

STIMSON

**UN PANELS OF EXPERTS AND UN PEACE OPERATIONS:
EXPLOITING SYNERGIES FOR PEACEBUILDING**

BY ALIX J. BOUCHER

**THE STIMSON CENTER
SEPTEMBER 2010**

Copyright © 2010
The Stimson Center
1111 19th Street, NW 12th Floor, Washington, DC 20036
Phone: 202-223-5956 Fax: 202-238-9604
www.stimson.org

Cover design by Shawn Woodley

All rights reserved.
No part of this publication may be reproduced or transmitted
in any form or by any means without prior written consent from
The Stimson Center.

TABLE OF CONTENTS

LIST OF TABLES AND TEXT BOXES.....	iv
LIST OF ACRONYMS.....	iv
ACKNOWLEDGEMENTS.....	v
PREFACE.....	vii
EXECUTIVE SUMMARY	ix
INTRODUCTION	1
HISTORY OF WORK TO DATE AND RATIONALE FOR THIS REPORT	2
ABOUT THIS STUDY.....	5
PEACE OPERATIONS AND PANELS OF EXPERTS: IN THE FIELD AND IN NEW YORK	7
PEACE OPERATIONS MANDATES	7
PANELS OF EXPERTS MANDATES	9
COOPERATION BETWEEN PEACE OPERATIONS AND PANELS	9
PANELS OF EXPERTS AND UN HEADQUARTERS	13
SUMMARY OBSERVATIONS	16
CASE EXAMPLES: DEMOCRATIC REPUBLIC OF CONGO, LIBERIA, AND CÔTE D’IVOIRE	17
MONUC	17
UNMIL.....	20
UNOCI	22
IMPROVING COOPERATION AND IMPLEMENTATION:	29
THE GUIDELINES FOR DPKO COOPERATION WITH PANELS OF EXPERTS	29
ASSESSMENT OF THE GUIDELINES	30
STEPS FOR IMPROVED IMPLEMENTATION OF PANEL RECOMMENDATIONS	32
CONCLUSION.....	39
SELECTED BIBLIOGRAPHY.....	44
ANNEXES	47
I. UNITED NATIONS FUNDING FOR PANELS OF EXPERTS.....	47
II. ABOUT THE AUTHOR, THE PROJECT, AND THE FUTURE OF PEACE OPERATIONS PROGRAM	49

LIST OF TABLES AND TEXT BOXES

TABLE 1: SUMMARY OF COOPERATION MANDATES FOR PEACE OPERATIONS	7
TABLE 2: UN PEACE OPERATIONS MANDATE LANGUAGE ON SANCTIONS MONITORING	8
TABLE 3: MANDATES OF PANELS OF EXPERTS	9
TABLE 4: DIRECTED COOPERATION BETWEEN PANELS OF EXPERTS AND PEACE OPERATIONS	10
BOX 1: TARGETING SPOILERS: SUMMARIZING THE REPORT	4
BOX 2: A HOST-STATE PERSPECTIVE: THE VIEW FROM A LIBERIAN MINISTRY	22
BOX 3: WORKING WITH THE IVORIAN AUTHORITIES: A DIFFERENT SET OF CHALLENGES	25

LIST OF ACRONYMS

AMISOM	African Union Mission in Somalia
CDI	Côte d'Ivoire
DDR	Demobilization, Disarmament, and Reintegration
DPA	Department of Political Affairs
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
DSRSG	Deputy Special Representative of the Secretary General
FOPO	Future of Peace Operations program
G2/J2	Intelligence Branch within military command structure
JMAC	Joint Mission Analysis Cell
JOC	Joint Operations Center
MONUC	Mission de l'Organisation des Nations Unies au Congo (UN Mission in the Congo)
OHCHR	Office of the High Commissioner for Human Rights
PSO	Peace Support Operation
SACO	Sanctions Committee of the UN Security Council
SCAD	Security Council Affairs Division (within DPA)
SRSRSG	Special Representative of the Secretary General
TRC	Truth and Reconciliation Commission (Liberia)
UN	United Nations
UNAMID	United Nations/African Union Hybrid Mission in Darfur
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
UNMIL	United Nations Mission in Liberia
UNMIS	United Nations Mission in Sudan
UNOCI	United Nations Mission in Côte d'Ivoire
UNPOL	United Nations Police
UNSC	UN Security Council
UNSCR	UN Security Council Resolution

ACKNOWLEDGEMENTS

This report would not have been possible without the generous support of the Carnegie Corporation of New York, the Folke Bernadotte Academy, the Fourth Freedom Forum, the Ploughshares Fund, and the United States Institute of Peace.

I would like to thank those who offered their insights, information, and analysis, especially those who took the time to be interviewed: current and former members of UN Panels of Experts, UN and other officials in the Democratic Republic of Congo, Côte d'Ivoire, and Liberia, and UN and Member State officials in Washington and New York City. Key individuals in all three missions as well as in New York helped the field research run smoothly, making necessary introductions, arranging meetings, offering their insights, and organizing travel. The trip and the research would not have been possible without their assistance. I would like to thank the many Panel members and UN officials, particularly within the Subsidiary Organs Branch of the Security Council Affairs Division in the UN Department of Political Affairs, as well as officials from the Department of Peacekeeping Operations, who took time to read and comment on drafts. Other readers also provided welcome feedback, including: Rico Carisch, David Cortright, Sue Eckert, George Lopez, and Loraine Rickard-Martin, and participants at the 26 March 2010 meeting sponsored by Fourth Freedom Forum and hosted at the Canadian Permanent Mission to the United Nations. I would also like to thank Philipp Dermann for his support.

Finally, I would like to thank my Stimson colleagues. Useful guidance and enduring support from Stimson's President Ellen Laipson and its Chief Operating Officer, Cheryl Ramp, helped make this report possible. Senior Associate William Durch offered continuing support and advice. Former Stimson Senior Associate Victoria Holt pushed me to keep working on this topic and encouraged me to find ways to research this topic by traveling to Africa. Colleagues Jessica Anderson, Nicole Dieker, Madeline England, Alison Giffen, Guy Hammond, and Max Kelly, as well as interns Dana Twal and Hilary Hamlin provided additional support. Jane Dorsey, April Umminger, Shawn Woodley, and Alison Yost helped turn the paper into a final product. All errors and omissions remain, of course, my responsibility.

PREFACE


Since 2006, the Stimson Center's Future of Peace Operations program has contributed to independent research on improving the United Nations' capacity to build the rule of law, especially in countries where it deploys peace support operations. In particular, Stimson has looked at the role of spoilers in derailing peace processes and the operational responses at the UN Security Council's disposal in responding to such threats.

Stimson's initial research found that the Security Council frequently uses two distinct but related operational tools: UN peace support operations and Panels of Experts, which are small investigative teams appointed to monitor targeted sanctions imposed on peace spoilers. In its previous report on this topic, *Targeting Spoilers: the Role of United Nations Panels of Experts*, Alix Boucher and Victoria Holt shed light on these expert Panels and the challenges they face, and offered suggestions for ensuring that their numerous findings and recommendations receive follow up. Having found that, despite complementary mandates, Panels of Experts and peace operations seemed not to build on one another's contributions to peacebuilding and the rule of law, Alix Boucher set out to determine how cooperation does work in countries where both peace operations and Panels are deployed, through field research in Côte d'Ivoire, the Democratic Republic of the Congo, and Liberia.

Based on that research, this report highlights the benefits and challenges of cooperation, and offers recommendations for improving the way these two Security Council tools work with each other, with Member States, and with the Security Council. In doing so, the report seeks to catalyze a more strategic approach to peacebuilding by the Security Council.

I hope that you will find this new Stimson publication a useful contribution to address the continuing challenge of integrating international efforts to promote security, stability, and lasting rule of law in post-conflict states.

Sincerely,



Ellen Laipson

EXECUTIVE SUMMARY

United Nations (UN) Panels of Experts, small investigative teams the UN Security Council appoints to monitor targeted sanctions, have evolved into complex operational tools since their first use in Rwanda in 1995. Their mandates have changed and grown from their initial focus on monitoring of sanctions to include detailed analysis of regional conflicts and recommendations for resolving them. Since 1999, most Panels have been deployed to countries that also host international peace support operations (PSOs) authorized by the Security Council, including in Côte d'Ivoire (UNOCI), Democratic Republic of Congo (DRC; MONUC), Liberia (UNMIL), Somalia (AMISOM), and Sudan (UNMIS; UNAMID).

The various Security Council resolutions that mandate sanctions, PSOs, and Panels clearly delineate mutually reinforcing objectives. This report works from the assumption that increased cooperation between Panels and PSOs would advance the cause of peace and security in the places where these entities both work. Indeed, PSOs could benefit from better use of Panel findings, particularly when these pertain to gaps in the host state's institutional capacity to implement sanctions. Such gaps, whether they consist of lack of training for customs officials, unclear procedures for obtaining a legal license to exploit timber, or insufficient funding for a regional diamond office, for example, reveal clear problems in the host state's ability to implement the rule of law.

This report examines this disjunction, focusing on cooperation between PSOs and Panels of Experts as one area where more intentional cooperation could lead to positive synergies between two tools which, despite relying on different political incentives, have mutually reinforcing mandates. Drawing on research and interviews conducted in Washington, New York, Côte d'Ivoire, DRC, and Liberia, this report examines cooperation between Panels and peace operations for those countries, the potential synergies that cooperation already brings to international peacebuilding efforts in those settings, and the challenges that sanctions present for donors, who must balance the legal requirement to uphold sanctions against the practical need to invest in national institutions, whose effectiveness is essential to a country's ability to gain release from sanctions.

FINDINGS

- Cooperation between Panels and PSOs varies drastically both in terms of administrative and logistical support, and in terms of information sharing and follow up on Panel findings and recommendations.
- PSO officials, both civilian and military, do not know enough about Panel mandates or about the experts themselves.
- Expectations for administrative and security support from PSOs are not sufficiently clear.
- Designated focal points for Panel support within missions vary in their seniority, affecting the level and quality of support they can provide to Panels.
- The scope and breadth of information sharing depends on individual relationships rather than formal guidance. This makes information sharing uneven within and across missions.
- The impact of new Provisional Guidelines for Panel-PSO cooperation is as yet uncertain, but the Guidelines, while helpful, leave perhaps too much discretion in the hands of PSO leaders in deciding whether and how to support Panels' work.

- At the UN Secretariat in New York, cooperation between DPKO and DPA is insufficient, and leads to confusion for both missions and Panels in terms of responsibilities for support and information sharing.
- UN Security Council Sanctions Committees (and their Chairs) vary in the amount of political and other support provided to their respective Panels.
- The Security Council offers insufficient guidance to senior PSO leadership on how to balance sanctions monitoring mandates with institutional capacity-building mandates in host states.
- PSO and Panel mandates related to sanctions monitoring and related capacity building have expanded, without a corresponding increase in resource to implement these mandates.

RECOMMENDATIONS

Panel-PSO Cooperation

- Guidelines for cooperation need to specify the minimum rank of mission focal points for Panels, and to clarify requirements for Panel travel security clearance within mission areas.
- The scope of the common caveat on PSO support to and cooperation with Panels, “subject to operational exigencies,” should be better detailed in the guidelines.
- Information-sharing guidelines also should be clarified, and three distinct categories of information should be addressed:
 - Information that must remain confidential to Panels because sharing would jeopardize ongoing investigations.
 - Information that will be included in the Panel’s report and is shareable immediately upon request.
 - Tactical information with utility for mission operations that should be shared if Panel members can protect sources, as necessary.

Recommendations for Sanctions Committees, the Security Council, and Member States

- Address perceived tensions between PSO and Panel work.
- Develop strategies for mutual mandate implementation.
- Delineate a more comprehensive role for the Sanctions Committee Chair in explaining Panel findings and recommendations.
- Develop approaches to increasing Member States’ and the private sector’s respective roles in supporting implementation of Panel recommendations.
- Incorporate mission-mandate-related Panel findings into missions’ regular planning processes.

CONCLUSION

Visits to DRC, Liberia, and Côte d’Ivoire highlighted the numerous challenges that PSOs and Panels face in working together: the administrative and logistical challenges and the challenges of sharing sensitive information. The visits also highlighted, however, the possibilities for future collaboration: PSO officials and Panel members have developed close working relationships despite these challenges and wide-ranging PSO support makes Panel work possible. Better and more consistent information-sharing could help both endeavors better implement their Security Council mandates. If the Council believes them to be important, it should make clear that their efforts should be better leveraged towards a common objective: enduring peace and security in conflict-affected host states.

INTRODUCTION

United Nations (UN) Panels of Experts, small investigative teams the UN Security Council appoints to monitor targeted sanctions, have evolved into complex operational tools since their first use in Rwanda in 1995. Their mandates have changed and grown to include detailed analysis of regional conflicts and recommendations for resolving them. Early Panels did have important and controversial impact. The Panel of Experts on Angola named the sitting heads of neighboring states as important players in the ongoing illicit trade in diamonds, oil, and weapons. The Panel on the Illegal Exploitation of Wealth and Natural Resources in the Democratic Republic of Congo (DRC) was mandated to investigate the role of natural resources in fuelling conflict there and wrongly perceived as imposing sanctions by naming companies in its report that were involved in such activities, leading to a public backlash against them.¹ While Panel use has since increased, both in Africa and for counter-terrorism and counter-proliferation, implementation of Panel recommendations, even when they are endorsed by the Security Council, has not increased.

Since 1999, most Panels have been deployed to countries that also host international peace support operations (PSOs) authorized by the Security Council, including in Côte d'Ivoire (UNOCI), DRC (MONUC), Liberia (UNMIL), Somalia (AMISOM), and Sudan (UNMIS and UNAMID). These peace operations have increasingly complex mandates to protect civilians from imminent threat of physical violence; conduct demobilization, disarmament, and reintegration (DDR) of fighting forces; support rule of law institutions capacity building, in particular police, corrections, and the judiciary; and generally to help new governments create conditions for sustainable peace. As mandated by the Security Council, PSOs assist, support, and share information with Panels, while offering crucial logistical support to the small expert teams. Numerous peace operations have worked alongside Panels of Experts, including in Angola, Côte d'Ivoire, DRC, Liberia, Sierra Leone, and Sudan.

In these cases, Security Council mandates for both tools have made clear that their role was envisioned to contribute to the rule of law, peace, and security. For example, when renewing the mandate for the peacekeeping mission in DRC, the Security Council (the Council) noted its concern over continuing hostilities and rampant human rights abuses, and called on MONUC to help the DRC authorities protect civilians under imminent threat of physical violence and build an accountable, competent security sector, with corresponding judicial institutions and reliable administration.² The Council then called on the Panel to work with DRC authorities, Member States, and MONUC to gather information on “arms shipments, trading routes, and strategic mines known to be controlled or used by armed groups, flights from the Great Lakes region to the Democratic Republic of the Congo, and from the Democratic Republic of the Congo to the Great Lakes region, the illegal exploitation and trafficking in natural resources, and activities” of targeted individuals.³ In addition, the Council’s mandate continued to direct the Panel to “consider and recommend, where appropriate, ways of improving the capabilities of States interested, in particular those of the region, to ensure” the effective implementation of the sanctions.⁴ The following year, when renewing the DRC Panel’s mandate, the Council noted its “serious concern over the presence of armed groups and militias” in Eastern DRC and the resulting insecurity. Echoing previous calls for DDR, security sector reform, and rule of law reform, the Council called on these groups to disarm and cease fighting.⁵ All three resolutions called on DRC and regional governments to implement relevant peace agreements.

In short, Council resolutions clearly used similar rationales to justify the deployment of both Panels and PSOs. As such, it could be assumed that given these similar and complementary objectives, Panels and PSOs would leverage their knowledge, analysis, and capacities to implement mutually reinforcing Council mandates. In fact, such cooperation between Panels and PSOs does exist, and is both substantial and widespread. Indeed, when it does not jeopardize ongoing investigations, Panel members share relevant information with PSOs. In turn, PSOs provide Panels with invaluable information and support throughout Panel mandates. Nonetheless, while complementary Panel and PSO mandates should generate even greater cooperation to mutual benefit, efforts by peace operations, and UN Member States and their assistance agencies to leverage Panel information and findings have faltered as Panel mandates have widened.

Decisions to use Panel information to plan and implement assistance programs are as political as implementing sanctions. In fact, decisions depend on the quality of the Panel's investigations, Member States' confidence in the reliability of their findings, and on the situation in the host country when a report is published. In December 2008, the report of the Group of Experts on the DRC found a huge audience among donor countries that had long supported Rwanda's economic development. When that report shed light on Rwanda's role in destabilizing Eastern Congo, key donors withdrew their support, leading to a historic rapprochement between Kinshasa and Kigali.⁶ At the time of this writing, however, Rwanda's role in the region remains contentious and progress in building security in the DRC has faltered. In short, while initial Panel findings and recommendations often found wide audiences, their implementation has continued to take long periods of time, require much political juggling, and depend too often on the good will of certain individuals or Member States. This report examines the processes behind Panel and PSO cooperation: when and how have they worked together? What facilitates cooperation and what impedes it? Finally, what could be done to improve it and, in turn, take steps toward better implementing mandates to build the rule of law and a sustainable peace?

HISTORY OF WORK TO DATE AND RATIONALE FOR THIS REPORT

Since 2006, the Stimson Center's Future of Peace Operations (FOPO) program has worked to better understand the role of UN Panels of Experts and targeted sanctions.¹ FOPO has hosted several workshops with Panel members, as well as UN Headquarters Secretariat staff, to discuss their work, challenges they face, and missed opportunities to exploit the results of their work. Many Panel members, as well as officials interviewed in the first phase of this work, criticized the lack of follow-up on Panel findings and recommendations. Based on these workshops and on accompanying original research, FOPO published *Targeting Spoilers: The Role of United Nations Panels of Experts* in January 2009. Box 1 details that report's main findings and recommendations.

Because the various Security Council resolutions that mandate sanctions, PSOs, and Panels clearly delineate mutually reinforcing objectives, this report works from the assumption that increased cooperation between Panels and PSOs would advance the cause of peace and security in the places where these entities both work. Indeed, PSOs could benefit from better use of Panel findings, particularly when these pertain to gaps in the host state's institutional capacity to implement sanctions. Such gaps, whether lack of training for customs officials, unclear procedures for obtaining a legal license to exploit timber, or

¹ The Security Council has used different terminology to appoint expert monitoring mechanisms: a *Panel* of experts is headed by a Chairman, a *Group* of Experts is led by a Coordinator, as is a *Monitoring Mechanism or Group*. As there are no fundamental differences in function amongst them, this report uses Panel and Group interchangeably.

insufficient funding for a regional diamond office, reveal clear problems in the host state's ability to implement the rule of law.

When the companies and people named in Panel reports as alleged sanctions violators are able to take advantage of these gaps in capacity, their actions create opportunities for continuing conflict. Today, PSOs, whether they were established after sanctions (as in Liberia), before sanctions (as in the DRC), or at the same time (as in Côte d'Ivoire) rarely take full advantage of Panels-generated knowledge. The Security Council does not explicitly link these two tools, and PSO officials often argue that the need to support host-state institutions trumps requirements for sanctions implementation. Such officials fail to recognize that building effective and legitimate institutions either *requires* sanctions implementation or at the very least is another potential avenue for catalyzing institution building and reform. (Some do understand: In the DRC for example, MONUC's Stabilization Strategy includes training and support to Congolese "centres de négoce," the government trading centers for the Ministry of Mines. Because so many mining areas are illegally controlled by Congolese Armed Forces or by rebel forces, improving oversight at these centers is a key step in building security, advancing security sector reform, and thus lifting the arms embargo.⁷) These monitoring efforts could play a part in identifying areas of governance in need of assistance and how such assistance may support stability when provided in a well-planned and timely manner. In short, better integration of Panel findings and recommendations into peace operations activities could help consolidate peace and stability, and thus play an important part in an operation's exit or transition strategy.ⁱⁱ

While comprehensive sanctions (e.g., blanket embargoes on countries such as the former Yugoslavia or Saddam Hussein's Iraq) have been viewed as undesirable because of the suffering they cause civilian populations, targeted sanctions have proven more effective in certain cases.⁸ In Liberia, for example, targeted sanctions served as a powerful incentive to build sustainable peace: the sanctions on diamond and timber exports led to wide-ranging reform within those sectors and are credited with helping to build the foundation for better governance in the country.⁹

Nonetheless, sanctions implementation has remained challenging since it requires political will to change behavior, not only on the part of targeted states, but also on the part of those countries' neighbors and global trade and political partners.

ⁱⁱ It is increasingly the case that large, complex UN PSOs do not exit their areas of operation all at once, but draw down forces and footprint gradually, handing over international peacebuilding support responsibilities to a follow-on entity, which is sometimes a UN peacebuilding or political office, sometimes a regionally-sponsored entity, or sometimes the host state government.

Box 1**Targeting Spoilers: Summarizing the Report****Findings**

- The Security Council has mandated the creation of Panels for Côte d'Ivoire, DRC, Liberia, Somalia, and Sudan. They have also been mandated to support sanctions monitoring on Iran, North Korea, and al-Qaida and the Taliban. Nonetheless, while support for sanctions-monitoring mechanisms for Africa has improved, the UN Secretariat still struggles to provide adequate support.
- Security Council Resolutions need to be clarified so that clear requirements for lifting the sanctions are delineated from the outset.
- Panel findings and recommendations are rarely followed up, nor are they integrated with wider UN efforts to build the rule of law. Panels of Experts provide the Council and Member States with important, valuable, and detailed information on the ongoing conflict and its dynamics.
- Panels and UN Peace Operations could better work together to build the rule of law in post-conflict states. PSOs struggle with their rule of law programming. They could better use Panel findings to develop achievable rule of law support programs, as mandated by the Security Council. Such support and capacity building would also provide incentives for lifting the sanctions and moving from peacekeeping to peacebuilding assistance.
- UN Member States also could better use Panel findings, basing foreign assistance on relevant Panel recommendations to better fight crime, deter spoilers, and build peace in the sanctioned states and the wider region.

Recommendations

- Increase political, administrative, and financial support for Panels from the Secretariat and the Security Council.
- Improve professional capacity in the UN Department of Political Affairs, which provides administrative support to Panels. Doing so would allow Panels to conduct investigations more efficiently and comprehensively.
- Improve recruitment, orientation programs, and performance evaluations for Experts. This would improve the quality of reporting and ability of Member States to effectively use Panel reports.
- Clarify methodology and standards of evidence for inclusion in reports.
- Improve cooperation between Member States and Panels, and remind Member States of their obligation to fully cooperate with Panel investigations. Many Member States actively impede Panel work, thus making it more difficult for Panels to complete their work, as mandated by the Council.
- Member States should acknowledge receipt of Council resolutions and report on the specific steps they have taken to implement the sanctions.
- Increase resources for Sanctions Committees so that they can better support Panels both during their investigations and once the report is received.
- Create a system to match institutional capacity gaps identified by Panels with donors (Member States or international organizations) willing/able to remedy those gaps.
- Expand Panel mandates to monitor progress towards meeting requirements for lifting sanctions (and create those requirements/thresholds where they do not exist).
- Extend cooperation between UN Peace Operations and UN Panels of Experts to enable host states to build the rule of law and see sanctions lifted.
- Encourage UN Peace Operations to implement Panel recommendations where doing so would help a mission better implement its mandate.

Sources: Alix J. Boucher and Victoria K. Holt, *Targeting Spoilers: The Role of United Nations Panels of Experts*, The Stimson Center, January 2009, and Alix J. Boucher, "UN Panels of Experts: They're About More Than Just Monitoring Sanctions," Issue Brief, The Stimson Center, July 2009.

Member States and PSOs called Panel reports useful when they stemmed from independent investigations, were backed by credible documentary evidence, and provided analytical context for complex environments. Nonetheless, assistance providers continued to argue that they did not know enough about the conflicts Panels examined, even as they relied on Panel findings and recommendations

as the informational basis, and in some cases the justification, for providing capacity-building assistance. In short, there is a disjunction between the value that Member States and PSOs assign to Panel reports and the use they make of them.

ABOUT THIS STUDY

This report examines this disjunction, focusing on cooperation between PSOs and Panels of Experts as one area where more intentional cooperation could lead to positive synergies between two tools, which, despite relying on different political incentives, have mutually reinforcing mandates. Drawing on research and interviews conducted in Washington, New York, Côte d'Ivoire, DRC, and Liberia, this report examines cooperation between Panels and peace operations for those countries, the potential synergies that cooperation already brings to international peacebuilding efforts in those settings, and the challenges that sanctions present for donors, who must balance the legal requirement to uphold sanctions against the practical need to invest in national institutions, whose effectiveness is essential to a country's ability to gain release from sanctions.

Part 1, "Peace Operations and Panels of Experts: In the Field and in New York" examines the mandates that the Council gives Panels and PSOs to cooperate. Based on the interviews described above, it discusses the main challenges and obstacles to effective cooperation and leveraging of Panel work for building the rule of law where PSOs deploy. The report also examines the relationship between the Panels, their UN Secretariat support structures, and the Security Council Sanctions Committees that oversee their work, and suggests ways in which that support could be improved. **Part 2, "Case Examples, DRC, Liberia, and Côte d'Ivoire,"** provides three case examples of these challenges. **Part 3, "Improving Cooperation and Implementation,"** analyses the findings from the field research and interviews, and outlines initial recommendations for addressing the challenges of Panel/PSO cooperation. Finally, the report ends with recommendations for improving Panel-PSO cooperation and suggests ways for better leveraging Panel information to build sustainable rule of law in countries that host both Panels and peace operations.

PEACE OPERATIONS AND PANELS OF EXPERTS: IN THE FIELD AND IN NEW YORK

This chapter charts the evolution of mandated PSO-Panel cooperation, comparing and contrasting Panels’ and PSOs’ respective, sometimes complementary mandates. It outlines the main reasons for deficits in Panel-PSO cooperation and emphasizes challenges in information sharing, in obtaining support from missions and the Secretariat, and in working with Security Council Sanctions Committeesⁱⁱⁱ and Member States.

PEACE OPERATIONS MANDATES

MONUC (DRC), UNMIL (Liberia), and UNOCI (Côte d’Ivoire) have had specific mandates to monitor sanctions and to provide logistical support to and share information with co-deployed Panels of Experts. UNAMID (Sudan) is expected to cooperate with the Sudan panel in the course of monitoring arms provisions of the Darfur Peace Agreement. UNMIL (Liberia) has also been mandated to investigate arms-related violations of relevant peace agreements. UNMIL and UNOCI have reported regularly to the Sanctions Committee on the arms inspections they conduct, sharing that information with the Panel so experts can use the data to inform their analysis and conduct additional investigations as necessary. In Liberia, the data collected by UNMIL has also been used to monitor Liberia’s progress in security sector reform (SSR), which is a benchmark for lifting sanctions. Beyond these similarities, however, peace operations have had inconsistent mandates when it comes to sanctions monitoring and working with Panels of Experts. Table 1 offers a summary, and Table 2 provides details.

Table 1: Summary of Cooperation Mandates for Peace Operations

Task/Mission	MONUC	UNMIL	UNOCI	UNAMID
Broad mandate to cooperate	X	X	X	X
Arms-Related	X	X	X	X
Monitor the arms embargo	X	X	X	
Monitor arms provisions of peace agreements		X		X
Collect weapons and seize them	X		X	
Dispose of weapons	X		X	
Monitor weapons flows	X	X	X	
Monitor armed groups activities	X			
Information-Sharing (general)	X	X	X	
Child protection	X			
Cooperate with Regional Actors				
Support other Panels deployed in the same region		X	X	
Work with regional peacekeeping and peacebuilding efforts	X	X	X	X

ⁱⁱⁱ The Security Council typically creates a Sanctions Committee, made up of the members of the Council, when it mandates the imposition of targeted sanctions. Sanctions Committees are chaired by a non-permanent member of the Council, operate by consensus, and are charged with administering sanctions list and transmitting Panel reports to the full Council.

Table 2: UN Peace Operations Mandate Language on Sanctions Monitoring

Mission	Mandates on Sanctions Monitoring
MONUC	<p>S/RES/1493 (2003); S/RES/1533 (2004); S/RES/1596 (2005) MONUC should have full access to ports, airports, airfields, military bases, and border crossings to monitor arms groups and arms flows. MONUC should conduct DDR (whose success it lists as a requirement for lifting the sanctions). UNSC demands all parties to fully cooperate with the Panel. MONUC should monitor the sanctions and exchange information with the Panel.</p> <p>S/RES/1856 (2008): MONUC should monitor the sanctions with the objective of curtailing provision of support to illegal armed groups “derived from illicit trade in natural resources.” MONUC should monitor the sanctions by cooperating as appropriate with the Panel. MONUC may inspect, without notice, suspect cargo. MONUC may collect and dispose of arms and related material found in violation of sanctions.</p> <p>S/RES/1857 (2008); S/RES/1896 (2009): The DRC government, regional governments, MONUC, and the Panel should cooperate intensively. These actors should exchange information regarding arms shipments, illegal trafficking in natural resources, and activities of individuals and entities sanctioned by the Council. MONUC should share with the Panel information on the support received by armed groups, on recruitment and use of children, and on the targeting of women and children in situations of armed conflicts.</p>
UNMIL	<p>S/RES/1521 (2003); S/RES/1579 (2004); S/RES/1903 (2009): UNMIL should continue, as possible, to assist the Sanctions Committee and the Panel of Experts. UNAMSIL and UNOCI should, as possible, assist the Committee and the Panel.</p> <p>S/RES/1683 (2006); S/RES/1819 (2009): UNMIL should, as possible, help the Panel monitor the sanctions imposed. UNMIL should inspect the inventories of weapons and ammunition, and periodically report to the Sanctions Committee on its findings.</p>
UNOCI	<p>S/RES/1739 (2007): UNOCI should monitor the sanctions in cooperation with the Panel, UNMIL, and the relevant governments. UNOCI may inspect, without notice, suspect cargo. UNOCI may collect and dispose of arms and related materiel found in violation of the sanctions. UNOCI should share information with the Liberia Panel and Liberia Sanctions Committee.</p>
UNAMID	<p>S/RES/1665 (2006); S/RES/1713 (2006); S/RES/1769 (2007); S/RES/1891 (2009): UNAMID should monitor whether arms are in Darfur in violation of either the sanctions or the relevant peace agreements. UN bodies, the AU, and others should cooperate fully with the Panel by supplying information relevant to the sanctions. (Resolutions 1665 and 1713 predate UNAMID and UNMIS, but apply to their area of operation.)</p>

The Council has sometimes mandated missions to “share information,” while other times it has asked a mission to “exchange information.” Such differences have contributed to confusion and to variations in the support that missions have provided to corresponding Panels. In some cases, unclear language or the inclusion of caveats, such as provisions that PSOs should support Panels only “as possible,” have led some missions to deny all responsibilities to support Panels. In other cases, mission leadership have made legitimate decisions to allocate limited resources elsewhere, usually in other priority areas, such as elections support or protection of civilians. Given such limitations, it would make sense for Panels to have funds to provide their own support rather than gamble on favorable mission cost/benefit analyses.

Mandates to support sanctions monitoring and enforcement have presented both challenges and opportunities for missions, particularly as regards the host state. A Panel can be useful to the mission when the mission wants to disseminate information but cannot release it because doing so would jeopardize the mission’s ability to work with local authorities. Having the Panel raise sensitive issues or point to host-state shortcomings may pose a political challenge for the mission, particularly with host-state officials who do not differentiate one UN tool from another. However, such Panel actions help the mission address such issues while providing political cover since the Panels have independent mandates.¹⁰

PANELS OF EXPERTS MANDATES

Table 3 summarizes the main aspects of contemporary Panel mandates. These have included monitoring arms, minerals, or timber embargoes; monitoring a variety of sanctions targeted at the personal assets or international travel of individuals; and monitoring the impact of sanctions on human rights issues, resource exploitation, and other desired objectives that such sanctions seek to promote.

Table 3: Mandates of Panels of Experts

Focus:	Elements Monitored:	Liberia	Côte d'Ivoire	DRC	Sudan
Embargo	<i>Arms</i>	X	X	X	X
	<i>Diamond</i>	X	X		
	<i>Timber</i>	X			
Freeze or Ban	<i>Asset freeze</i>	X	X	X	X
	<i>Travel ban</i>	X	X	X	X
	<i>Civil aviation limits</i>	X		X	
Impact Assessment	<i>Human rights violations/use of child soldiers</i>			X	X
	<i>Natural resource exploitation</i>			X	
	<i>Progress toward security sector reform</i>			X	
	<i>Progress toward effective resource management</i>	X		X	
	<i>Socio-economic impact of sanctions</i>	X			

COOPERATION BETWEEN PEACE OPERATIONS AND PANELS OF EXPERTS

The Council has mandated varying levels of cooperation between Panels and PSOs that operate in countries subject to sanctions. Inconsistencies in respective mandate language have hampered PSO-Panel cooperation, particularly for Panels that operate in regions where several peace operations are deployed or where their findings could have repercussions for multiple PSOs. The Council has not systematically asked Panels to cooperate with all relevant or affected operations, which has caused confusion for Panels and peace operations alike as both try to determine what is expected of them, not only in terms of logistics but also in terms of how to share information and disseminate relevant findings. The Secretariat should provide Panels and PSOs with clearer instructions in these areas.

The lack of clarity on Panel-PSO relations has translated into uneven cooperation not only across missions, but also within them. Some mission personnel said neither Panel nor mission mandates had been clearly explained, that mechanisms for cooperation had not been clearly outlined, and that it was unclear how much they were supposed to interact or share. Panel members in turn noted that basic mandates to “cooperate” leave missions free to interpret them in a minimalist fashion when they find that monitoring supporting sanctions presents challenges with their relationships with Member States or conflicts with other mission priorities. Some of the friction dates to first contact between mission and Panel personnel.

Panels and Mission Personnel: Introductions

Across missions, civilian personnel expressed frustration at the lack of advance information they received about Panels and Panel members. Department of Political Affairs (DPA) personnel normally send a formal code cable introducing the Panel to the Head of Mission, but it seems this introduction was not always transmitted to other senior mission staff, such as component heads. Panel members pointed out that they also requested (through DPKO) that aide-memoires be sent directly to missions, but often found on arrival that senior leadership had not systematically distributed the information. As a result, when Panel members requested meetings, component heads and other mission staff did not know who they were or why a meeting was necessary. Military personnel interviewed explained they were rarely briefed on the Panels' mandates and, as with civilian staff, senior officers did not receive official introductions (which they said could be transmitted easily down the chain of command with clear instructions). These kinds of problems, mission personnel said, set up mission-Panel relationships for failure because interactions began with a lack of trust.

Table 4: Directed Cooperation between Panels of Experts and Peace Operations

COUNTRY ^a	Panel Mandates to Cooperate with UN Peace Operations
Côte d'Ivoire	S/RES/1609 (2005); S/RES/1727 (2006): Exchange information with UNOCI and the French forces with regard to the monitoring mandate.
Democratic Republic of the Congo	S/RES/1533 (2004); S/RES/1596 (2005); S/RES/1857 (2008); S/RES/1896 (2009): The Panel and MONUC should exchange information. The Panel should "examine and analyse information gathered by MONUC in the context of its monitoring mandate." MONUC, the Group, the DRC government, and regional governments should share information on the trafficking of weapons and other commodities.
Sudan	S/RES/1779 (2007); S/RES/1891 (2009): The Council requests the Panel to cooperate with UNAMID and international efforts to promote the political process.

^a The Panel on Liberia was not given a specific mandate to cooperate with UNMIL.

Panel members noted that such problems could be mitigated by improved cooperation in New York, between DPKO and DPA. Indeed, DPA political affairs officers assigned to support Panels could keep their DPKO counterparts better informed as to Panels' composition and mandate. DPKO officers in turn could communicate more frequently with the field about Panels, their mandates, and the qualifications of Panel members. Both DPA and DPKO, in headquarters and in the field, need to do more in these areas.¹¹ Headquarters officials also should do more to ensure that senior mission officials properly transmit relevant cables to their staffs. The Secretariat also could better help Panel members obtain from missions support they need to do their job effectively.

Chain of Command and Panel Independence

Mission officials also have difficulty deciding where Panel members "fit" within mission hierarchy, and noted the relative youth of some experts and the incongruity of their being direct agents of the Security Council. Panels, like the missions that they visit, are subsidiary bodies of the Security Council, independently mandated to operate under Chapter VII. They do not come under the same reporting authority as senior mission officials, although it is reasonable for Panel members to brief the SRSG, senior mission personnel, and senior Secretariat officials (DPKO and DPA) before releasing their report.

In some missions, however, senior leaders reportedly have viewed Panels as requiring permission from the mission to travel or conduct investigations within the mission area or to meet with host-state officials. Some also believe they should have a say regarding the contents of Panel reports, refusing to share information without the right to review and redact Panels' drafts. Giving anyone but Panel members such power would seriously jeopardize the Panels' independence and ultimately their legitimacy.

SRSGs and Panels¹²

Views regarding the affect of the SRSG on senior mission leaders' relationships with the Panel varied between missions. While interviews indicated a good relationship between Panel members and SRSG Choi in Côte d'Ivoire, and an unusually open and productive relationship with SRSG Løj in Liberia, relationships with the (now former) SRSG for MONUC and the former SRSG for UNAMID were reportedly poor.

In most missions, the SRSG and the Office of the SRSG can play an important part in setting the tone for cooperation between the Panel and the mission. This is one reason why Provisional Guidelines released in December 2009 suggest that a Panels' focal point within the mission be determined by the Chief of Staff: when the SRSG has made clear, through the Office of the Chief of Staff, that cooperating with Panels is important, units across the mission take note. While SRSGs have been understandably concerned with maintaining good working relationships with host-state officials and therefore may be reluctant to associate themselves closely with sanctions monitoring, the missions they head have, in some cases, been directed by the Security Council to monitor arms embargos and related sanctions, and to provide support to co-deployed Panels of Experts. In these cases, they must balance the public appearance of host-state support with the requirements handed to them by the Council.

Administrative Support and Focal Points

Both civilian and military components of peace operations may provide logistical support for Panels, including travel on mission aircraft and use of mission vehicles. (When a PSO is not present, the local UN Development Program office provides necessary logistical support.) In the missions visited, military personnel worked closely with Panel members, but relations seemed largely informal and ad hoc. Mission military components sometimes provided important logistical and security support to Panel members traveling to remote locations.

In some missions, a "focal point" handled administrative support for the Panel. Which mission unit housed that focal point varied by mission, as did their status or areas of specialization, and the number of people assigned Panel-specific support tasks. Focal points ranged from UN Volunteers to senior-level political affairs officers. Such differences reportedly had significant impact on how much information Panel members received from missions and how much assistance, especially logistics. As a result, some Panels spent more time than others on such matters as travel arrangements and organizing meetings. When focal points were more junior, it was harder to obtain in-mission travel authorization, particularly on short notice, as when a Panel member was trying to follow up an important lead. The role and authority of the focal point may also have been unclear to the rest of the mission. In some cases, mission officials felt they needed to "clear" information-sharing or other support requests first with their unit chiefs and then with the focal point, leading to delays in the Panel's work.^{iv}

^{iv} In some cases, unit chiefs in missions directly contravened SRSG instructions to share information. Cooperation guidelines should prevent this type of occurrence. Author interviews and correspondence, Fall 2009 and April 2010.

Sharing Information with PSOs

Peace support operations have long been hampered by their inability to systematically collect intelligence.¹³ Until the creation of Joint Mission Analysis Centers (JMACs), beginning with MONUC and MINUSTAH in 2005, the idea that UN peacekeeping missions would openly collect, let alone analyze information and use that information to effectively plan operations, was basically taboo. Military commanders and civilian officials did it in practice, often sharing information and combining their analysis for presentation to senior mission officials. Nonetheless, few officials openly discussed this type of work outside the mission and headquarters. The mission JMAC, moreover, typically advises senior mission leadership; officers deployed in more remote locations may not benefit from its analysis. In these field outposts, military intelligence capacity may be a single officer, who may have received only the most general of briefings on the situation in the host state before assuming that post, nor is it likely that they will have the benefit of a regular handover/takeover process, and thus will need to build detailed knowledge quickly and build local relationships from scratch.¹⁴ Under such circumstances, Panel reports can help build that knowledge, and information sharing during Panels' field visits may be of great value—but information sharing to or from Panels raises a number of issues.

In practice, information-sharing between missions and Panels members is uneven and dependent on relationships of individual Panel members and mission personnel. Some of these relationships were collegial and productive and in some cases, such as more recently with the MONUC JMAC, the UNOCI “embargo cell,” or the Civil Affairs Unit at UNMIL, the relations have been collaborative. In other instances, as with the offices of the SRSG in both DRC and Sudan, or the child protection office in DRC, relationships have been less cordial. Efforts to improve them have often faltered, and information exchange has been largely “informal.”

One contentious issue was how much Panel members and mission personnel, both civilian and military, exchanged information that could be immediately useful either to the mission or to the Panel itself. Neither mission officials nor Panel members interviewed discussed specific Council mandates to exchange information. Nonetheless, some mission personnel contended that they felt the Panel did not share enough information, noting experts rarely briefed mission personnel on their findings at the end of their mandates, or rarely followed up on information provided by these mission personnel. Military personnel on the other hand often noted that Panel members frequently provided them with immediately actionable information. Experts added that in Côte d'Ivoire in particular, the Panel and the embargo cell often conducted joint missions, sharing information as they went. Panel members, however, often found missions slow to disseminate daily or weekly information roundups, which mission officials attributed to a desire to properly compile information and not immediately share what might later turn out to be incorrect. Such reluctance suggests, however, a lack of trust Panel members' ability to verify information or use it judiciously and, in these cases, Panel members often obtained their information informally, drawing on good personal relationships with mission personnel.

Some Panel members cautioned that their independent status, which is key to their continued legitimacy, meant that they should individually determine what information to share and when. Some Panel members also noted that when they tried to share information with mission officials, they were pressed to reveal their sources. Panel members noted that they typically shared information if doing so did not expose sources or risk jeopardizing investigations should the information's confidentiality be compromised.

The Information Management System: Panel Data and Tracking Recommendations

DPA officials pointed to an important improvement in their support to Panels: the development of an Information Management System. Funded by Canada in 2006, the system was initially intended to help Panel members by providing an easily accessible platform for entering and retrieving data. As appropriate, the system would allow experts across Panels to look at each other's data and cross-fertilize findings. Under the leadership of the DPA Security Council Affairs Division, a system was developed and launched in 2009. While some Panel members used the system, others found it difficult to use, and noted that it was typically installed only on the Coordinator's/Chairman's computer, obliging all experts to use a single machine to enter or retrieve data. Given time constraints, some experts were unable to use the system at all, or the Coordinator was forced to enter all of the other experts' data. Panel members noted that the system could handle additional installations, which they requested following the renewal of their mandates but did not receive before deployment. A technician dispatched to install the system might not reach the Panel in the field until it had been in the country for several weeks. In the case of one Panel, the system was installed without any training on how to use it, and written instructions arrived only after that Panel's mandate had expired. Finally, some experts have expressed concern over the future use of information stored in the system. They worry that confidentiality of sources may not be guaranteed.¹⁵ The Secretariat needs to address these concerns, especially since Secretariat officials were of the view that entering information into the system should be a requirement for experts to receive final salary payments.

Global Witness, in its recent report on UN support for managing natural resources, noted the need for increased monitoring of sanctions and the creation of a data-gathering and analytical support mechanism, either within the Secretariat or outside of it.¹⁶ Such a database could have two distinct purposes. The first could be to assist Member States that wish to follow up on Panel findings during police and judicial investigations related to sanctions implementation. Indeed, Global Witness found that Member States are largely not aware of the potential legal uses of Panel reports. Such a database, which should be complimentary to the Canadian-funded database hosted by the Sanctions Branch within the Secretariat, could also have a second potential use, however. It should include a portal that would permit donors to provide assistance in areas identified by Panels as problematic. This portal should be available to Member State officials as well as to peace operations and other UN agencies with mandates to support institutional capacity.

PANELS OF EXPERTS AND UN HEADQUARTERS

Insufficient cooperation between Panels of Experts and PSOs in the field is paralleled by insufficient cooperation between DPA (which supports Panels) and DPKO (which supports PSOs). This affects headquarters units' ability to provide logistical support to the field, and policy guidance to their respective "operational" branches in New York.

Issues within the UN Secretariat

The Subsidiary Organs Branch within the Security Council Affairs Division at DPA still struggles to give Panel members sufficient support. As highlighted in Stimson's previous report, staffing for this DPA branch has not grown substantially despite the exponential growth in Panels' support requirements.¹⁷ While the Branch did hire two new professional staff after a Panel on North Korea was appointed in June 2009, political affairs officers who support Africa-related sanctions continue to be assigned to at least two Panels, and a new Panel of Experts on the Islamic Republic of Iran was appointed in June 2010.¹⁸

Panel members felt that it would be helpful if DPA staff could provide more guidance for navigating the UN bureaucracy and better orientation programs that would obviate the need for longer-serving members of teams to orient those newly-recruited. Secretariat personnel pointed, in turn, to a handbook on these issues given to every expert at the outset of the mandate. Mission officials who liaise with DPA reported long response times, however, to requests for information and reimbursement for support accorded to Panels. Sanctions Committee members reported that Committee Secretaries (DPA Sanctions Branch officers who are also tasked with support to the Panel) are obliged to spend large amounts of time conveying sanctions-related communications to the Committee, the Council, preparing requests for exemption and delisting for the Committee's consideration, and more broadly responding to Member States' inquiries.

Officials in the DPKO Office of Operations report that they have provided guidance to peace operations on how to support Panels, how to transmit information from peace operations to DPA so it can be shared with the Panel, and how to transmit Panel or sanctions-related concerns and requests to headquarters, as necessary. UN and Member State officials reported that diverging DPKO and DPA priorities concerning sanctions sometimes made it difficult for UN headquarters officials to work together effectively on these issues. Indeed, sanctions monitoring has been politically difficult to manage for peace operations. Some requests by Panels for assistance in the field have been seen by DPKO and missions as going beyond the Council's requests for mission support to Panels.

Panels and the Sanctions Committees

Sanctions Committee (SACO) members reported productive relationships with Panels of Experts and have found Panel reports useful. For smaller countries, however, particularly non-permanent members of the Security Council, chairing a Sanctions Committee was described as a labor- and time-intensive job. In some cases, when such countries joined the Council, they found that their permanent mission staff had to grow by fifty percent, simply to meet the procedural obligations that stem from the responsibility of joining the Council and chairing a SACO. The Chair's management responsibilities tended to eat into time available to travel to a targeted country; the trip may not have been budgeted by DPA when drawing the Panel's budget (and thus would be cost-prohibitive for Chairs from smaller states), and posed political challenges, as it was unclear how much support either the Panel or the mission should be providing to the SACO Chair's field visits.¹⁹

Other Chairs were of the view that, given the decision to impose sanctions, they should actively support Panels, particularly in cases where they had sought Chairmanship of a particular SACO (something Member States said was not unusual). These Chairs made and took the time to visit targeted countries, educate other Member States about their Committee's activities, and promote the Panel's findings at the end of their mandate. Having to rely on the ability and resources of individual Chairs leads, however, to disparities in how different sanctions regimes are viewed and implemented.

Sanctions Committees operate by consensus and report to the full Security Council.²⁰ In some cases, SACOs have been paralyzed by one member's reservations about the sanctions. This has happened most often when a Member State implicated in sanctions violations has a seat on the Council, or when a permanent member of the Council views the sanctions unfavorably. Lack of consensus has also led to insufficient support for a Panel and its activities, as certain SACO members do not wish the Panel to publish unfavorable information about their potential activities in targeted states. When Chairs were unable to work with other SACO members to obtain consensus, the work of the Committee basically

ceased. Together, these challenges have made it difficult for some countries to serve effectively as SACO Chairs, even when they supported the sanctions.

Sanctions regimes are accompanied by complex procedures for requesting exemptions and some Member State officials interviewed said that sanctions could be more effective; that they were often unclear as to who should receive requests for exemptions including, in the case of arms embargo exemptions, whether they should submit requests to the exporter or the targeted state. They argued that technical (unintentional) violations would be less likely if the Secretariat offered a single point of contact for Member States that need assistance in this area. In fact, the Secretariat does provide such a point of contact, and each Sanctions Committee Secretary's name and contact information is readily available on the respective SACO's website. The Secretary is charged with granting exceptions to a travel ban as permitted by the Security Council (for medical or family emergency, or to meet religious obligations, for example). The websites do not, however, include clear instructions for requesting exemptions from arms embargoes.²¹

Finally, Member States officials said that they appreciate Panel members' visits to their embassies and permanent missions in advance of the release of a Panel report so that Security Council members in particular were not surprised by the report's contents. This helped to build confidence in the Panel's work, and permitted sharing of concerns over the political and policy repercussions of Panel reports.

The Security Council, Panels of Experts, PSOs, and Sanctions

Overall, mission officials argued that the Security Council has provided insufficient guidance on how to cooperate and balance mandates to implement sanctions and support host-state institutions. Beginning with sanctions imposed on Liberia, the Security Council has stated clear conditions under which sanctions may be lifted. These conditions have translated into a modified mandate for the Liberian Panel: first monitoring Liberia's progress towards lifting the sanctions, and now monitoring Liberia's continued compliance with these conditions. The Council has since detailed conditions under which sanctions would be lifted both in DRC and Côte d'Ivoire. In DRC, for example, the Council has decided that sanctions would be reviewed and adjusted based on improvements in the security situation and progress in security sector reform (in particular integration of rebel groups into the Congolese Army and completion of a concomitant disarmament, demobilization, and reintegration program).²² The Council did not indicate what level of reforms would trigger lifting of sanctions, however. In Côte d'Ivoire, the Council conditioned removal of sanctions on holding free and fair elections. The Council said it would lift sanctions three months after such an event.²³ Such guidance on steps required for lifting sanctions is helpful to targeted states and also to assistance providers, who can tailor assistance accordingly. The conditions can also be built into PSO mandates, as they have in the DRC, Ivorian, and Liberian cases.

The Council has not authorized additional people to adequately fulfill missions' mandates to monitor sanctions and provide support to Panels, nor have missions been adequately budgeted to do so. The absence of such support is compounded by a lack of political backing, which senior mission officials have interpreted as a sign that sanctions monitoring and enforcement are less important than implementing the rest of their Council mandates. This impression can only be strengthened when mission officials note that, to date, the Council has not been willing to hold the host state and other sanctions violators accountable, even when mission and Panel both have provided evidence of violations. In the absence of such higher-level political backing, mission officials argued that they could not be expected to apply strong pressure on host-state government themselves. They suggested that key states (from among the Council's five

permanent members or relevant regional powers) should take on that role. In some cases, mission officials said that if the Security Council wanted the mission to pressure the government in this way, it needed to give the mission an executive (law enforcement) mandate. Officials added that if the Council wanted Panel recommendations to be better implemented, it needed to support them openly and encourage other Member States to do so as well.

A counter-argument remains, however, that improved sanctions implementation, particularly of arms and commodity embargoes, is an integral part of key mission mandates to support DDR processes, security sector reform, and building the rule of law. Indeed, a successful DDR process requires control of ex-combatant weapons, which in turn implies control of weapons flows. Similarly, building an effective, impartial, and legitimate security sector requires not only control of weapons, but also proper training in their management. It also requires that security forces not illegally exploit natural resources, resort to illegal taxation of civilians, or otherwise prey on civilians rather than protect them. As such, it is clear that sanctions monitoring, and ultimately enforcement, are key to the successful implementation of the PSO's mandate. Recognizing this reality and adjusting the force posture accordingly therefore should be a priority for mission leadership. In other words, it is necessary to better recognize the cross-cutting nature of embargo monitoring and the possibilities that leveraging that mandate across mission activities represents for the mission's larger success and ability to avert future crises.

SUMMARY OBSERVATIONS

Based on discussions with Panel members, officials at DPKO and DPA in New York, and Member State officials, it is clear that cooperation between Panels of Experts and peace operations is insufficient, lacks consistency, and requires better procedures to ensure that mutually reinforcing mandates are better implemented. While mission and DPKO officials, as well as Member State officials, expressed understandable concerns over the need for missions to balance their host-state support mandates with the requirements of sanctions, more needs to be done to ensure that Panel information and findings are better leveraged. Indeed, Panel findings could be better used, both by PSOs and Member States, to build the rule of law in host countries. Finally, efforts to train personnel to better monitor sanctions need to be systematized, based on lessons learned by Panel members and mission officials who work together on such training.

In short, cooperation with Panels varies between and within missions. Key challenges include missions' lack of knowledge about Panel mandates; poor procedures for introducing Panel members and their work to key mission personnel; unclear guidance from mission leadership and UN headquarters as to how much Panels and peace operations are expected to work together and share information; and risks perceived regarding such sharing, from both Panel and mission perspectives. The following section offers details from cases on each of these issues.

CASE EXAMPLES: DEMOCRATIC REPUBLIC OF CONGO, LIBERIA, AND CÔTE D’IVOIRE

In setting up interviews in DRC (MONUC), Liberia (UNMIL), and Côte d’Ivoire (UNOCI), the author endeavored to discuss the issues laid out in the previous section with comparable components in each mission, but found that Panels interacted with different components in each mission. This section outlines findings from discussions with mission officials, and provides Panel views on interactions with relevant mission components.

MONUC²⁴

Cooperation between the DRC Panel and MONUC varied across mission components from excellent to non-existent, and personal relationships between Panel experts and mission officials varied from collegial to near-confrontational. The DRC Panel’s November 2009 report thanks certain units for their cooperation, notably the JMAC, DDR, the Office of the DSRSG for Rule of Law, and certain military offices.²⁵ The lack of acknowledgments to the Office of the SRSR, and the Security Council’s request that MONUC improve cooperation from certain units (particularly child protection),²⁶ matched the author’s experience in interviews with both Panel members and mission officials, who were cognizant of shortcomings in cooperation. Senior MONUC officials pointed to a weekly information-sharing mechanism as evidence of good mission cooperation with the DRC Panel. Panel members noted, however, that weekly reports (of information gathered by MONUC for the Panel’s use) arrived late (which mission officials acknowledged), were heavily edited, and often excluded raw data that Panel experts need to follow up in their work. In some cases, MONUC officials argued that other priorities, such as the organization of elections, meant that MONUC did not have sufficient capacity to give the Panel logistical support.²⁷ MONUC officials also argued that many MONUC units do not have a clear idea of their role either in monitoring sanctions or in working with the Panel.

Joint Mission Analysis Cell (JMAC)

The MONUC JMAC has had a very close relationship with the Panel. The JMAC has served as the main contact point for the Panel and information sharing is two-way. Both Panel and mission officials attributed this cooperation to the good relationships that successive Panels have built with respective chiefs of the JMAC, who at the time that research for this paper was conducted was a former Panel member (for Liberia and Sierra Leone), and was familiar with the information needs of the Panels and the challenges they face. Still, when MONUC needs to formally share sensitive information with the Panel, it must first seek permission from UN DPKO Headquarters in New York (although interviews suggested that MONUC senior leadership had set this requirement so that New York would carry the responsibility for releasing information). The JMAC itself also strives to maintain its independence from the Panel and has struggled to support both the mission and the Panel: at the time of research it suffered from a 50 percent vacancy rate that diminished its presence in such key towns as Goma and Bukavu, capitals of North and South Kivu provinces, which have suffered from both serious violence and significant

smuggling of embargoed goods—activities that tend to be mutually supporting.^v To increase MONUC's capacity to monitor the sanctions, the JMAC, mission officials, and the Panel have also worked together to train embargo monitoring teams.

Rule of Law and Human Rights

Because of openly overlapping mandates of the MONUC Office of the DSRSG for Rule of Law and the UN's Office of the High Commissioner for Human Rights (OHCHR), the DRC Panel has worked closely with both. The Office of the DSRSG for Rule of Law has found Panel reports useful, and has collaborated with the Panel to examine rule of law issues throughout the DRC. In the context of MONUC's Stabilization Strategy, one important area of cooperation with the Panel has been the work to stabilize mining areas in the Kivus, especially by increasing capacity at government-controlled minerals trading centers. MONUC will work to build capacity at the trading centers, while the Panel will continue to work on recommendations to improve due diligence by companies who import natural resources from the DRC (including their increased use of the government trading centers to ensure the proper taxes are being paid). On human rights issues, the Panel usually obtained information directly from OHCHR in Geneva because the OHCHR team in Kinshasa was merged with the MONUC human rights office and downsized.²⁸

Child Protection

The role of the DRC Panel with regard to child protection has been contentious. The Panel was first tasked with monitoring the recruitment of child soldiers, initially at the insistence of France, in July 2006.²⁹ MONUC child protection officers have objected to the Panel's research methodology, in particular re-interviewing children who are alleged victims of violence. Panel members countered that they must conduct follow-up interviews to meet evidence requirements set for the Panel as a whole.

Child protection officers have been leery of naming alleged rights abusers, in part because follow-up has been so rare: alleged perpetrators have typically neither been brought to justice locally, nor has the Security Council added them to sanctions lists. Indeed, as of early 2009 (when the sanctions list was last made publicly available), three individuals (out of 19 targeted persons) had been listed for their role in using child soldiers, a much smaller number than the evidence provided by either child protection or the Panel would suggest.³⁰ MONUC officials stressed that they are not in a position to provide physical protection to children whose alleged abusers are publicly named (in UN reports or otherwise) or to their families. While some Panel reports did name officers suspected of particularly egregious abuses, both MONUC officials and Panel members expressed concern that the only result of naming known child abusers would be reprisals against victims.³¹ Panel members argued that names should be provided to the Council to give it the opportunity to sanction individuals appropriately. However, because the Council has so seldom acted on these findings, mission officials have been reluctant to share information in this area.³²

The International Criminal Court's Trial of Thomas Lubanga, a former rebel leader charged with a war crime, conscripting, recruiting, and using child soldiers for the Patriotic Forces for the Liberation of

^v Typical UN mission vacancy rates are closer to 25 to 30 percent. The specialist skills required for JMAC employment have made it more difficult to recruit qualified personnel. Mission leadership has focused on building JMAC capacity at headquarters and had not, as of October 2009, authorized deployment of JMAC offices in the East, although JMAC personnel traveled to these areas as necessary.

Congo (the military arm of the Union of Congolese Patriots), has presented another challenge for mission-Panel cooperation on child protection.³³ Lubanga was arrested in March 2006. The trial had initially been scheduled in June 2008, but was delayed over concerns about the Court's ability to give Mr. Lubanga a fair trial, which finally began in January 2009. The evidence used against Lubanga relies on victim testimony and the testimony of MONUC child protection officers. But the trial, the ICC's first, at the time of writing had been halted and an order to release Lubanga had been appealed. The possibility that the trial may not go forward has impacted child protection officers' views on the value of assisting the Panel because when the trial has stalled for technical reasons rather than evidence or legal merits of the case, even international justice mechanisms are unable to follow up with the evidence provided.

Office of the SRSG

Panel relationships with the SRSG have not been as positive. Former SRSG Alan Doss may sometimes have viewed the DRC Panels as impediments to good relationships with national authorities but reportedly also recognized that the Panel reports could help raise sensitive issues.³⁴ During his tenure, former SRSG William Swing had issued a mission-wide directive to all mission components, requesting them to gather (and appropriately channel to the Panel) information on arms embargo violations. Senior MONUC officials, however, expressed concerns with repeated leaks of the Panel's final reports. Such leaks should be avoided in the interest of building trust with the mission and ensuring that offices mentioned in the report have a chance to reply before the report is published. Officials interviewed in the mission components indicated that they had not received guidance on how to cooperate with the Panel or on how to leverage Panel findings, as appropriate, to complete their own mandated tasks.

Panel Views

Panel members serving at the time the interviews were conducted recognized the wide-ranging support they received from the political affairs officer who accompanied them from New York. However, they viewed support from the DPA Sanctions Branch more broadly as insufficient. They also acknowledged close cooperation with certain mission offices but noted that overall support received from the mission was limited. MONUC's requirements for obtaining logistical support were considered especially cumbersome (something mission officials acknowledged). Panel members pointed to the lack of institutionalized cooperation even when their mandates explicitly required such cooperation. Panel members reported having requested that a one page aide-memoire be sent across the mission delineating the Panel's mandate and suggesting parameters for cooperation. This request was denied by the Office of the SRSG. Panel members also noted that they thought it was unnecessary for mission officials to edit and compile data reports for the Panel; that simply sending information as it arose, even if the data was not as polished, would facilitate their investigations.

Panel members noted that some mission officials viewed the Panel as coming under the authority of the mission, which translated into a perception that permission from senior MONUC officials was required for the Panel to conduct its work in the DRC. In practice, the mission's perspective has meant that requests to travel (through Movement of Personnel orders) have occasionally been denied, causing Panel members to seek alternative means of traveling to certain areas, even when they believed that events required their immediate presence in given locations. Panel members have always required a security clearance from the UN Department of Safety and Security (UNDSS), but this has not normally flowed through the SRSG. Panel members did acknowledge that they must abide by mission security and safety

guidelines, but pointed to cases where Panel requests for travel were denied even when UN mission staff was traveling to the areas themselves. Security was obviously not a concern in such cases.^{vi}

UNMIL³⁵

Cooperation with UNMIL was productive and substantive. Cooperation with the Panel spanned from the mission's leadership to the military forces and civilian offices. Liberia was also the only country where the Panel existed before the mission deployed. (The Liberia Panel was created in 2001, while the mission deployed in the fall of 2003.) This meant that the Panel provided support to the mission (ranging from political and historical context and analysis, to advice on where to obtain accommodations and offices) even as UNMIL deployed.³⁶ As a whole, mission officials have found the Panel helpful, agree with its findings, and are pleased to work closely with the experts. Mission officials said that Panel work and the ensuing reports have been useful to the mission because the Panel can go into more depth in its investigations. Officials also argued that the Liberia Panel's "regional" mandate and the resulting regional analyses it has provided were important for the mission precisely because these were areas where the mission lacked capacity. While some Panel findings have made the mission's relationships with key ministries tricky, mission officials have been able to emphasize the Panel's independence.

Civil Affairs Unit

Within UNMIL, the Civil Affairs Unit has served as the focal point for the Panel. Despite clear guidelines in terms of substantive cooperation, the unit did not have clear instructions on how to treat Panel members when it came to administrative matters (such as priority rank for travel authorization). They also lacked clear procedures for billing Panel-incurred costs (e.g., paying for driver overtime). Nonetheless, the Civil Affairs Unit has arranged accommodations, vehicles, and necessary transport for the Panel to mining and forestry areas, in addition to providing workstations at UNMIL headquarters. (The military component of UNMIL also has provided support and security for Panel travel throughout Liberia.)

In addition, the Civil Affairs Unit has organized Panel meetings with ministries, particularly when new Panel members required introductions. One challenge of having Civil Affairs serve as the focal point, however, was that other mission units sometimes wrongly assumed that they should obtain permission from both Civil Affairs and the mission Chief of Staff to share information or provide support.³⁷ The mission did not view providing the Panel with this kind of support as an impediment to achieving its mandate; Liberian authorities understand the difference between the mission and the Panel, and view the two as having different roles. Although the Panel has sometimes withheld sensitive information from the mission—sharing it only immediately prior to publication of the Panel report—most of the information it has gathered has been rapidly and widely shared with the mission.

Political Affairs

While the Panel and the Political Affairs Unit of UNMIL have long worked together, Panel members reported that information sharing with this unit was sometimes a challenge. The unit is responsible for explaining to targeted individuals the procedures they should follow to seek an exemption to the sanctions or request removal of their names from the sanctions list, and those procedures are unclear.^{vii}

^{vi} In other words, denials for travel permission gave the impression that the SRSR may have blocked the Panel from traveling when it was politically inconvenient for the mission.

^{vii} Political Affairs officers have found it difficult to explain how the sanctions follow legal due process for individuals. They also have found it difficult to explain why some people have been targeted while others have not, why sanctions that have been in

In the view of political affairs officers, the Panel provided helpful additional support for verifying the weapons embargo (which was lifted in 2009), but they argued that the Panel's work on diamonds could easily be done by officials from the Kimberley Process Certification Scheme.³⁸ Panel members countered that they play an important role in independently assessing Liberia's compliance, and that given the role of diamonds in fuelling conflict, it is important to continue monitoring this area.

Finally, an emerging challenge for individual sanctions in Liberia, political affairs officers explained, would be the Security Council's response to the Liberia Truth and Reconciliation Report, which was released in 2009.³⁹ The report, which was based on investigations and public hearings, details abuses that occurred throughout the long Liberian conflict. Political and business leaders were interviewed by the Truth and Reconciliation Commission (TRC) and openly discussed their role in the conflict, in some cases for the first time. The TRC then recommended sanctions—ranging from prosecution to the imposition of fines and/or ineligibility to be elected to public office—based on these revelations. UNMIL officials were concerned that targeted individuals might be unsure of whether they were being sanctioned by the UN, the TRC and Liberian authorities, or both. They explained that the TRC's proposed sanctions list did not completely match the remaining UN list. Given the impact of UN sanctions, however, and the fact they were imposed on the basis of alleged involvement in the war, mission officials argued that a formal link needed to be made between the TRC's report and the imposition or removal of sanctions.^{viii}

Joint Mission Analysis Cell

The Liberia JMAC works closely with other JMACs in the region and, on instruction from the SRSG, has cooperated closely with the Panel to share information, though not on a daily basis. Panel members argued that the failure to share daily information resulted in gaps in their ability to analyze trends. Mission officials countered that daily reports often contain inaccurate and unverified information that should not serve as the basis for further investigation. They therefore have shared information only when they felt it had been sufficiently verified or would benefit from additional Panel examination.

Office of the SRSG

In Liberia, the Panel and the SRSG have cooperated very closely and the Panel has benefited from an open door policy with the SRSG's office. SRSG Løj's case is unusual, however, because she had previously served in New York as the Chair of the Sanctions Committee for Liberia, read all the reports, met the experts, and been extensively briefed on the Panel's work. Moreover, in Liberia, the SRSG largely serves as a conduit to requests for exemptions from sanctions or removal from the sanctions list, forwarding all such requests to the DPA Liberia focal point in New York. This has allowed the SRSG to maintain a relationship with targeted individuals and to better understand some of the limitations UNMIL has faced in monitoring sanctions implementation. Former SRSG Doss also reportedly worked closely with the Panel while heading UNMIL.

place since 2003 have not been more routinely modified, and what ramifications the potential acquittal of targeted individuals by local or international courts would have on their sanctions status. Mission officials therefore said clearer procedures for removal from sanctions lists need to be publicly promulgated.

^{viii} While efforts have been made to improve procedures for de-listing, mission officials were typically familiar only with basic requirements as listed through the Sanctions Committee's website. Officials were usually not aware of broader efforts on due process, including the appointment of a focal point for delisting and in the case of counter-terrorism sanctions of an ombudsperson. The ombudsperson mechanism may be extended to other sanctions regimes.

Box 2 A Host State Perspective: The View from a Liberian Ministry

In interviews at a Liberian ministry, officials argued that the Panel of Experts for Liberia is too intrusive and demands access to too much detailed information. On the flip side, officials pointed to the Panel's thoroughness and the fact that its investigators double check everything. Officials felt there was no duplication between the work of the Panel and UNMIL's work. Host state officials appreciate the fact that, prior to publication, Panel members inform host state officials of their findings and give them an opportunity to respond. Conversely, officials argued that the Panel did seem to be duplicating the work of the Kimberley Process. According to several host state officials, the Panel is no longer useful for monitoring the trade in diamonds. Authorities continue to cooperate but Liberian officials believe that the Kimberley Process provides sufficient oversight, and that the Kimberley Process Certification Scheme could provide the UN with its report. In short, while government officials agreed with Panel findings, they find cooperating with the Panel onerous and wish that its findings included recommendations for assistance to the host state and its neighbors that are geared to implementing those findings.

Panel members countered that their work has a different focus than the Kimberley Process, and that Panel investigations had uncovered challenges not found by the Kimberley Process team. Moreover, the Panel's mandate includes more than diamond monitoring. Because of the importance of diamonds in funding conflict in Liberia, and because of the linkages between the diamond trade and other commodities, Panel members feel this part of their mandate remains important.

Source: Author interviews, Liberian officials, Fall 2009.

Panel Views

Panel members reported a productive relationship with the mission, in particular with the Office of the SRSG, the Civil Affairs Unit, JMAC, UNPOL, the military command, and DDRRR. Panel members have routinely asked the SRSG's office for assistance. In addition, the Civil Affairs Unit has offered wide-ranging assistance even beyond its role as a focal point for the Panel. Panel members also reported that while Liberian authorities were sometimes slow to respond to meeting requests, the meetings themselves were typically cordial and productive, with Liberian authorities openly sharing information.

UNOCI⁴⁰

Cooperation between UNOCI and the Panel has been widespread, significant, and productive. The Panel benefited from its first two Chairs' extensive experience in the region and their prior professional relationships with senior UNOCI officials, which facilitated cooperation from the outset. The Panel's October 2009 report thanked the embargo cell for its assistance, a sense of cooperation that was also projected in interviews.⁴¹ UNOCI has been the only mission with an integrated embargo cell. The cell has served as the focal point for the Panel, and has given it extensive administrative and substantive support. In fact, it could serve as model for integration between peace operations and Panels of Experts. That being said, the case of Côte d'Ivoire should be considered different because, of the countries examined so far, it is the only one where state institutions were not completely destroyed.⁴² In fact, Ivorian institutions have remained functional; unfortunately, they also have routinely impeded the implementation of sanctions by refusing both UNOCI and the Panel access to certain military and government facilities, in particular those of the Presidential Guard.

The UNOCI Embargo Cell

The present UNOCI embargo cell was created at the direction of the SRSG of UNOCI in August 2006 following a recommendation by the Group of Experts.⁴³ The integrated embargo cell is unique in the UN system, with civilian, police, and military expertise: it falls under UNOCI headquarters operations and its chief reports directly to the DSRSG for Rule of Law.⁴⁴ The cell is led by a civilian chief and the deputy is a military officer with the rank of colonel. Civilian members include a customs expert, a diamonds expert (UN Volunteer), an information analyst, an outreach officer (whose role is to inform local NGOs about the embargo's purpose and role), and an administrative manager/database manager. The team includes two other military officers and three police officers who help to organize and conduct inspections of relevant facilities.

According to officials within the cell, the unit's work would be more effective with the addition of one weapons expert and two additional customs experts (the one customs expert at the time of interview was on a six month contract, seconded from Switzerland). The Panel has long concurred with UNOCI's views on the need for additional embargo expertise within the mission. As early as 2005, the Panel recommended that UNOCI hire a full-time customs expert.⁴⁵ The Panel also recommended in 2006 that UNOCI create a permanent ports inspection unit, which would be charged with inspecting all types of incoming cargo.⁴⁶ Finally, in 2009, the group recommended that a permanent arms expert be hired to improve the cell's weapons identification and arms trade expertise.⁴⁷

The UNOCI embargo cell has provided the Panel with both administrative and substantive support.^{ix} Because its administrative manager also manages the weapons database, the Panel's weapons expert has trained the administrative manager in weapons identification, and the manager trains mission military observers and police, in turn. The embargo cell realizes that this arrangement is not ideal.

Because civilian experts from the cell have usually traveled with the corresponding Panel experts during their time in Côte d'Ivoire, information sharing has been easy. In the view of UNOCI officials, the Panel's composition was appropriate and productive, and its experts were able to perform in-depth investigations outside of Côte d'Ivoire where embargo cell officials could not travel. This permitted the incorporation of important regional and global links in embargo-related investigations. Since July 2005, UNOCI has sent weekly reports on monitoring hate media and monthly arms embargo monitoring reports to the Sanctions Committee.⁴⁸

The embargo cell chief has provided the Panel with protocol guidance both inside and outside the mission, facilitating meetings with senior Ivoirian officials, providing introductions, and explaining the purpose of both the cell and the Panel. Because such diplomatic support was time consuming, UNOCI officials agreed that the Panel would benefit from having a recognized diplomat (from a nation considered to be impartial about the sanctions) travel with them to make introductions and host meetings with senior Ivoirian and international officials.

^{ix} During the research team's stay in Côte d'Ivoire, the embargo cell provided wide-ranging support, including a last minute day trip to Bouaké to observe embargo cell training for military observers/police. The cell organized meetings with all relevant UNOCI components. The chief ordered his staff to treat the research team as they would Panel members, suggesting that the cell's relationship with the Panel is, indeed, very close and extremely helpful.

The embargo cell has continued to benefit from the conditions of its creation and the high regard within the mission accorded to its chief at the time interviews were conducted. Its work was impeded, however, by lack of substantive cooperation from the Ivoirian authorities.

Diamonds and Customs

The embargo cell has assisted the Panel diamonds expert with investigations, often sending its own expert along to conduct joint investigations inside Côte d'Ivoire. Embargo cell officials argued, however, that their own expert should devote his time to monitoring diamond production areas, while the Panel should take cues from this monitoring to follow up with in-depth investigations. In the wider region, the Panel's diamonds expert has conducted joint investigations in Liberia with the natural resources expert from that Panel. Panel members noted that because their work tracks the entire chain of diamonds shipments, it goes further than the Kimberley Process for control of conflict diamonds.

The embargo cell customs expert has benefited from similarly close cooperation with the Panel, although customs work for the cell exceeded what one person could reasonably track, including review of all air manifests, but only less than half of shipping manifests for planes and ships entering and leaving the country.⁴⁹ Embargo cell officials recognized that being able to inspect only a portion of manifests limits the value of their effort, so increasing capacity would improve the cell's ability to track these shipments. Improved data analysis by the embargo cell would also be useful to the Panel's work.

Training for Military Observers and UN Police

UNOCI has tasked teams of military observers and police with monitoring embargoes. The teams did not receive pre-deployment training in embargo monitoring. UNOCI's embargo cell provided training in-mission, twice per month (to accommodate the frequent rotation of military observers into and out of mission) and has routinely incorporated lessons learned from previous trainings in each new session. The training has been conducted in both French and English. The integrated civil-military nature of the embargo cell has helped to ensure that training goes beyond basic weapon identification, to weapons tracking and other variables key to effective monitoring. Still, some observers interviewed indicated that they had not received training for embargo monitoring until several months into a six month deployment. Since early 2009, the Panel's arms expert has worked with the embargo cell to develop a training handbook to include lessons learned and improved instructions for monitoring. In addition, the Panel's and the embargo cell's diamond experts have jointly developed training materials for diamonds monitoring. Such efforts have reportedly improved the usefulness to the Panel of the information collected by the observers.

Cooperation with the JMAC and Joint Operations Center

Cooperation with the JMAC by the Panel and the embargo cell has been uneven, due in part to civilian leadership issues in the JMAC staff, leading both the embargo cell and the Panel to work more closely with the mission Joint Operations Center (JOC) instead, and the embargo cell has lost some of JMAC's analytic support. This has been mitigated in part by the cell having its own civilian information analyst.

Military officers in UNOCI explained that although the embargo was imposed under Chapter VII of the UN Charter, UNOCI has not taken an enforcement approach to it. Thus, for example, personnel have been directed not to conduct surprise inspections despite having the capacity to do so across the country.

In Bouaké, the military component has worked closely with the embargo cell and the Panel to support the work of the military observers and the UN Police, providing security for embargo-related inspections. UNOCI has had eight observer teams stationed in that city, including four that work within 40km of the borders. For inspections, the teams were usually half military observers and half UN police, and worked closely with the embargo cell on a continuing basis and with the Panel when it was in the area. The teams used procedures for inspections provided by the embargo cell and distributed the training manual that was developed by the Panel and the embargo cell. The manual describes basic procedures for conducting arms and diamonds inspections, with photographs of the weapons most likely to be encountered and suggestions for photographing diamond mining areas. It provides guidance on scheduling such inspections and the most productive ways to work with authorities on these issues. The teams monitored the border, but did not routinely inspect cargo. Panel reports have been useful to them but the observer teams' embargo enforcement roles have sometimes caused disagreements with local authorities.

Human Rights

Historically, the Panel has not worked with the UNOCI Human Rights Unit, whose personnel said in interviews that they had never met a Panel member or read any Panel reports, although their offices were close by. After the conclusion of field research for this report, however, a change in the Panel's mandate required closer cooperation with the Human Rights Unit, and that cooperation was expected to be productive.⁵⁰

Human Rights Officers argued that individual sanctions were contentious and that there appeared to be little follow up on the continuing activities of targeted individuals, especially with regard to lifting sanctions. Some people listed years ago had done nothing since to warrant continued listing but continued to lack access to bank accounts and personal assets affected by sanctions.

Box 3 Working with the Ivoirian Authorities: A Different Set of Challenges

When Ivoirian officials agreed to schedule a meeting with the Panel, they usually listened to findings and recommendations on sanctions implementation, but then failed to act on any of them. Such passive resistance has not been limited to sanctions monitoring: the mission has faced similar challenges across its mandate. In addition, Ivoirian authorities have long denied the applicability of the sanctions to some of their institutions. Despite numerous clarifications to the contrary by the Security Council, the authorities have continued to insist that the Presidential Guard does not fall within the purview of sanctions monitoring. As a result, Presidential Guard weapon stocks have not been examined or tracked. Similarly, some officials have routinely refused to meet with Panel members and have failed to answer written requests for information.

Sources: Author interviews; See also S/RES/1893 (2009) and S/RES/1842(2008); United Nations, *Report of the Group of Experts on Côte d'Ivoire*, S/2009/521, paras. 14-16.

Police, Civil Affairs, and Best Practices

The UN Police (UNPOL) have worked with the Panel and the embargo cell, although this relationship was sometimes challenging. UNPOL felt that the Panel and embargo cell both could do more to explain their roles, their expectations of the police, and the procedures for enforcing the embargo or obtaining

exemptions. The Civil Affairs Unit has frequently shared information with the Panel, but believed the Panel could do more to share information in return.

The best practices officer for UNOCI has worked closely with the embargo cell to evaluate and improve its performance. A joint study found that the cell cooperated effectively with other mission components and provided valuable support to the Panel. The evaluation also found, however, that the effectiveness of the cell was hampered by its lack of an arms expert, the shortage of capacity in customs, and continuing delays in training for military observers and UNPOL. The best practices officer has worked closely with the cell to develop evaluation mechanisms for these training efforts and the training manual noted earlier.⁵¹

French Forces in Côte d'Ivoire⁵²

In Côte d'Ivoire, the Panel has also interacted with the French forces of Operation Licorne, which in turn work closely with the UNOCI embargo cell. The Panel has requested information from the Licorne liaison officer at UNOCI, who then transmits the request to Paris. Information is then shared as appropriate. Licorne has provided overflights, photographs, and other such information. Licorne officers also reported that the Panel is useful to them because downsizing of the French presence has reduced its intelligence collection capacity. Events in the region (such as the fall 2009 crisis in neighboring Guinea) have increased the importance of such capacity. The Panel's work to track helicopters and who owns them, for example, has been of particular interest to French forces. However, Licorne's relations with the Panel have remained challenged by the four-month rotations of its liaison officers.

Office of the SRSG

In UNOCI, while the SRSG mandated the creation of the embargo cell and mandated support for it, mission leadership, in order to maintain good relationships with Ivoirian officials, has had to distance itself from the embargo mandate. Given how little Ivoirian authorities abide by the sanctions in the first place, the SRSG's focus has caused confusion for some mission units by limiting their ability to take a tougher stand with their Ivoirian interlocutors.

Mission leadership has viewed its role as supportive of Ivoirian authorities, and has thus been reluctant to push them to more actively implement the sanctions, in effect condoning violations through inaction. Mission officials have also expressed frustration, however, at what they described as the lack of high-level political backing for the mission and implementation of the sanctions regime, that is, from the Security Council and from leaders in relevant great power and regional capitals. Officials from such states made clear in interviews that, given the ongoing political crisis in Côte d'Ivoire, antagonizing the authorities over the sanctions issue would be counter-productive. If authorities' views were otherwise, and/or mission leadership had the high-level support it contends is needed to pressure the authorities, existing mission-Panel collaboration on sanctions could make the sanctions effective.⁵³

Panel Views

Panel members for Côte d'Ivoire reported a productive working relationship with UNOCI, and in particular with the embargo cell, which they uniformly described as extremely helpful and responsible for an important education campaign within the mission on the role and importance of the embargo. Panel members reported good working relationships with French forces. Within UNOCI, Panel members noted that the work of the Panel (as well as that of the embargo cell) was hampered by lack of leadership within the JMAC, and the ensuing lack of high-level analysis within the mission. They noted that they have

continued to share information and work with the JMAC despite these challenges. Panel members, in a sentiment echoed by officials throughout the mission, argued that the JMAC process for disseminating information to other mission units was cumbersome and prevented analysis from other units from being integrated into ongoing assessments. JMAC assessments were therefore devalued in the eyes of other units. Finally, Panel members noted the lack of cooperation and sanctions enforcement on the part of Ivoirian authorities.

IMPROVING COOPERATION AND IMPLEMENTATION: PANELS OF EXPERTS, PEACE OPERATIONS, MEMBER STATES, AND THE SECURITY COUNCIL

Panel-PSO cooperation can and does occur but, as we have seen, Panel members, mission staff, and UN headquarters personnel argued that cooperation was hampered not only by unclear mandates, but also by lack of clear guidelines for such cooperation. The Secretariat has recently issued Provisional Guidelines for DPKO support to Panels. This section begins with a discussion of the new guidelines and then outlines areas where the guidelines could be extended to make it easier for missions and the Secretariat to support Panels. It then discusses how Member States and assistance providers could use Panel findings to better effect. Finally, it discusses steps for improving sanctions implementation, follow up on Panel recommendations and overall cooperation between Panels and PSOs.

THE GUIDELINES FOR DPKO COOPERATION WITH PANELS OF EXPERTS

Lack of understanding in missions regarding Panels' mandates has been a pervasive problem with repercussions not only for mission information sharing with Panels, but also for the UN's ability to effectively monitor sanctions and help the host state build capacity that will prompt the Security Council to lift sanctions. Mission officials argued for institutionalized cooperation and, together with Panel members and officials at DPA and DPKO, supported guidelines or standard operating procedures (SOPs) for Panel/mission interactions. Mission and DPA officials argued that SOPs should not be too detailed, but should mandate cooperation and interaction, thus addressing the challenges posed by mission units that failed to cooperate with Panels.⁵⁴

After consultations between DPKO and DPA, the DPA Security Council Affairs Division Subsidiary Organs Branch distributed "Provisional Guidelines for DPKO Mission on support to Security Council Panels."⁵⁵ The three page guidelines outline expectations for peace operations' support to Panels in three major categories: logistics/administrative, security, and substantive.

Concerning logistics and administration, the guidelines recommend that missions establish a "Panel Coordination and Support Mechanism." This function should fall under the direct authority of the mission's Chief of Staff to ensure that cooperation is viewed as important within the mission. The Chief of Staff should then ensure that a relevant focal point (with alternates) is designated within the mission. They explain that in some cases, missions and Panels may wish to develop written agreements on cooperation. Given the challenges that Panel members have faced in obtaining support, it is clear that the guidelines should be more specific in their recommendation for establishing a focal point. The focal point needs to be sufficiently senior within the mission. In addition, the focal point's duties need to be better specified, and should include: providing mission units with information about the Panel's composition and mandate; providing initial introductions (though perhaps, in order to give appropriate weight to Panel work, such initial introductions should be made by the Chief of Staff rather than delegated to a focal

point); gathering relevant information from mission units on behalf of the Panel; helping to make travel and other logistical arrangements; and generally helping the Panel interact with mission staff.

The missions visited have already established such focal points, though they varied in their location within the mission. For MONUC, the Panel's main point of contact until October 2009 was the Chief of Political Affairs in Kinshasa. Since then, that role has been taken over by the JMAC, though the mission's single Economic Affairs Officer (who is not within the JMAC) has been charged with providing weekly reports and natural resource-related information to the Panel. In Goma, the Head of Eastern Coordination is the Panel's main point of contact. As noted earlier, the confusion in MONUC over the role of the point of contact has resulted in less systematic information-sharing. For UNOCI, the main point of contact is the embargo cell. For UNMIL, it is Civil Affairs, although the SRSG maintains an open-door policy for Panel members.

In addition, the guidelines instruct missions to provide Panels with "all possible logistic support without compromising the mission's core mandated activities or mandated resources, subject to operational exigencies." Support may include provision of office space, accommodation, transportation, and communication and safety equipment. The details of this support should be agreed upon with senior mission support officials upon the Panel's arrival. In using these resources, Panel members will have to abide by relevant mission rules. To facilitate this support, a DPA officer should work out, in advance, how the mission will be reimbursed for this support. The relevant mission focal point, working with the Panel's coordinator, should then file an expense report with the DPA officer.

Concerning security, the guidelines specify that Panels must work within the mission's UNDSS guidelines, adding that "movements of the Panels may be restricted only on security grounds." As we have seen, Panels must obtain UNDSS "clearance" prior to travel. This is normally not a problem, so long as Panel members are held to the same standard as mission staff.

On information-sharing between the mission and the Panels, the guidelines recommend substantive support. Specifically, missions may share "regular and analytical reports produced by the Mission for HQ." Missions may also provide a "standing offer of assistance in arranging interaction" with relevant actors on the ground. Accordingly, missions are asked to provide Panels with a list of all regular reports they produce so that Panels may determine which reports might be useful. Based on this information, Panels and the mission are to agree on what information the Panel needs to complete its mandate. The guidelines add that classified code cables may be shared at the discretion of the SRSG.

ASSESSMENT OF THE GUIDELINES

Officials, particularly Panel members and DPA officials, hope that the guidelines will help improve cooperation with missions. They hope the guidelines will help ensure that missions disseminate information to all units including a formal introduction to the Panel, an explanation of its mandate, and a reminder to mission staff of the Council's request for cooperation and information-sharing. As we have seen in the missions visited, personnel cited the failure to disseminate basic information about the Panel's composition and mandate as one reason for initial difficulties in cooperation. Panel members cautioned that the guidelines, as currently drafted, might have only limited effect.⁵⁶ The guidelines, as currently written, are neither sufficiently detailed nor broad enough to address the challenges discussed in this paper that directly affect the ability of Panels—and sometimes PSOs—to monitor sanctions.

Logistical Support

One particularly problematic aspect of the guidelines is that they caveat logistical support “subject to operational exigencies.” While missions must first fulfill their own mandates, this caveat opens the door for mission leadership to impede Panels’ work without offering further justification than that “the mission had something more important to do.” In fact, given the previously discussed tendency of some mission leadership to prioritize good relations with host states over support for sanctions, such a caveat could have serious repercussions for a Panel’s ability to work. Moreover, the guidelines fail to recognize that as we have seen, some missions, as part of their mandate, have a specific role in monitoring sanctions. As such, missions should do more than support Panels only when time and resources permit. The caveat could be interpreted to suggest that the guidelines could be read as diminishing missions’ role in sanctions monitoring or implementation, which is hugely problematic because Panels depend on mission support to fulfill their own Security Council mandates. This could be counterproductive for the mission as well because it is clear that sanctions monitoring has implications for implementing a PSO’s mandate across many mission components. If the guidelines cannot be drafted clearly to explain the necessity of logistical and substantive support for Panels, then the Security Council should clearly state that obligation in its mandates for PSOs.

Security Procedures

In some cases, SRSGs reportedly have prevented Panel members from going to certain areas, citing security reasons, although the SRSGs and their staffs have continued to travel to these regions, and staff members deployed there were not evacuated.⁵⁷ If civilian staff are not being evacuated from an area, there seems to be no reason that Panel members could not choose to travel to that area as well. When such evacuations are necessary, the mission should also accommodate the Panel’s security needs and assist the Panel, as instructed by the Council, in implementing its mandate. On the other hand, if only armed military peacekeepers are present and Panel presence would require retasking personnel whose job is protecting civilians from imminent threat, Panel members should not be permitted to travel. Overall, the guidelines should specify that Panel members and UNDSS should have close discussions about security constraints. When the situation warrants it, Panels should be given the opportunity to alter their travel plans so that security concerns are sufficiently mitigated for the mission to provide the security support the Panel requires.⁵⁸

Information Sharing

In short, the guidelines suggest missions share all non-code cable reports to HQ, but provide no specific instructions on other information-sharing. This appears to leave such decisions to senior mission officials, and to cast such information-sharing not as mandated by the Council, but as dependent on the goodwill of individuals. The guidelines argue that such procedures guarantee that “Panels receive factual and comprehensive reports as opposed to an overload of irrelevant information.” As we have seen, however, missions have different conceptions than Panels do regarding what information is relevant. Thus the guidelines leave open the possibility that individuals, across the mission, may use their own views on sanctions monitoring and implementation, rather than Security Council mandates, to determine which mission information should be shared with Panels.

Panel members in turn argue that the information they gather can be broadly divided into three categories: information that must remain confidential because sharing it would jeopardize ongoing investigations; information that is going to be in the report, and can be either shared immediately upon request or can

wait to be shared until publication; and tactical information, for example pertaining to current security conditions, that could directly impact the mission's operations. The first type of information must be kept confidential because it is the Panel's primary mandate to investigate potential violations, and such investigations must not be jeopardized or tainted. A related type of information pertains to alleged violations, which must be kept confidential until the persons or entities involved have had the opportunity to reply.

The second type of information, the less controversial background information that will end up in Panel reports, could be shared more widely with the mission prior to publication. The third type, which in fact is sometimes less useful to Panel reports and investigations, should be shared with missions with the understanding that Panel members may not be able to reveal from whom and where they received it. Such information could be shared if it could be appropriately sanitized by Panel members beforehand so that sharing does not threaten the safety of the source. More specifically, information uncovered by Panel members that pertains to the safety of an upcoming UN mission activity should be shared with mission officials as quickly as possible. Similarly, information that concerns civilians under imminent threat of violence should also be shared immediately. Finally, information that could contribute to the mission taking immediate action to implement the embargo or improve its deterrent posture, for example the location of arms caches or information regarding a new transit point for illegal trade in resources, should also be shared as soon as possible. In all cases, mission personnel must accept the condition that Panel members may not be able to release the source of information, make a decision to investigate the claim themselves, and act accordingly. Updated guidelines could usefully list these three categories, and propose a way to more purposefully direct information sharing between missions and panels.

Performance Incentives

The guidelines should also include DPKO and DPA agreement to monitor the effectiveness of the assistance and support they provide to Panels. In addition, providing adequate support should be a formal component of performance evaluations for the relevant headquarters officers and their managers, both in DPA and DPKO—undoubtedly a complex proposition but if such tasks are considered essential then their completion should be part of such reviews. Doing so will help incentivize both Departments to give cooperation and support the importance that Security Council mandates require.⁵⁹

STEPS FOR IMPROVED IMPLEMENTATION OF PANEL RECOMMENDATIONS

This section discusses suggested steps to improve the usefulness of Panel reports, the role of different actors, including PSOs, Sanctions Committees, Member States, and the Council itself, in following up on Panel findings, and steps to improve sanctions themselves so that cooperation becomes easier and follow-up more systematic.

Usefulness of Reports

Because Panel reports are perceived as authoritative, some Member States, particularly European governments, Canada, the US, and increasingly countries such as Angola, DRC, and Liberia, have used them to set policy and provide impetus for giving (or requesting) assistance. Panel reports have also helped officials explain the necessity of some assistance to the targeted state or regional countries.⁶⁰ Despite such decisions, mission and Member State officials repeatedly expressed frustration that “nothing” happens after a report is published. This failure to act has multiple implications. While

effective sanctions implementation cannot be conflated with effective peacebuilding, it is clear that sanctions implementation, particularly when it requires capacity building in host and regional states, can contribute to peacebuilding. This section discusses these challenges and outlines potential solutions proposed by Member State and mission officials.

Panel Recommendations and Meeting Expectations for Their Implementation

In some cases, Panel findings can be problematic because they create expectations that Member States—and the mission—will step in. When missions and Member States fail to do so, host-state citizens can be disappointed that such expectations are not met. This can have more serious implications than mere disappointment: failure to support institutional and economic development can jeopardize a mission's mandate to bring peace and security; and in the shorter term, of course, can threaten a mission's legitimacy.

In some cases, the failure to follow up could also have more serious consequences. Indeed, mission officials, particularly human rights and child protection officials, as we have seen, have been reluctant to share information with Panels for fear that when allegations are published and perpetrators not detained by host-state authorities, they will simply seek revenge on those they deem responsible for telling on them. On a related level, officials noted that recommendations relating to host and regional state capacity were often not addressed.

Member state officials, along with Panel members, noted that in some limited cases, Panel report recommendations had led to slight modifications in the mandates of peace operations, as in DRC or Sudan, where challenges in Panel/peace operation cooperation led to more explicit Security Council mandates requesting support from relevant missions.

Despite clear mandates for cooperation and information sharing, mission officials argued that they would increase their cooperation with Panels only when host states, Member States, and the Security Council make their commitment to follow up on findings and recommendations clear and actionable. They added that doing so, particularly in cases where providing institutional support to the host state was required, would entail increasing support to the missions to implement this part of their mandate. Mission officials should also be expected to examine their entire mandate to determine whether certain tasks could be better integrated not just with sanctions monitoring tasks but also with capacity building efforts related to sanctions implementation. As with other efforts, they could more systematically use the requirement to build capacity to implement and monitor sanctions as one of their arguments for raising extra-budgetary funds for their institutional capacity building programs.

Panel Reports and a “Game Plan” for Fixing Problems?

Mission and Member State officials, in interviews, explained that while Panel reports were interesting, they could be more useful if they were more specific and if Panels were mandated to provide more actionable advice on how to curb sanctions-breaking behavior. Mission officials argued that they lacked the in-house expertise and resources to adequately respond to Panel recommendations, which clearly fell within the scope of implementing their mandate. For example, in one mission, officials suggested that Panel reports could be more useful to the mission if they went beyond highlighting problems, such as problems in host-state institutional capacity to manage resources (a key component of building the rule of law, one of that mission's mandated tasks), and made specific, sequenced recommendations for fixing

them. In short, mission officials argued that Panel reports should include a specific “game plan” on how to manage resources, build infrastructure, or funnel money to the government. In addition, the Panel should highlight regional connections in the mining industry, provide a plan for concessions, and link the challenges in these areas to the host state’s leadership. Other UN officials, while recognizing that experts likely had the knowledge to provide such advice, countered that such analysis and recommendations went far beyond current Panel mandates, and that such activities would require Panel mandate modification. Panel members and UN officials also argued that such plans could more realistically be developed by Member State and international development agencies, international financial institutions and professionals hired for that purpose. In cases where senior mission officials also serve as the head of the UNDP mission in the host country, they could also reasonably request experts within that organization to provide appropriate assistance and mobilize resource as necessary.

Naming and Shaming without Taking the Heat

Some mission and Member State officials, even as they admitted to a need to distance themselves from Panels and sanctions monitoring, reported that they find Panel reports useful when they “name and shame” those whom the Panels consider responsible for egregious sanctions violations. Both Member State and mission officials emphasized that Panel reports can sometimes include information that Member States and missions themselves may not feel comfortable publicizing, but provide a convenient avenue for follow up when an independent mechanism like a Panel reveals them. They added that such follow up could occur even in cases when they did not want to directly endorse the Panel and its work. Officials nonetheless cautioned that naming and shaming, and assuming that Member States might use the information for prosecution or other enforcement, had implications for the Panels’ methodology and ensuing usability of information in court cases.

Officials argued that the Panel could be more effective if it further investigated, detailed, and publicized alleged violations of non-compliant Member States and corporations. It could more widely publish information on end-users, and highlight connections with war criminals. The ensuing public outrage might lead to action from Member States, they argued. Such activism would require the Panels to continue being paid once their investigative mandate is over. Moreover, extending Panel mandates to include dissemination and public education activities could also be detrimental to Panel members. It may lead them to be seen as prosecutors, rather than independent forensic investigators, whose work can, when appropriate, on the basis of local laws, serve as the basis for judicial or political action (such as using Panel evidence to withhold aid from a country the Panel alleges is involved in violations, once those claims are verified). Given short Panel mandates, the small number of experts, and limited budgets, it is clear that expecting Panels to play such a role would be unrealistic. Member State officials interviewed therefore recognized that they could do more to pressure the host state and other countries to further investigate, arrest, and try people that the Panel names as responsible for violations and human rights abuses.

The Role of the Security Council, Member States, and Missions in Following Up

It is clear that Panels cannot take a leading role in ensuring implementation of their own recommendations. Doing so would jeopardize their independence, legitimacy, and ability to continue investigations. Member States (and in countries with UN PSOs, the missions) should therefore step in to follow up on findings and provide relevant assistance. Indeed, Member State officials (including

Sanctions Committee members) recognized that they could do more to follow up on these findings by using Panel information to prosecute individuals who reside in their countries.

Appointing a Diplomat to Advocate for Implementation of Panel Findings?

Some DPKO officials (as well as some Member State and host-state officials) expressed the view that getting Panel recommendations to be taken more seriously required a mechanism to advocate for their implementation. Officials argued that because Panel experts do not appear to have strong and active backing from the Security Council, host-state and mission officials have not felt strongly pressured to cooperate with them, especially since many mission officials have viewed such cooperation as politically costly in terms of their relationships with host-state officials.

Some officials argued that it would be helpful if Panels were led by a senior diplomat, on the model of Canada's Ambassador Robert Fowler, who was the Chair of the Sanctions Committee that oversaw the Panel of Experts on Angola in the late 1990s. Fowler took an unusually active role, both in terms of his involvement in the monitoring of the sanctions and in disseminating Panel findings. Mission officials who had interacted with that Panel suggested that having such a diplomat lead each Panel would not only give the experts a credible interlocutor at meetings, but would also help raise the political profile and clout of Panels by giving them a high level political advocate.⁶¹ The senior diplomat would also play a role in presenting report findings in New York.

UN officials and Panel members both stressed that the role of such a senior diplomat expected to travel with a Panel, and the role of the Sanctions Committee Chair, should not be conflated. They argued that increasing the responsibilities of Committee Chairs for follow up on Panel findings and recommendations could increase Panels' impacts and send a clear political message that the Council was committed to sanctions, to a Panel's monitoring role, and to implementation of its recommendations. They added that previous Committee Chairs, including Ambassador Løj when she was Chair of the Committee on Liberia, had taken on such a role with positive effect.

Some officials, including UN staff and Panel members, as well as Member State officials, cautioned that the appointment of a senior diplomat to accompany Panels was risky in that Panels are intended to be independent, neutral, and objective. Their mandate is technical, rather than diplomatic. These interlocutors worried that a diplomat-team leader, as the voice of the team, might present the information uncovered by the experts in a politicized or somehow biased fashion, which might strain the Panel's credibility among missions or other Member States. Indeed, they cautioned that an overly active Sanctions Committee Chair could lead Panel interlocutors to believe that the Panel had the unconditional support of that Chair's Member State, or of a group of sympathetic Member States. Panel members and UN officials also noted that the DRC Panel had been headed by a diplomat from early 2005 through late 2007, and that these earlier reports had much less impact than reports published in 2008 and 2009.⁶²

Moreover, various officials noted that Sanctions Committee Chairs (and members) are not always completely supportive of the sanctions that they oversee. In short, the Chair's advocacy could, more than it does now, increasingly depend on the political positions of his or her state than on the quality of the Panel's work. In extreme cases, the Chair could conceivably come to play a "negative advocacy" role for the Panel, denigrating its work and damaging its credibility (and by extension that of other Panels).

As such, some Panel members argued that a better solution would be to name a Chair from among the experts within each Panel. Previous Panels had Chairs, but today they have “coordinators.” Panel members said that mission and Member State officials treat Chairs with more respect. They argued that Chairs could work with mission focal points to iron out cooperation issues. The Chairs could also be the Panels’ primary liaisons with the Sanctions Committee Chair. Finally, the Panel Chair could play a leading role in supporting the SACO Chair’s advocacy in New York.

Given these challenges, it is clear that mechanisms to transmit information about Panel member qualifications need to be improved, and that interlocutors may need to be reminded of these qualifications. The Security Council should also more clearly state its support for the work of Panel members and the necessity to work with them given their reporting role to the Council. If Panel Chairs are more respected than Panel Coordinators then the Council should mandate Panels to include a Chair, since it seems an easy step. Finally, concerning the appointment of a senior diplomat to travel with the Panel, two possible solutions should be considered. First, the SACO Chair should always be provided funds to conduct one short trip with Panel Members during each mandate. Such engagement would signal the SACO’s interest in the sanctions and overall support for the Panel’s work. Second, in particularly challenging cases, when renewing a Panel’s mandate, the Panel and the SACO could privately discuss the utility of appointing such a diplomat for the next mandate. The SACO could then make a recommendation to the Security Council. Other officials, particularly the President of the Security Council serving at the time of the report’s release, could be expected to discuss the role of sanctions as well as the role of the Panel. The Secretary-General also has a role to play in discussing sanctions monitoring and implementation, as do the Under-Secretaries General for DPA and DPKO (given that operational mechanisms under their supervision have roles in this area). Each of these individuals could play a larger role.

Sanctions Structure

An initial assumption of this study was that addressing some of the challenges that Panel members and mission officials described in monitoring sanctions and working with one another might also help compliant persons and countries find earlier relief from sanctions regimes. The Security Council has been increasingly clear about conditions under which sanctions could be lifted, conditions that are comparable to the exit conditions for a PSO: that national resources should be properly managed; that national security forces should be competent and accountable; and that rule of law has been established and can be sustained.

These conditions remain problematic, however, because they seem to apply mostly to the arms embargoes. Clear conditions for lifting individual sanctions—assets freezes and travel bans—have not been spelled out by the Security Council. In interviews, mission and Member State officials discussed the need for such procedures, particularly in cases of long-standing sanctions, where individuals may have modified their behavior or recently not have done anything that would warrant their remaining on the list. Member State officials and Panel members disagreed, however, over whether lifting the sanctions would be sufficient, or whether additional deterrents were needed (for example the threat of re-imposing sanctions, if necessary). While implementation of asset freezes has been uneven and, in some cases, individuals have maintained access to some assets, it is clear that an asset freeze cannot continue forever, lest it become *de facto* asset seizure. Clear conditions for lifting financial sanctions, therefore, need to be developed.

Another debate for Member State officials and experts has been whether continuing sanctions and parallel monitoring is incompatible with institutional capacity building assistance. Member state officials, particularly in targeted countries, have often made this argument. In some cases, mission officials also pointed to the incongruity of imposing sanctions on institutions that require support in order to reform. The example of Liberia, however, clearly shows that it is possible to improve institutional capacity while remaining under sanctions. Similarly, experts point to wide-ranging efforts in DRC to improve natural resource management. In this case, the commodities themselves are not subject to sanctions, but the Panel has made important recommendation to improve minerals management.

Another way to increase implementation of sanctions is to leverage involvement of the private sector. While efforts such as the Kimberley Process Certification Scheme are often criticized for creating the impression that due diligence works when, in fact, many diamonds continue to be illegally traded by mixing gems of uncertain origin within more tightly controlled shipments.⁶³ The scheme is also an example of how successful advocacy can influence how the private sector operates. Indeed, consumer discontent over the possibility that their “blood diamond” purchases might be funding human suffering and conflict energized international corporations to set up this certification scheme.

Mission and Member State officials argued that the role of the private sector is not being sufficiently exploited in this area.⁶⁴ They pointed out that corporations do not want to be named in Panel reports, even when experts make clear that they are “only” investigating alleged activities. Simply receiving a request from a Panel for more information, and being afforded a right to response (in some cases after being mentioned when no reply had yet been received), has reportedly encouraged some companies to change their behavior.^x As such, Member State and advocacy efforts to expand due diligence practices in the private sector could have broader knock-on governance effects.

Cooperation between Panels of Experts and UN peace support operations is made difficult by perceived tensions between PSO and Panel work, unclear mandates, the absence (until late 2009) of any guidelines for cooperation, and unclear strategies for mandate implementation. Proposed solutions for addressing these challenges include: clarifying Security Council mandates and the newly issued provisional guidelines and expanding their scope; ensuring Panels have sufficient gravitas; mandating a more active role for the Chair of the corresponding Sanctions Committee; and providing clearer instructions for implementing sanctions. Finally, Member States, the private sector, and PSOs should pay more systematic attention to addressing Panel findings and implementing relevant recommendations.

If Member States want the Panel to be more effective, however, then the Security Council and Member States need to act on Panel findings, impose secondary sanctions, and hold actors accountable. The Council should also direct PSOs to help implement recommendations as appropriate, and provide missions with the personnel and resources to do so, particularly when implementing recommendations would clearly fall within previously mandated tasks. Not doing so, Panel members argued, has diminished the value of Panel work, and made it look like an exercise in appearing to take action. This makes even well-researched Panel reports subject to unfairly political criticism and, in some cases, threatens Panel objectivity and independence.

^x While naming actors could be construed as blackmail, particularly in cases where Panel members could be vulnerable to being “bought off” to avoid mention, officials interviewed reported they were not aware of such incidents happening. They added that experts whose sourcing could not be verified had been dismissed, and their findings purged, from the report prior to publication.

CONCLUSION

This study started with the assumption that because Panel and peace operation mandates overlap, cooperation would help both actors better implement their mandates. This turned out to be an overly simple view both for PSO and Panel mandates, and in terms of the benefits and risks of cooperation. Initial research had suggested that such cooperation was uneven, and that peace operations were doing a poor job of leveraging Panel findings for inclusion in their own efforts. After traveling to DRC, Liberia, and Côte d'Ivoire, this assumption was shown to be accurate, at least in these three cases. Indeed, while Panels and peace operations cooperate and share information, both for public dissemination and for operational application, this cooperation varies in its usefulness. In some cases, improved cooperation would clearly lead to more meaningful mandate implementation. In other cases, close cooperation might jeopardize Panel independence and the expert's ability to produce sound and objective reports. Finding a balance between Panel independence, cooperation, and information sharing is a delicate endeavor. While improved cooperation is necessary, its modalities are context-, mandate-, and politics-dependent.

Interviews in the three countries confirmed the assumption that cooperation matters. It matters first because when PSOs and Panels do cooperate, particularly by exchanging information and supporting each other's mandates, officials within PSOs and Panels find that doing their increasingly wide-ranging jobs becomes easier. It also matters because these same officials find that cooperation helps to ensure that they do their jobs better. Indeed, they have more information from which to draw analysis, recommend courses of action, and, again, implement their Council mandates.

Important challenges remain. The greatest is a lack of recognition that PSO and Panel mandates have complementary objectives. As we have seen, some PSO officials fail to recognize that sanctions monitoring is not necessarily an impediment to their own mandate to support host-state institutions and build the rule of law. PSOs have also failed to recognize that stepping in to fill gaps in institutional capacity identified by Panels can, in fact, be considered part of their mandate. In other words, sanctions monitoring can help PSOs do the job the Council has set for them. When PSOs lack the capacity to step in themselves (or when they can only address part of the problem), PSOs could work with UN Country Teams, international organizations, bilateral donors, and the private sector to address the institutional capacity gaps that Panels uncover, usually with wide-ranging support from co-deployed PSOs.

There should be a clear delineation between Panels and peace operations. Panels need their independence, and PSOs must support host-state institutional capacity building. Nonetheless, if the Security Council wants to exploit potential synergies between Panels and PSOs, it should make clear to both that Panel findings and recommendations should feed into the work of peace operations. Integrating Panel findings and acting on them helps peace operations achieve mandates to build the rule of law, reform the security sector, and build peace and security. Indeed, management and oversight of ministries, whether for mining or defense, require not only competent staff but also procedures to avoid intimidation, extortion, and corruption. As such, building the rule of law depends on effective control of weapons flows, securing weapons stockpiles, and comprehensive rules for the use of weapons to provide security and defend national security. Because the Council requires such conditions to be met before lifting arms and commodity embargoes, it follows that sanctions implementation is a component of PSO work. Moreover, in countries where both sanctions and PSOs are used, it is clear that effective capacity building across the

areas affected by the sanctions has implications across the mission's mandate. While such tasks represent an expansion in PSO requirements, it is also the case that many so-called "sanctions monitoring" or "sanctions implementation" expectation are part of today's complex PSO mandates. Nonetheless, because these mandates have expanded without corresponding increases in resources, when peace operations lack the resources and capacity to implement relevant recommendations, then Member States should be asked for assistance.

One way for missions to better use Panel findings and recommendations is to mandate PSOs to examine the possibilities to follow up on relevant and practical Panel recommendations. This evaluation could then be included in the PSO's strategic planning process, including joint planning processes involving the UN Country Team and the World Bank. In short, mission staff, on the basis of Panel information and published reports, would systematically assess which findings and recommendations could realistically be inserted into the mission's strategic planning process. They could work with colleagues at UNDP and the World Bank who have complementary capacity building mandates as appropriate. In this fashion, Panels, PSOs, and international assistance providers would work faster towards achieving the mutually reinforcing parts of their mandates.

Given the challenges identified in Côte d'Ivoire, DRC, and Liberia in terms of how Panels and PSOs work together, particularly concerning administrative and logistical support, as well as with information sharing, further research would be useful to examine the experience of cooperation between Panels and PSOs in Sudan and Somalia. Given the promulgation of the Provisional Guidelines, it would also be useful to see how much they impact cooperation in all of the countries where Panels and PSOs work together. The support provided both by missions and the Secretariat is inconsistent, and it affects Panels' quality of work. Much could also be done to examine how the Provisional Guidelines have affected UN Headquarters support to Panels in the field and the directions provided in to both PSOs and Panels regarding cooperation.

In general, the Guidelines also need to be expanded. Clearer instructions need to be provided, both to Panels and PSOs, about what is expected of each in terms of support, security provision, and information exchange. The three-tiered system discussed in the previous system could be a start for such discussions, as would the parameters for Panel travel.

More work also needs to be done on how Panels interact with various categories of Member States (Council members, targeted states, politically supportive powers, and sanctions violators' states of residence), and how to make those interactions more useful for sanctions implementation and capacity building. Little is known about how Member States use Panel reports, what they find useful or not, and how Panel findings and recommendations affect Member State assistance provision decisions. Little research has been done on the legal ramification of Panel findings and recommendations for Member States, so this would be another useful area of research. Another area to examine would be how Panels, PSOs, and Member States could better work with the private sector to improve sanctions monitoring and implementation. Given the increased attention on private sector activities in natural resource exploitation in particular, and Member State desires for improved transparency in this resource-generating area, it would be useful to examine how private sector companies view sanctions monitoring, what use they make of Panel reports, how Panel reporting affects their business practices and investment decisions. It would also be useful to examine if private sector actors use Panel findings in their interactions with Member States.

Finally, the implementation of sanctions and of Panel recommendations suffers from lack of Security Council follow up and support. Most resolutions renewing Panel mandates simply take note of the most recent report. Council resolutions rarely include specific instructions for follow up on Panel recommendations, either to Member States or to the Secretary-General or the Under-Secretaries-General for Political Affairs or Peacekeeping. The Secretariat could also usefully be mandated to assist in areas where Panels lack support. While missions could do more to raise resources from bilateral donors and multilateral institutions, and in cases where the UN Country Team operates within the mission the Country Team could do more fundraising (including perhaps through private channels), sufficient funding has remained a challenge. Similarly, while the Security Council has routinely expanded the scope of mandates for co-deployed peace operations, the UN General Assembly has repeatedly failed to provide these missions with the staff and resources they need to adequately fulfill their mandates in sanctions-related areas, including support for Panels. Member States that have voted for these resolutions have not always followed up with concrete offers of assistance or with offers to provide expertise and qualified personnel to achieve these mandates.

Visits to DRC, Liberia, and Côte d'Ivoire highlighted the numerous challenges that PSOs and Panels face in working together: the administrative and logistical challenges and the challenges of sharing sensitive information. The interviews also highlighted the possibilities: the fact that PSO officials and Panel members have developed close working relationships despite these challenges, the fact that wide-ranging PSO support makes Panel work possible, and that information-sharing can help both tools better implement their Council mandates. If the Security Council and its Member States truly believe these endeavors to be important, they should make clear that they believe these efforts should be leveraged towards a common objective: enduring peace and security in conflict-affected host states.

NOTES

- ¹ Author correspondence, Panel Member, April 2010.
- ² For MONUC's mandate, see for example, United Nations Security Council Resolution 1565, S/RES/1565, 1 October 2004 and United Nations Security Council Resolution 1906, S/RES/1906, 23 December 2009.
- ³ United Nations Security Council, Resolution 1896, S/RES/1896, 7 December 2009, para. 10.
- ⁴ United Nations Security Council Resolution 1807, S/RES/1807, 31 March 2008, para. 17c.
- ⁵ S/RES/1896, preamble.
- ⁶ United Nations, *Report of the Group of Experts on the DRC*, S/2008/773, 12 December 2008. See also International Crisis Group, "Congo: Five Priorities for a Peacebuilding Strategy," Africa Report n. 150, 11 May 2009, 9.
- ⁷ The mandate for the rebranded UN Stabilization Mission in the DR Congo (MONUSCO) recognizes these linkages. See UN Security Council Resolution 1925, S/RES/1925 (2010), 28 May 2010, paras. 6.iii, 10, 12r, and 12t.
- ⁸ See David Cortright and George Lopez, *The Sanctions Decade: Assessing UN Strategies in the 1990s*, International Peace Academy (Boulder, London: Lynne Rienner Publishers, 2000).
- ⁹ Peter Wallensteen, Mikael Eriksson, and Daniel Strandow, *Sanctions for Conflict Prevention and Peacebuilding—Lessons from Côte d'Ivoire and Liberia*, Department of Peace and Conflict Research, Uppsala University, 2006. The US played a leading role in designing the sanctions on Liberia and then in providing the support that led to their lifting, encouraging involvement of international actors such as the World Bank. Such wide-ranging engagement has had positive effects but whether it could be replicated effectively in bigger countries is unclear. Author interviews, Panel members, Fall 2009 and Spring 2010.
- ¹⁰ Author interviews with mission officials, October 2009.
- ¹¹ Author interviews and correspondence, Fall 2009, April 2010.
- ¹² Author interviews, Fall 2009 and January–February 2010.
- ¹³ See for example, Philipp Shelter-Jones, "Intelligence in Integrated UN Peacekeeping Missions: The Joint Mission Analysis Centre," *International Peacekeeping*, Vol. 15, no. 4, August 2008, pp. 517–527.
- ¹⁴ Author interviews, military mission personnel, Fall 2009.
- ¹⁵ Author interviews and correspondence, April–May 2010.
- ¹⁶ Global Witness, *Lessons Unlearned*, 17.
- ¹⁷ For more on these challenges, see Boucher and Holt, *Targeting Spoilers: The Role of United Nations Panels of Experts*, 56–59.
- ¹⁸ United Nations General Assembly, A/RES/63/261, 5 March 2009. The Panel of Experts on the Islamic Republic of Iran was created by UN Security Council Resolution 1929, S/RES/1929 (2010), 9 June 2010.
- ¹⁹ See Annex for details on Panels of Experts and SACO budgets.
- ²⁰ Relevant Committee guidelines can be found at www.un.org/sc/Committees.
- ²¹ A full list of the Sanctions Committees' bureaux can be found at <http://www.un.org/sc/Committees/bureaux.shtml>. Each Committee's website provides a clear link labeled "Focal Point for Delisting."
- ²² S/RES/1896 (2009).
- ²³ United Nations Security Council Resolution 1893, S/RES/1893 (2009), 29 October 2009.
- ²⁴ This analysis is largely based on interviews conducted with mission officials during travel by the author to Goma and Kinshasa, October 2009. It also relies on author interviews with Panel members, UN, and Member State officials conducted during 2009 and 2010. Interviews were conducted on a not-for-attribution basis. An overview of the DRC Panel's history can be found in Boucher and Holt, *Targeting Spoilers: The Role of United Nations Panels of Experts*, 31–34.
- ²⁵ United Nations, *Report of the Group of Experts on the Democratic Republic of the Congo*, 23 November 2009, S/2009/603, para. 11.
- ²⁶ United Nations Security Council Resolution 1857, S/RES/1857 (2008), 22 December 2008, para. 12 and S/RES/1896, para. 11.
- ²⁷ Author correspondence, April 2010.
- ²⁸ Author interviews, Fall 2009.
- ²⁹ United Nations Security Council Resolution 1698, S/RES/1698 (2006), 31 July 2006, para. 17.
- ³⁰ United Nations Sanctions Committee on the DRC, Consolidated Sanctions List, last updated 3 March 2009, http://www.un.org/sc/committees/1533/pdf/1533_list.pdf.
- ³¹ Recent Panel reports discuss reprisal attacks against civilians in the context of ongoing military operations in Eastern Congo. Specifically, see United Nations, *Report of the Group of Experts on the DRC*, S/2008/773, paras. 73 and 184 (these detailed recruiting by the Congolese national Army—the FARDC). See also, United Nations, *Report of the Group of Experts on the DRC*, S/2009/253, paras. 80–85, which noted violations by FARDC, and para. 99, which mentioned officers from recently integrated units formerly loyal to rebel leader Laurent Nkunda's CNDP. Finally, see United Nations, *Report of the Group of Experts on the DRC*, S/2009/603, which discussed continuing violations by FARDC, and former CNDP units (at paras. 319–323) and named a unit commander whose troops had committed numerous acts of violence against women (at paras. 341–342).
- ³² For more on the lack of Security Council follow up on the issue of child soldiers and children's rights, see Gerard McHugh, "Strengthening Protection of Children through Accountability: the Role of the UN Security Council in holding to account persistent violators of children's rights and protections in situations of armed conflict," Conflict Dynamics International, DFAIT (Canada), March 2009.
- ³³ For more on the trial, see the Open Society Institute's Justice Initiative website, "The Lubanga Trial at the International Criminal Court," <http://www.lubangatrial.org>.

- ³⁴ Author interviews, mission officials, Member State officials, and UN officials. Fall 2009 and January–February 2010. Alan Doss was SRSG for MONUC at the time of research and drafting of this report.
- ³⁵ This section is largely based on interviews conducted with mission officials during travel by the author to Monrovia, October 2009. This section also relies on author interviews with Panel members and DPA officials conducted during 2009 and 2010. Interviews were conducted on a not-for-attribution basis. An overview of the Liberia Panel’s history can be found in Boucher and Holt, *Targeting Spoilers: The Role of United Nations Panels of Experts*, 28–29 and Chapter 4: The Panel of Experts on Liberia.
- ³⁶ Author correspondence, Panel member, April 2010.
- ³⁷ Ibid.
- ³⁸ <http://www.kimberleyprocess.com/>
- ³⁹ To view the report, visit <https://www.trcofliberia.org/reports/final>.
- ⁴⁰ This section is largely based on interviews conducted with mission officials during travel by the author to Abidjan and Bouaké, October 2009. This section also relies on author interviews with Panel members and DPA officials conducted during 2009 and 2010. Interviews were conducted on a not-for-attribution basis. An overview of the Côte d’Ivoire Panel’s history can be found in Boucher and Holt, *Targeting Spoilers: The Role of United Nations Panels of Experts*, 29–31.
- ⁴¹ United Nations, *Report of the Group of Experts on Côte d’Ivoire*, 9 October 2009, S/2009/521, paras. 20–25.
- ⁴² This study does not address the case of Sudan where authorities have similarly impeded sanctions implementation.
- ⁴³ United Nations, *Report of the Group of Experts on Côte d’Ivoire*, S/2006/964, 12 December 2006, para. 32.
- ⁴⁴ The embargo cell has seen different forms. An earlier embargo cell was merged with the DDR Unit in early 2006. When this solely military staffed arrangement fell short, plans were made to integrate the cell with the civilian JMAC. By early 2009, the cell became its own new and integrated civil-military entity. See S/2006/735, para. 98. Author interviews and correspondence, Fall 2009 and May 2010.
- ⁴⁵ United Nations, *Report of the Group of Experts on Côte d’Ivoire*, S/2005/470, 20 July 2010, para. 17.
- ⁴⁶ United Nations, *Report of the Group of Experts on Côte d’Ivoire*, S/2006/735, 5 October 2006, para. 106.
- ⁴⁷ United Nations, *Report of the Group of Experts on Côte d’Ivoire*, S/2009/188, 8 April 2009, para. 129.
- ⁴⁸ United Nations Press Release, SC/8452, 19 July 2005.
- ⁴⁹ These estimates represent the capacity for review for the cell’s single customs expert, who is seconded from a member state on a rotating basis.
- ⁵⁰ Author correspondence, Panel members, April 2010.
- ⁵¹ Author interviews and Embargo Cell, “After Action Review: Establishing the Integrated Embargo Cell,” 4 December 2008. Copy provided to the author.
- ⁵² Operation Licorne initially deployed in September 2002, as part of France’s 1961 defense agreement with Côte d’Ivoire. On 4 February 2003, by Resolution 1464, the Security Council welcomed the deployment of both ECOWAS and French forces to help implement the Linas-Marcoussis peace agreement of January 2003. While Licorne initially consisted of 3,400 troops, as of this writing, troop deployment had decreased to 900. Licorne has continued, at the Council’s request, to support the peace process and the Ivorian authorities as they organize elections.
- ⁵³ Consecutive Groups of Experts on Côte d’Ivoire have noted improved cooperation with UNOCI. For example, see United Nations, *Report of the Group of Experts on Côte d’Ivoire*, S/2009/521, para. 21.
- ⁵⁴ Author interviews, Panel members and mission officials, Fall 2009.
- ⁵⁵ Obtained by author, dated December 2009, and since mentioned in the Security Council Resolution renewing Panel mandates including for Liberia, S/RES/1903 (2009), and DRC, S/RES/1896 (2009).
- ⁵⁶ Author interviews and correspondence, April 2010.
- ⁵⁷ Author interviews, Fall 2009 and Spring 2010.
- ⁵⁸ Author interviews and correspondence, April 2010.
- ⁵⁹ Author interviews and correspondence, April 2010.
- ⁶⁰ Author interviews, Member State officials, Fall 2009. See also, International Crisis Group, “Congo: Five Priorities for a Peacebuilding Strategy,” Africa Report n. 150, 11 May 2009, 9.
- ⁶¹ Author interviews, mission officials, Fall 2009.
- ⁶² Author correspondence, UN Officials, April 2010.
- ⁶³ For more on the Kimberley Process, see <http://www.kimberleyprocess.com>. For an example of this, see S/2009/521, paras. 289–365.
- ⁶⁴ Author interviews and remarks by Robert D. Hormats, Under-Secretary of State for Economic, Energy, and Agricultural Affairs, US Department of State, Event titled “The Responsible Resources Trade,” Center for Strategic and International Studies, Washington, DC, 18 May 2010.

SELECTED BIBLIOGRAPHY

UNITED NATIONS DOCUMENTS

- United Nations. *Annual Report of the Security Council Sanctions Committee on Liberia*. S/2009/961. 31 December 2009.
- . *Annual Report of the Security Council Sanctions Committee on Somalia*. S/2010/14. 7 January 2010.
- . *Annual Report of the Security Council Sanctions Committee on Sudan*. S/2010/16. 8 January 2010.
- . *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council. Report of the Secretary-General*. A/59/534/Add.1. 23 November 2004.
- . *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council. Report of the Secretary-General*. A/61/525/Add.2. 7 November 2006.
- . *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council. Report of the Secretary-General*. A/63/346/Add.2. 11 September 2008.
- . *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council. Report of the Secretary-General*. A/64/349/Add.2. 11 September 2009.
- . *Interim Report of the Group of Experts on the DRC*. S/2010/252. 25 May 2010.
- . *Midterm Report of the Group of Experts on Côte d'Ivoire*. S/2010/179. 12 April 2010.
- . *Report of the Group of Experts on Côte d'Ivoire*. S/2009/521. 9 October 2009.
- . *Report of the Group of Experts on the Democratic Republic of the Congo*. S/2009/603. 23 November 2009.
- . *Report of the Panel of Experts on Liberia*. S/2009/640. 11 December 2009.
- . *Report of the Monitoring Group on Somalia*. S/2010/91. 10 March 2010.
- . *Report of the Panel of Experts on Sudan*. S/2009/562. 29 October 2009.

SECONDARY DOCUMENTS

- Biersteker, Thomas, and Sue Eckert. *Strengthening Targeted Sanctions through Fair and Clear Procedures*. White Paper. Targeted Sanctions Project. Providence, RI: Watson Institute, Brown University, March 2006.
- Boucher, Alix J., and Victoria K. Holt. *Targeting Spoilers: The Role of United Nations Panels of Experts*. Washington, DC: The Stimson Center, January 2009.
- . “UN Panels of Experts: They’re About More than Just Monitoring Sanctions.” Issue Brief. Washington, DC: The Stimson Center, July 2009.
- Brzoska, Michael, ed. *Design and Implementation of Arms Embargoes and Travel and Aviation Related Sanction*. Results of the Bonn-Berlin Process. Bonn: International Center for Conversion, 2001.
- Cortright, David, with George A. Lopez, Linda Gerber-Stellingwerf, Eliot Fackler, Sarah Persinger and Joshua Weaver. *Human Rights and Targeted Sanctions: An Action Agenda for Strengthening Due Process Procedures*. Policy Brief SSRP-0911-11. Sanctions and Security Research Program, Fourth Freedom Forum and Kroc Institute, University of Notre Dame, November 2009. http://sanctions.enlv.org/wp-content/uploads/human_rights_targeted_sanctions.pdf
- Cortright, David, and George A. Lopez. *The Sanctions Decade: Assessing Strategies in the 1990s*. Boulder, CO: Lynne Rienner Publishers, 2000.
- , eds. *Smart Sanctions: Targeting Economic Statecraft*. Lanham, MD: Rowman & Littlefield Publishers, 2002.
- , with Linda Gerber. *Sanctions and the Search for Security: Challenges to UN Action*. Boulder, CO: Lynne Rienner Publishers, 2002.
- Garrett, Nicholas, and Harrison Mitchell. “Trading Conflict for Development: Utilising the Trade in Minerals from Eastern DR Congo for Development.” Resource Consulting Services, April 2009. www.resourceglobal.co.uk/
- Holt, Victoria K., and Alix J. Boucher. “Framing the Issue: UN Responses to Corruption and Criminal Networks in Post-Conflict Settings,” *International Peacekeeping*, Vol. 16, n.1, February 2009.
- Global Witness. “Lessons Unlearned: How the UN and Member States must do more to end natural resource-fuelled conflicts.” 2010. www.globalwitness.org/media_library_detail.php/919/en/
- International Crisis Group. “Congo: Five Priorities for a Peacebuilding Strategy.” Africa Report No. 150, 11 May 2009.
- . “Congo: A Comprehensive Strategy to Disarm the FDLR,” Africa Report No. 151, 9 July 2009.
- . “Côte d’Ivoire: What’s Needed to End the Crisis,” Africa Briefing No.62, 2 July 2009.
- . “Liberia: Uneven Progress in Security Sector Reform,” Africa Report No. 148, 13 January 2009.

- McHugh, Gerard. "Strengthening Protection of Children through Accountability: the Role of the UN Security Council in holding to account persistent violators of children's rights and protections in situations of armed conflict." Conflict Dynamics International for the Department of Foreign Affairs and International Trade (Canada), March 2009. www.cdint.org/Conflict_Dynamics-UNSC_Actions_CAC_Report_MASTER_March_2009_PR.pdf
- Rosand, Eric. "The Security Council's Efforts to Monitor the Implementation of Al Qaida/Taliban Sanctions." *American Journal of International Law*, Vol. 98, No. 4 (2004): 745–763.
- Stearns, Jason, and Steve Hege. "Independent Oversight for Mining in the Eastern Congo? A Proposal for a Third Party Monitoring and Enforcement Mechanism." *CIC Concept Note*. New York: NYU Center on International Cooperation, January 2010.
- Shelter-Jones, Philipp. "Intelligence in Integrated UN Peacekeeping Missions: The Joint Mission Analysis Centre." *International Peacekeeping*, Vol. 15, no. 4 (2008): 517–527.
- Vines, Alex. "Can UN arms embargoes in Africa be effective?" *International Affairs* 83: 6 (2007): 1107–1122.
- _____. "Monitoring UN Sanctions in Africa: the Role of Panels of Experts." In *Verification Yearbook 2003*, Trevor Findlay, ed. London: VERTIC, 2003.
- Wallensteen, Peter, and Carina Staibano, eds. *International Sanctions: Between Words and Wars in the Global System*. London: Frank Cass, 2005.
- _____, and Mikael Eriksson, eds. *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy Options. Results from the Stockholm Process on the Implementation of Targeted Sanctions*. Uppsala: Uppsala University, 2003.
- _____, Mikael Eriksson, and Daniel Strandow. *Sanctions for Conflict Prevention and Peacebuilding – Lessons from Côte d'Ivoire and Liberia*. Department of Peace and Conflict Research. Uppsala: Uppsala University, 2006.

ANNEX I^a

Table A1: UN Funding for Panels of Experts on Africa: 2004–2011

Activity & Cost in US dollars	2004–05	2006–07	2008–09	2010–11
Monitoring Group on Somalia				
Salaries/staff cost, 2 administrative staff	100,300	115,300	95,000	113,100
Panel fees, 4 members (4 members, 1 consultant in 2010)	1,275,700	556,200	702,300	875,800
Panel travel		361,100	419,000	416,200
Operational/logistical support	84,200	153,500	116,200	150,100
Total	1,460,200	1,186,100	1,332,500	1,555,200
Panel of Experts on Liberia				
Panel fees (5 experts in 2004–05; 4 experts in 2006–07; 3 experts in 2008–09; 3 experts in 2010); travel	1,306,900	1,243,100	422,200	385,800
Support, assessing socioeconomic impact of sanctions (includes travel to remote areas)		26,200	348,000	350,900
Operational/logistical support	31,700	49,400	26,800	20,700
Total	1,338,600	1,318,700	797,000	757,400
Group of Experts on the DRC				
Salaries/staff costs, 1 mid-level Officer	74,400	85,000	148,800	148,800
Panel fees for 5 members, 5 consultants	805,500	615,600	699,900	622,700
Panel travel		630,700	742,300	562,600
Staff travel (for the mid-level Officer)	42,100	61,000	54,700	65,400
Operational/logistical support (includes local travel)	47,400	31,200	51,000	52,800
Total	969,400	1,423,500	1,696,700	1,452,300
Panel of Experts on Sudan				
Salaries/staff costs, 2 mid-level Officers, and 1 administrative staff (local); 1 mid-level Officer and 1 administrative staff in 2010		276,300	170,300	135,900
Panel fees for 4 members (5 members, 1 consultant, 1 translator in 2010)		706,200	911,700	919,600
Panel (and consultant) travel		689,800	752,400	572,400
Operational/logistical support		151,300	51,000	111,200
Total		1,823,600	1,885,400	1,739,100
Group of Experts on Côte d'Ivoire				
Salaries/staff costs, 1 mid-level Officer		113,700	148,800	137,700
Panel fees for 4 members, 1 consultant (5 members, 1 consultant in 2010)		538,300	583,300	525,200
Panel travel		473,700	459,800	505,300
Consultant travel		77,400	75,500	75,500
Operational/logistical support		20,500	30,500	27,700
Total		1,223,600	1,297,900	1,271,400
TOTAL: Panels Monitoring of Sanctions in Africa	3,768,200	6,975,500	7,009,500	6,775,400

^a Sources to the Annex tables: United Nations, *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council*, Report of the Secretary-General, Addendum, A/59/534, Add.1, 23 November 2004. A/61/525/Add.2, 7 November 2006; A/63/346/Add.2, 11 September 2008; A/64/349/Add.2, 11 September 2009. The Panels on Sudan and Côte d'Ivoire only began in the 2006–2007 biennium.

Table A2: UN Funding for Monitoring Implementation of Counterterrorism and Non-Proliferation Mandates: 2004–2011

Activity & Cost in US dollars	2004–2005	2006–2007	2008–2009	2010–2011
Analytical and Monitoring Support for Al-Qaida/Taliban				
Salaries/staff costs for ten positions (1 senior level, 4 mid-level Officers, and 5 administrative staff)	1,072,300	1,137,700	1,211,000	1,211,000
General temporary assistance				57,200
Monitoring team fees (8 members)	1,725,800	1,357,900	1,508,400	1,554,000
Monitoring team travel		437,400	552,800	509,000
Travel, the Committee and staff	401,400	272,900	307,300	307,300
Other operational and logistical support	404,800	442,900	384,200	332,400
Total	3,604,300	3,648,800	3,963,700	3,970,900
Support for 1540 Committee				
Salaries/staff costs for 3 positions (2 mid-level, 1 administrative staff), and 1 of the 8 experts (in the last 2 years); 4 positions and 1 senior Officer in 2010	322,300	598,600	661,900	930,300
Fees, 7 experts	1,195,800	1,264,800	1,420,100	1,357,400
Expert travel		82,600	212,300	181,000
Official travel, Committee Chair and members, meetings	25,000	57,700	No data	257,300
Official travel, Committee members and staff, outreach		32,700		
Other operational and logistical support	193,200	152,700	166,300	667,900
Total	1,736,300	2,189,100	2,460,600	3,393,900
Counterterrorism Executive Directorate (CTED)				
Salaries/common staff costs for 34 positions, 2004–05; 35 positions, 2006–07; 35 positions, 2008–09; and 38 positions, 2010	4,877,200	5,412,700	6,033,500	6,830,600
General temporary assistance with database analysis and other consultancies	190,400	303,400	No data	No data
Travel costs for CTED	963,800	798,900	870,000	870,000
Facilities and infrastructure (office rental in 2007)	856,900	875,900	882,400	970,000
Communications		149,800	98,000	71,000
Information technology		65,300	72,200	137,900
Other supplies and equipment		112,800	32,900	79,200
Total	6,888,300	7,718,800	7,989,000	8,958,700
Panel of Experts on the Democratic People's Republic of Korea				
Salaries/staff costs for 4 positions				412,000
Panel fees for 7 members, 1 consultant				1,292,500
Official travel, Panel				837,600
Official travel, staff				207,900
Other operational and logistical support				647,700
Total				3,397,700
TOTAL: Counterterrorism and Non-Proliferation Related Special Political Missions	12,228,900	13,556,700	14,413,300	19,721,200

ANNEX II

ABOUT THE AUTHOR

Alix Boucher is a Research Analyst with the Future of Peace Operations program at the Stimson Center. Since joining Stimson in 2006, she has tracked UN and regional peace operations. Her research focuses on security sector reform, strengthening the rule of law in post-conflict societies, improving the UN's ability to monitor criminal networks, and combating corruption in postconflict states. Before joining Stimson, Ms. Boucher taught French at the State Department's Foreign Service Institute, and researched stability and reconstruction operations for the National Defense University. Ms. Boucher holds a BA in International Relations from Mount Holyoke College, and an MA in International Relations and International Economics from the Johns Hopkins University School of Advanced International Studies (SAIS).

ABOUT THE PROJECT

Since 2006, the Stimson Center has analyzed the work of UN Panels of Experts in monitoring targeted sanctions. A series of workshops and interviews led to the January 2009 publications of *Targeting Spoilers: The Role of United Nations Panels of Experts*, by Alix J. Boucher and Victoria K. Holt. The report found that while Panels and peace operations often work in the same places, not much was known about how that cooperation is leveraged for building peace and the rule of law. This report examines how peace operations work together in Côte d'Ivoire, DRC, and Liberia. It proposes steps for improving cooperation so that the tools' mutual objectives can be better achieved. To date, the work has included a workshop series, an issue brief series, and two reports. More information on the project can be found at www.stimson.org/fopo/panels. Alix Boucher is the author of this report.

ABOUT THE FUTURE OF PEACE OPERATIONS PROGRAM

The Future of Peace Operations program builds a broader public dialogue on the role of peace operations in resolving conflict and building lasting peace. Peace operations comprise peacekeeping, the provision of temporary, post-conflict security by internationally mandated forces, and peacebuilding – those efforts undertaken by the international community to help a war-torn society create a self-sustaining peace.

The program's goals are to advance, through research and analysis, the capacity of peace operations to promote the rule of law, protection of civilians, and regional security; enhance US peace operations policy by building bridges between the Administration, Congress, international organizations, and NGOs; and to advance UN reforms for peacekeeping and peacebuilding, bringing those reforms to the attention of key public and policy audiences.

The program is led by Director William Durch and Deputy Director Alison Giffen, and supported by researchers Madeline England and Guy Hammond, with additional support from project management specialist Nicole Dieker. To learn more about the program or to offer feedback on our work, please visit www.stimson.org/fopo or contact us at 202-223-5956.

The Stimson Center is a non-profit, nonpartisan institution devoted to enhancing international peace and security through rigorous, non partisan analysis and results-oriented outreach on many of the most enduring and challenging problems of national and international security.