



**SANWC ANNUAL PSO SEMINAR:  
Complex Emergencies: Security challenges in the 21<sup>st</sup> century – implications for  
UN, AU and International Peace-Keeping Operations**

**Peace Mission Training Centre, Thaba Tshwane, 2-3 October 2008**

**Introduction**

On the 2<sup>nd</sup> and 3<sup>rd</sup> of October 2008, the ISS Training for Peace Programme, in conjunction with the British Peace Support Team (BPST(SA)), conducted a seminar for the South African National War College (SANWC) at the Peace Mission Training Centre (PMTTC) in Thaba Tshwane, Pretoria. Funding for the seminar was provided by BPST(SA).

The theme of the seminar was: 'Complex Emergencies: Security Challenges in the 21<sup>st</sup> Century, implications for UN, AU and International Peace Operations'. The purpose of the seminar was principally to assist learners of the College, within the rank bracket of Colonels, Lieutenant Colonels and Majors, in the understanding of key trends, issues and challenges pertaining to peacekeeping operations within the context of Military Operations Other Than War (MOOTW). The MOOTW Module forms part of the wider Joint Senior Command and Staff Course which aims to qualify the Learners as Operational Level Commanders and Staff Officers.

A total of 95 Learners, including seven International Fellows (Brazil, Lesotho, Pakistan, Rwanda, Swaziland, Tanzania and Zambia), on the course attended the seminar. Also present at the seminar were a number of the College's Directing Staff, including Officers from Ghana, Nigeria and Kenya.

Each session of the seminar sought to explore related critical issues and aspects requisite at the operational level of the career development of the Officers. The first day was divided into three sessions, the first of which included introductory remarks by Brigadier General S.D. Mashobane and Festus B. Aboagye. Brigadier Mashobane began by stressing the significance of the seminar. He pointed out that in spite of the fact that peace-keeping being a secondary preoccupation of armies worldwide, the nature of peacekeeping in the classical sense has been transformed into complex, multi-dimensional conflict management activities, owing to the radically altered post-cold war security climate. Brigadier Mashobane argued that by virtue of being a member of the United Nations and the African Union, South Africa occupies a central role in diplomatic efforts towards conflict resolution, especially on the African continent. According to the White Paper on Defence of May 1996 and the White Paper on South Africa's participation in international peace missions of October 1998, the South African National Defence Force is required to enhance its capacity for international peace support operations.

Festus Aboagye shared this sentiment. He put it to the learners that while they might never engage in active combat to defend South Africa, they are more than likely to partake in peace support operations within the African continent. Mr. Aboagye then moved on to introduce the speakers, the first of which, was Lieutenant General Martin Luther Agwai, the Force Commander of the AU/UN Hybrid Operation in Darfur (UNAMID).

### **Session I: Keynote Address**

Lieutenant General Agwai began his keynote address with a presentation that noted the challenges of the transition in the mindset of being a soldier to a peacekeeper, from constantly referring to ‘the enemy’, to being a neutral observer between several conflicting interest groups. He highlighted that for as long as human beings exist, competition for scarce resources, power and prestige between them will result in conflict. Nevertheless, he argued that the existence of conflict necessitates a means of preventing or mitigating its harmful effects. Thus, the United Nations has over the years evolved the mechanism of peacekeeping to serve as an effective intervention tool aimed at creating conditions for the peacemaking efforts. He cited UNAMID as a classical example of such an intervention.

To illustrate the complexities surrounding the peacekeeping operation in Darfur, Lieutenant General Agwai provided a description of the geography of Sudan and Darfur, the origin of the conflict, as well as a synopsis of the parties to the conflict. He underscored Sudan’s location in a conflict-ridden region (neighbored by among others Chad, Libya, Eritrea, Uganda), Darfur’s sheer size (approximately the size of Spain), the historical grievances resulting from the social, political and economic marginalisation and issues around land disputes between the main ethnic groups in the region, and the myriad of parties to the conflict. Lieutenant General Agwai thus sought to convey the extent of the challenges facing UNAMID through the complexity of the crisis.

General Agwai expressed the view that a key aspect of the conflict was the weight of expectation from both within and without Darfur for the resolution of the conflict. The lack of delivery of peace, the General pointed out, has been wrongly attributed the ineffectiveness of AMIS that he commanded in its last days. He pointed out that it was worth remembering that AMIS was an observer mission, while UNAMID’s mandate has hitherto been severely hampered by lack of capacity and the inherent limitations of and lack of adherence to the Darfur Peace Agreement (DPA) by the protagonists in the conflict. Despite the challenges impeding the fulfillment of UNAMID’s mandate, General Agwai indicated that significant strides had been made in impacting the conflict in the Darfur region, as well in the improvement of the humanitarian situation. He concluded that the complexity of the Darfur crisis necessitates an understanding of the mission’s limitation and requires a concerted effort by all concerned to assist in resolving the significant challenges that lay ahead.

### **Session II: Challenges and Opportunities**

The second session focused on peacekeeping trends, challenges and opportunities and was facilitated by Dr. Kwesi Aning and Festus Aboagye.

Dr. Kwesi Aning's presentation focused on the challenges and opportunities of post cold war peacekeeping, with a particular focus on African peacekeeping trends within this period. He sought to examine three particular issues, namely an analysis of conflict, its causes and consequences and an African perspective of conflict.

Dr. Aning began the presentation with a provocative statement, the general idea of which was to challenge a prevailing perception that those who instigate conflict, such as Liberia's Charles Taylor or Minni Arko Minnawi, the leader of the Sudan Liberation Army, are irrational and irresponsible entities. He put it to the learners that the actions of rebels are seldom unfounded and often directed to rationally calculated means such as power, economic gain, etc. He stressed the point that an understanding of the nature of conflict (which takes into account factors such as structure, actors, conflict dynamics, among others) can allow peacekeepers to comprehend what motivates those who cause conflict, and thus help in the formulation of the means to resolve the conflict.

In analyzing the causes of conflict, Dr. Aning cautioned against adopting a modal causality approach. He referred to Lieutenant General Agwai's reference to the problems in Darfur and argued that conflict should be recognized as the result of the complex interplay of various causes. Turning his attention to the African continent, he identified numerous factors, such as the failure of African states to fulfill their obligations to citizens (as in the areas of welfare, respect and protection of human rights, rule of law) and the exploitation of ethnic differences, as contributing to some of the existing conflicts.

In his conclusion Dr. Aning, much like General Agwai, emphasised the necessity of understanding the complexity of conflicts, particularly in the African context. An appreciation of the interplay between causal factors, he stressed, might enable effective peace support operations.

In his presentation on 'African Peace-Keeping Trends: Policy Perspectives', Mr. Festus Aboagye provided an overview of the contemporary peacekeeping paradigm, outlining the nature of and fundamental factors informing this paradigm. He began his presentation with a description of the present state of the African security architecture and, in the context of his presentation, used the African Standby Force (ASF) as one of the most fundamental structures of that architecture. Among several significant features mentioned, Mr. Aboagye outlined the evolution of the new architecture, and the key policy tools and fundamental parameters of the ASF. In this context he posed a key question, namely: what informed the shift to this present paradigm, including the establishment of the continental standby force arrangements? To answer this question Mr. Aboagye pointed to the failure of the OAU's peace security architecture, the Central Organ, which was hampered by the OAU Charter principles of non-interference in the affairs of member states, a steep inclination towards the pacific settlement of disputes and a certain degree of political complacency on the part of the leadership to arrogate to themselves all the prerogatives of political and other conflict resolution interventions.

Another critical factor that influenced the paradigm shift was the end of the cold, which, according to Mr. Aboagye, fundamentally altered the nature of armed conflict within the African continent, and its adverse impact on human security, and socio-economic development, coupled with the marginalization of the continent. These combined to necessitate fundamental changes in the nature of African regional responses to these devastating conflicts. In addition, the discernable paradigm shift in

Africa's security architecture was also motivated by what Aboagye termed 'peacekeeping apartheid', under which western nations have seemingly disengaged and withdrawn from direct participation in African conflicts, choosing rather to focus their strategic resources on the war on terror, for instance.

Mr. Aboagye further touched on some of the key constraints and challenges facing African peacekeeping, including severe lack of human resource capacity, lack of institutional expertise, insufficient financial and logistical capacity, and the lack of strategic lift. He concluded with the point that African security is indivisible from global security and as such requires synergy with global intervention tools, as opposed to the current division of labour under which the rich world provided funding and other force enablers while the continent grappled with the generation of not so well equipped human resources.

### **Session III: Contemporary Issues of Criminality and Misconduct**

The third session focused on the sub-theme of contemporary issues around criminality within violent armed conflicts, extending to the post-conflict period, as well as misconduct during peacekeeping. Mr. Them bani Mbadlanyana, an ISS Junior Researcher, and Mr. Wayne Hayde, the UN Middle Eastern Focal Officer on conduct and discipline in the UN Interim Force in Lebanon (UNIFIL) facilitated the session.

One of the main challenges that post-conflict peacekeeping operations have been confronted with has been the prevalence of criminality, which often diminishes the effectiveness of peace support missions. The challenge of criminality in post-conflict peacebuilding process in Liberia was the focus of Mr. Them bani Mbadlanyana's presentation.

In order to draw a broad picture of the nature and scope of criminality in Liberia and its implications for the peace building process, Mr. Mbadlanyana first provided a brief overview of the background to the Liberian conflict. He then moved on to chart the progress of the peacekeeping operations in Liberia, from that of the ECOWAS observer and monitoring group, ECOMOG from 1990 and to the UN Observer Mission in Liberia (UNOMIL, 1993), to that of the ECOWAS Mission in Liberia (ECOMIL, 2003), and that of the UN Mission in Liberia (UNMIL) that commenced in 2003.

According to Mr. Mbadlanyana, the primary mandate of UNMIL has been to give effect to the 2003 Accra Comprehensive Peace Agreement, which called for post-conflict reconstruction focused on economic recovery, the restoration of state authority, security sector reform and a transitional justice process. In spite of the laudable achievements by UNMIL in building upon the work of ECOMIL and in being a key driver of political stability in Liberia, Mr. Mbadlanyana highlighted the high incidence of crimes such as armed robberies, rape, thefts, ritual killings and mob justice. Crucial among these has been sexual exploitation and abuse (SEA) in the peacekeeping mission.

To assist in understanding the surge of post-conflict criminality, Mr. Mbadlanyana referred to criminological theories such as social strain, labeling and rational choice theories. In concluding his discussion, Mr. Mbadlanyana noted that factors such as the lack of institutional capacity, and weak and ineffective security apparatus, among others, were impeding progress and threatening Liberia's fragile peace. Among his

recommendations, he advocated for radical institutional capacity building, in addition to a rethink of UNMIL's exit strategy.

Mr. Wayne Hayde's presentation, titled 'Conduct and Discipline: UN Policies and Measures' centered on a theme highlighted in the previous presentation by Mr. Mbadlanyana, namely, the UN policies for misconduct and indiscipline of UN peacekeepers, with particular focus on issues of sexual exploitation and abuse. The main point on which Mr. Hayde based his presentation was the UN Secretary General's 2003 bulletin (SGB/2003/13), which provides for special measures for the protection of women and children from sexual exploitation and sexual abuse.

As an entry point, he examined some of the details of the bulletin, such as the definition of sexual exploitation and the scope of the bulletin, as well the duties of heads of departments, offices and missions. A central point made in Mr. Hayde's presentation was that despite the provisions of the bulletin, it remains difficult to address issues of misconduct and indiscipline in UN missions. One such difficulty emanates from the numerous categories of personnel found in UN missions, such as UN staff members, military personnel, military observers, contractors and consultants, some of whom are subject to different jurisdictions.

Mr. Hayde also referred to the moral implications of SEA on host populations. He identified some of these as the further victimization of vulnerable persons and the increased risk of contracting sexually transmitted infections. Among the responses of the leadership to misconduct and indiscipline in UN missions, Mr. Hayde pointed to measures such as the wearing of uniform in public, curfews and patrols to monitor personnel and improvements in the welfare and recreation facilities in camps and bases. In his final point he urged the learners to remember that every peacekeeper is an ambassador for mankind, tasked with providing hope and security to those who needed it the most. Sexual exploitation and abuse, and other forms of misconduct, he said, should not be allowed to impede this goal.

#### **Session IV: Emerging International Criminal Architecture**

The penultimate session, on the second and last day of the seminar addressed the emerging international criminal justice architecture.

The main focus of the first speaker, Dr. Alhaji Marong, was the issue of war crimes and crimes against humanity, with particular attention to the case of Darfur. In much the same manner as Lieutenant General Agwai the previous day, Dr. Marong started his presentation by providing a background to the conflict in Darfur as well its causes, the various perspectives of which he identified as the traditionalist, historical and humanitarian.

Dr. Marong then moved on to identify the consequences of the conflict, the actors involved and, importantly, the nature of the crimes committed during the conflict. According to Dr. Marong, one of the key features of the crime perpetrated in Darfur has been the deliberate and systematic targeting of African Darfuris. In International Law these acts (which include murders, rape and relocations) have constituted breaches of the principle of distinction and proportionality, and resulted in UNSC Resolution (1593), the consequences of which have been the International Criminal Court's (ICC) attempt to indict Sudanese President Omar Al Bashir on ten counts of war crimes, crimes against humanity and genocide, in July 2008.

On the contrary, Dr. Marong further identified several legal and political implications of the ICC's actions, which could be detrimental to the credibility of the organization, as well as to the fulfillment of the Comprehensive Peace Agreement of 2005. In his closing statement, Dr. Marong questioned the wisdom of the ICC's pursuit of justice prior to the establishment of some semblance of peace in Darfur. He urged the ICC to adopt a more cautious approach to its indictments, lest it becomes perceived as exclusively targeting African countries and their leaders.

The subsequent presentation, by Mr. Charles C. Jalloh, focused on the emerging international criminal justice architecture, as well the African peace and security architecture. To provide a platform from which to explain the rationale for the present African security architecture, Mr. Jalloh introduced his presentation with a brief historical account of conflict on the African continent. He cited some of the significant conflicts that the continent has experienced, including wars against colonial conquest, genocide and against other gross human rights violations. He expressed the view that such factors as the failure of the OAU to act effectively in mitigating these conflicts, coupled with the 'unexpected' end of the cold war, have motivated the establishment of Africa's peace and security architecture under the auspices of the AU.

Mr. Jalloh proceeded to explain the evolution and advantages of, as well as the key challenges, facing the ICC. Like Dr. Marong before him, he distinguished between legal and political challenges. With reference to the latter, he cited among other things the exceptionalism of the US and the UK, and the perception that the ICC has been used as a tool by strong countries to pursue weaker ones.

In his conclusion Mr. Jalloh noted that the ICC could be a force for good on the African continent. He added that it was necessary for it to engage African countries in consultation and confidence building, as well encouraging the implementation of the Rome Statute at the national levels.

### **Session V: Contemporary Interventions and Actors**

The final session of the seminar focused on contemporary interventions and the role of regional and private actors within in the broad sphere of peace operations.

The first speaker, Mr. J.J. Messner, looked at US-Africa policy and the role of the private sector. He provided an overview of private sector companies, indicating several of their functions beyond the provision of private security. Some of these include logistics and support, training, security sector reform and humanitarian development.

Mr. Messner posed the question: can we do without the private sector? While he answered in the affirmative, he suggested that the current structure of the international community means that countries are unwilling to deploy their military resources to conflicts in which they may have very little vested strategic interests. Without private security companies, he suggested, very little would be achieved in the realm of peace support operations. For the foreseeable future therefore, private sector companies will be necessary.

While there are various benefits, such niche specialization and the speed of deployment to be accrued by peace support operations from the use of private security companies, Mr. Messner highlighted some of the challenges facing the private

security industry. These include inadequate laws that member organisations are slow to react to, or overly and unnecessarily stringent. He expressed the view that these and other factors have and continue to hamper the effectiveness of private sector companies in peace support operations.

In proposing a way ahead, Mr. Messner suggested the need to focus on firms violating international laws, especially human rights law, or that are trying to overthrow legitimate states, as well the need for countries to assume greater responsibility by formulating appropriate regulatory frameworks.

The issue of private sector regulation was the dominant theme of Ms. Raenette Taljaard's presentation. She sought to address some of the key contemporary concerns around the use of private security companies, such as the moral, ethical and pragmatic perspectives, as well the challenges posed by such companies, particularly with the dearth of adequate international regulatory instruments.

According to Ms. Taljaard, one of the most significant implications of the emerging role of private security companies has been their impact on countries' policies. Citing the example of the US private security organization, *Blackwater*, she noted how its actions in Iraq, particularly its role in the Nissor Square shootings, undermined the foreign policy goals of its own government. She also referred to the increasing decimation of the South African Police Service's dog units to private security companies Iraq as an example of a long-term policy quandary for the country.

In light of an increasing hollowing out of formal structures, such as militaries, to the advantage of private security companies, as well as other issues such as command and jurisdiction, Ms. Taljaard touched on South Africa's own legislation concerning the role of private security companies. Charting elements of both the Regulation of Foreign Military Assistance Act in 1997 and the subsequent Prevention of Mercenary Activities and Regulation of Certain Activities in a Country of Armed Conflict Act 26 of 2007, she noted the inadequacies at regulating South Africa's private security companies.

Closing her presentation, Ms. Taljaard highlighted the point that with the shift in US troop numbers from Iraq to Afghanistan, as well the advent of Africom, the presence of private security companies is unlikely to diminish. She called for the creation of a credible global legislative regulatory climate to delineate the boundaries of private/public partnerships in peace operations.

The final presentation of the seminar, which centered the role of the EU to African peace and security operations, was delivered by Lieutenant Colonel Lorenzo T. Alfonso Elias from the EU Military Staff in Brussels. The entry point of Lieutenant Colonel Elias' discussion was EU's security strategy and Africa, the main elements of which included the encouragement of African ownership and African leadership in conflict prevention efforts, as well as EU's support of the AU in promoting peace and security and post conflict reconstruction.

Lieutenant Colonel Elias also highlighted the main tenets of the African Peace Facility (APF). As a funding tool, the APF provides the AU and other regional organizations with the financial support needed to conduct peace support and capacity building operations, under their own leadership and control. He also outlined the nature of EU support to AU led operations on the continent, including the AU Mission in Sudan (AMIS), the AU Mission in Somalia (AMISOM), EUFOR CONGO, EUFOR CHAD/CAR and EU NAVCO. According to Lieutenant Colonel

Elias, some of the EU's contributions to these missions have covered the provision of financial contributions, training and equipment, as well as military observers and civilian police.

In concluding his presentation, Lieutenant Colonel Elias emphasised the EU's commitment to peace and security efforts by the African Union and regional organisations. He also highlighted the EU's obligation of increasing the effectiveness of the support it currently provides, pointing to the recent appointment of Koen Vervaekeod as the EU representative at the AU headquarters in Addis Ababa.

A copy of the programme is attached.



**THE SOUTH AFRICAN NATIONAL WAR  
COLLEGE**

## **PEACE SUPPORT OPERATIONS SEMINAR**

### **COMPLEX EMERGENCIES: SECURITY CHALLENGES IN THE 21<sup>ST</sup> CENTURY - IMPLICATIONS FOR UN, AU & INTERNATIONAL PEACE OPERATIONS**

**PEACE MISSIONS TRAINING CENTRE  
Thaba Tshwane, 2-3 October 2008**



**Co-Organised by  
By the Institute for Security Studies (ISS), Pretoria, and funded  
by the British Peace Support Team-South Africa (BPST(SA))**



CHAIR SESSIONS I: DR. ALJAH I MARONG (ICTR)  
 CHAIR SESSION III-III: CHARLES JALLOH (ICTR)

SRL	TIME	ITEM/SUBJECT	RESPONSIBILITY
(a)	(b)	(c)	(d)
<b>SESSION I: OPENING</b>			
1	08:00-08:30	Arrival & administrative arrangements	SANWC (Coordinator)
2	08:30-09:00	Opening & Welcome Setting the Scene	<b>Brig Gen SD Mashobane</b> , Cmdt SANWC <b>Festus B. Aboagye</b> , Head, ISS/TfP
3	09:00-10:30	<b>Keynote Address:</b> Darfur: Key Challenges and Lessons	<b>Lt Gen Martin Luther Agwai</b> , UNAMID FC
4	10:30-11:00	<b>Tea/Coffee</b>	SANWC (Coordinator)
<b>SESSION II: POST-COLD WAR PEACEKEEPING TRENDS: CHALLENGES AND OPPORTUNITIES</b>			
5	11:30-13:00	<b>Conflict Analysis</b> , Causes & Consequences: an African Perspective <b>African PK Trends:</b> Policy Perspectives	<b>Dr. Kwesi Aning</b> , KAIPTC <b>Festus B. Aboagye</b> , ISS/TfP
		Discussion	<b>Chair</b>
6	13:00-14:00	<b>Lunch</b>	SANWC (Coordinator)
<b>SESSION III: CONTEMPORARY ISSUES: PEACEKEEPING AND INDISCIPLINE</b>			
7	14:00-15:30	<b>Post-Conflict Peacebuilding: Challenge of Criminality, a Liberian Case Study</b> <b>Conduct &amp; Discipline:</b> UN Policies & Measures	<b>Them bani Mbadlanyana</b> , ISS/TfP/APSTA <b>Wayne Hayde</b> , UNIFIL
8	15:30-16:00	Tea/Coffee	SANWC (Coordinator)
9	16:00-16:45	Discussions	<b>Chair</b>
10	16:45-17:00	Administrative arrangements	SANWC (Coordinator)

**DAY 2: FRIDAY, 3 OCTOBER 2007**

**CHAIR SESSIONS IV:**     **DR. KWESI ANING**  
 (Head of Research, KAIPTC)

**CHAIR SESSIONS V:**     **BRIGADIER GENERAL ANSUYAH FAKIR**  
 (Director, Planning & Strategy Office)

<b>SRL</b>	<b>TIME</b>	<b>ITEM/SUBJECT</b>	<b>RESPONSIBILITY</b>
<b>(a)</b>	<b>(b)</b>	<b>(c)</b>	<b>(d)</b>
<b>SESSION IV: EMERGING INTERNATIONAL CRIMINAL JUSTICE ARCHITECTURE</b>			
1	08:30-10:30	<b>War Crimes &amp; Crimes Against Humanity:</b> the Case of Darfur <b>Emerging International Criminal Justice Architecture:</b> Prospects and Challenges for Africa	<b>Dr. Alhaji Marong, ICTR</b>  <b>Charles C. Jalloh, ICTR</b>
2	10:30-11:00	<b>Tea/Coffee</b>	SANWC (Coordinator)
3	11:00-12:00	Discussion	<b>Chair</b>
<b>SESSION V: CONTEMPORARY INTERVENTIONS: THE ROLE OF REGIONAL &amp; PRIVATE ACTORS</b>			
4	12:00-13:00	<b>EU Security Policy:</b> ARTEMIS/EUFOR DRC & Chad <b>Private Security Companies:</b> U.S. Africa policy and the role of the private sector <b>Private Security Companies:</b> Towards Regulation	<b>Lt Col Lorenzo T. Alfonso Elias, EUMS</b>  <b>JJ Messner, Director Programmes, IPOA</b>  <b>Raenette Taljaard, HS Foundation</b>
5	13:00-14:00	<b>Lunch</b>	SANWC (Coordinator)
6	14:00-15:30	Session V continued...	
7	15:30-15:45	Tea/Coffee	SANWC (Coordinator)
8	14:30-15:30	Discussion	<b>Chair</b>
8	15:45-16:30	<b>Closing Remarks</b>	<b>Brig Gen CD Schoeman, Cmdt SANDC</b>