pointed out to the author, “It’s quite clear that this approach – establishing the Intervention Brigade – has a lot of political support, which is important. It’s the defining feature that characterises this [Intervention Brigade] from previous efforts [by the UN in the DRC], because you not only have the mandate, but you have the political will to act on this mandate. MONUC had a pretty robust mandate anyway, but there was a question mark of whether it always had the political will and whether the troop-contributing countries always had the political will to act on that.”⁸

The term ‘Intervention Brigade’ was incepted by the UN Secretariat, but the initial idea, modalities and rationale for it stemmed from African governments. At first, the idea was born among the African sub-regional and regional governments in July 2012 in the aftermath of setbacks in the Eastern DRC, but at that time it was conceived of only as an ‘International Neutral Force’ to be deployed in the area. At that stage it was neither named the ‘Intervention Brigade’ nor envisaged to be located under the UN command.⁹ These initiatives subsequently stemmed from the UN Secretariat, which aimed to channel the rekindled political will of African countries and organisations in the sub-regional context to serve the wider international efforts.

Plainly rendered, the UN ‘harnessed’ the new political will emerging from Tanzania, South Africa,

ICGLR (International Conference on the Great Lakes Region), SADC (Southern African Development Community), the AU and others under the UN umbrella. Thus, the Goma incident was not the immediate trigger for the establishment of the Intervention Brigade, but it functioned only as a catalyst for the wider multi-level process involving sub-regional, regional and international actors which was already in motion. Through that multi-level process the concept of the Intervention Brigade was gradually shaped and coined.

The added value of unmanned aerial vehicles for UN peacekeeping

The second assumedly new innovation applied by the UN in the Democratic Republic of the Congo, namely unmanned aerial vehicles (UAV), should also be considered more as a continuum and extension of the already ongoing statebuilding operation undertaken by MONUSCO, rather than as a groundbreaking new development in UN peacekeeping.

The use of UAVs was approved by the UN Security Council in January 2013 to undertake advanced collation, analysis and dissemination of information on militia activities, which is expected to improve the situational awareness and timely decision-making of MONUSCO. UN officials openly admit that UAVs are an ‘uncharted territory’ for the UN Organisation and a ‘novel tool’¹⁰ at its disposal. Interestingly, a contract between the UN and an Italian commercial company regarding the utilisation of UAVs in the DRC was signed in summer 2013 *before* the Secretariat had developed general procedures on the use of UAVs and the dissemination of information.¹¹

One of the outstanding questions is whether and how politically and strategically sensitive and potentially critical information collated by UAVs regarding an armed conflict can be channelled and disseminated to parties inside and outside the UN system. The question appears pertinent in light of the fact that some state parties privy to that information may also be parties to the conflict which the information collation by UAVs concerns. In the case of the DRC, the problem concerns Rwanda in

8 An interview in New York on 25 July 2013.

9 Interview, New York.

10 Interview, New York.

11 Interview, New York.

particular, which reportedly sponsors the M23 while holding a seat as a non-permanent member of the Security Council, which is the main decision-making body on the conflict in the DRC.

The deployment of UAVs in the DRC marks the first time that their use has been explicitly authorised under a UN peacekeeping mandate. The DRC case also serves as a laboratory for the possible further application of UAVs in subsequent UN peace operations. If that test case proves successful, the deployment of UAVs will constitute a new best practice for UN peacekeeping and they will be applied in further UN peace operations in places like Côte d'Ivoire and South Sudan.

UAVs have typically been viewed with suspicion by some UN member states on account of their potential (mis)use for intelligence purposes at the present stage and the fact that they could be weaponised at a later stage, although the latter prospect remains a remote possibility. Perhaps the main reason for caution among member states regarding UAVs simply relates to their novelty as such: in the absence of prior lessons regarding their applicability and viability in actual peace operations, member states have adopted a 'wait and see' approach.

The tacit approval of UAVs by countries like Russia and Pakistan was the first victory for the UN Secretary-General and for other reformist UN officials and diplomats, who have advocated the use of UAVs for a longer time, but there are substantial open-ended legal and financial questions concerning their use which need to be resolved at the UN in the near future. The real political wrangling between UN member states on those questions, particularly the one concerning the dissemination of information, has not yet begun and will ultimately determine the fate of UAVs.

Despite their novelty at the tactical and strategic levels, at the paradigmatic level the application of UAVs, like the deployment of the Intervention Brigade, forms part of the already existing state-building operation undertaken by MONUSCO in the DRC, rather than a turning point in the overall peacekeeping doctrine. UAVs will potentially provide critical support to MONUSCO in performing the key state-building function, namely controlling and policing the vast territory of the DRC. Undertaking that function by means of deploying UN

peacekeepers – 'painting the country blue' – has proved to be practically and materially difficult, unviable or impossible in a vast country like the DRC. UAVs could provide a practical solution to this perennial problem of statebuilding.

UAVs could enable a state-building operation like MONUSCO to undertake targeted, more precise action against militias by providing it with accurate information and a situational analysis of movements by militia groups, and by enabling the projection of force against those groups within its vast AOR, if the use of UAVs was efficiently synchronised with the rapid reaction forces and reconnaissance unit of the operation. By enabling such robust, flexible and swift operations, UAVs could, metaphorically, enable the 'cat' to fly. Furthermore, they could, at least in principle, render large infantry battalions or helicopter units previously applied for similar purposes useless and free them up to serve other tasks, although this prospect also remains a remote possibility at present.

Conclusions: What's new about UN peacekeeping on the Eastern front – and globally?

Both the Intervention Brigade and UAVs constitute a continuum of the already ongoing statebuilding efforts of the UN in the Democratic Republic of the Congo.

Thus far, the Intervention Brigade has been able to fulfil its mandate, as M23 rebels have been pushed towards the North and they no longer pose a direct and immediate threat to Goma and its population. That situation, however, may not last, and it has been largely due to the fact that the capacity of MONUSCO and the Intervention Brigade to hold their ground has not yet been seriously tested by militia groups. That, in turn, is partly because the M23 has been weakened internally and externally, as evidenced by the surrender of its former leader, Bosco Ntaganda, – also known as 'the Terminator' – to the International Criminal Court on 22 March 2013.

The emerging new technologies of UN peacekeeping, including UAVs and the strengthened reconnaissance unit of the Intervention Brigade, also offer new opportunities for TCCs. The contributions of Western TCCs to UN peacekeeping, particularly those of the Nordic countries, have been remarkably low

since the 1990s compared to developing countries, which also consequently bear the heaviest political and human price of UN peacekeeping in the form of fallen UN soldiers and other risks to the safety and security of troops in challenging and complex security environments like MONUSCO's AOR in North Kivu.

This mismatch has caused recurrent political tensions and gridlocks between UN members of the global South and those of the global North, particularly at the C34, the UN Special Committee on Peacekeeping. Western governments have proved unwilling to fulfil their part of political commitments under the Responsibility to Protect (RtoP) framework established at the UN World Summit in 2005, which requires them to provide international assistance and support to failed, fragile and weak states like the DRC.

The protracted civil war in the DRC poses one of the greatest threats to human security of all armed conflicts, but it has thus far fallen off the radar, or beyond the 'humanitarian gaze', of broader international concern. The International Committee of the Red Cross estimates a total of 5.4 million war-related deaths in the country for the period from August 1998 to April 2007, which comes close to the number of people living in Finland.

The UN is the only international organisation which has engaged in comprehensive conflict management and stabilisation efforts in the country, but its operational capacity is seriously hampered by the lack of political will on the part of member states to provide material resources. The technological turn of UN peacekeeping gives Western TCCs a new opportunity to be more active and engaged in UN peacekeeping and to bear their part of the overall burden of conflict resolution and RtoP in the DRC and of the collective security system of the UN at large, as it creates a new demand for sophisticated technologies which only Western TCCs can offer. It is noteworthy, however, that the UN Secretariat did request UAV contributions from TCCs in the case of the DRC, but did not receive any. Instead, the contract was signed with a commercial company.¹²

¹² Interview, New York.

To summarise the main findings of this briefing paper, the new instruments adopted in the DRC – the Intervention Brigade and UAVs – can assist the UN to resolve one perennial problem of statebuilding, namely the lack of resources to control a vast AOR. However, their use may simultaneously aggravate another key problem of statebuilding, namely the side effects of statebuilding wars.

According to one assessment, the use of the Intervention Brigade may instigate militia groups to step up retaliatory attacks against soft targets of MONUSCO, including unarmed civilian professionals working for MONUSCO. Thus far, however, the deployment of the Intervention Brigade has managed to create a secure environment around Goma, in which NGOs and humanitarian agencies can now operate freely, unimpeded by militia attacks. The Intervention Brigade also contributed to the recent military defeats of the M23, which announced on 5 November 2013 that it would disarm and demobilise.

Ultimately, the greatest added value of the Intervention Brigade and UAVs does not relate to their military capacity, but to the fact that they embody the *new political determination and concerted efforts among regional actors*, including African governments and organisations, to tackle the civil war in the DRC. In many similar cases of statebuilding wars, including the case of Afghanistan, such regional political support vital for statebuilding is lacking.

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