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Peacebuilding Processes in Failed States – How to Improve Local Ownership?

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Panel on “Multidimensional Peace-Keeping and – Building and the United Nations”

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Introduction¹

Violent state failure in conjunction with international terrorism and organized crime are major threats to international peace and security in the 21st century. The stabilization and reconstruction of so-called failed or failing states constitute a largely new challenge to successful international conflict management and peacebuilding. The question of how successful peacebuilding, i.e. enduring peace and stability, can be achieved in these states has become a key issue for peace and conflict studies.

However, the record of peacebuilding has been mixed so far. Lack of sustainability is one of its key problems, due *inter alia* – as various authors have pointed out² – to the effect to a lack of effective “Local Ownership”. Involving local actors in an early stage and handing over responsibility at the proper time and in a sustainable manner remains a difficult challenge for those in the field. There is not sufficient solid, empirically based understanding about how local ownership is conceptualized and implemented in the field. Chopra and Hohe in 2004 correctly stated that academic “work has not yet focused specifically on how to approach the complex policy puzzle of increased participation in state building”³.

Accordingly, the Joint Utstein Study of 2003 recommended “a comparative study of experience in promoting local ownership” as an important step forward.⁴ The ZIF research project on *Local Ownership in Peacebuilding Processes. Approaches, Experiences, and Prerequisites for Success. An Empirical Study of Peace Operations in Kosovo (UNMIK) and Liberia (UNMIL)*” aims at filling this gap. It addresses in particular the following issues:

- clarifying and operationalizing the meaning of the concept;
- providing an improved, empirically based understanding of how Local Ownership is managed in the field and of systematic problems of its implementation;
- Developing recommendations for improving its implementation.

¹ We gratefully acknowledge the financial support provided by the German Foundation for Peace Research (DSF). We also thank Christoph Luettmann, Wibke Hansen and Julia Hett for the valuable contributions they have made to the research project.

² Kuehne, W., “UN-Friedenseinsätze in einer Welt regionaler und globaler Sicherheitsrisiken. Entwicklung, Probleme, Perspektiven”, *APuZ* 22/2005, p. 30; International Peace Academy (IPA), “Building Effective Partnerships. Improving the relationship between internal and external actors in post-conflict countries”, in: *IPA and WSP International*, Oct. 2004, p. 1; Caplan, R., “Partner or Patron? International Civil Administration and Local Capacity-building”, *International Peacekeeping* Vol. 11, No. 2, (2004), pp. 230-231; Tschirgi, N., “Post-Conflict Peacebuilding Revisited: Achievements, Limitations, Challenges”, New York, International Peace Academy 2004, pp. 18-19.

³ Chopra, J. / Hohe, T., “Participatory Intervention”, *Global Governance* Vol. 10, Issue 2 (2004), p. 298.

⁴ Gesellschaft für Technische Zusammenarbeit (GTZ), “Joint Utstein Study of Peacebuilding – National Report from Germany”, 2003, p.16.

Conclusions about how Local Ownership is being implemented will be generated through an inductive, qualitative analysis, of two multidimensional peace operations: UNMIK (United Nations Interim Administration Mission in Kosovo) and UNMIL (United Nation Mission in Liberia). Both cases are analysed in a comparative study to enable conclusions which can be generalized. For reasons of practicability the project focusses on two core areas in each peace operation: Rule of Law and Elections. Both are defined as particularly relevant for peace operations in failed states, especially on the question of local ownership, and the sustainable stabilization of governance structures.

This paper will - for the panel at the annual IPSA Conference in San Francisco - primarily focus on clarifying and operationalizing the concept by deconstructing Local Ownership in different problem and issue areas. It will also present some preliminary findings at the end.

I. Local Ownership – a Controversial and Unclear Concept

The rationale behind the concept of Local Ownership is not new. Ownership, as well as related terms such as “local participation” and “local empowerment”, was already in use in the development community throughout the 1980s and 1990s. The term was formally recognized as a key concept for development aid in 1996, when the OECD’s Development and Assistance Committee (DAC) called for a comprehensive approach that “respects local ownership of the development process”.⁵

The concept was endorsed in the area of peace operations in 2001, when UN Secretary General Kofi Annan noted that sustainable development “can only be achieved by the local population itself; the role of the United Nations is merely to facilitate the process that seeks to dismantle the structures of violence and create the conditions conducive to durable peace and sustainable development.”⁶ A similar conclusion was drawn by another key document at that time, the Joint Utstein Study, which stressed: “It is important that partner countries be in the driver’s seat as far as peace building efforts are concerned, especially in post-conflict situations.”⁷ Likewise Necla Tschirgi identified Local Ownership as a key element of the evolving international

⁵ Organization for Economic Co-operation and Development, OECD Development Assistance Committee, “Shaping the 21st Century: The Contribution of Development Co-operation”, 1996, p. 9.

⁶ Report of the Secretary General, “No exit without strategy: Security Council decision-making and the closure or transition of United Nations peacekeeping operations”, UN Doc. S/2001/394, 20 April 2001, para 2.

⁷ Gesellschaft für Technische Zusammenarbeit (GTZ), “Joint Utstein Study of Peacebuilding - National Report from Germany”, 2003, p. 73.

peacebuilding paradigm in the context of the Security-Development Nexus program of the International Peace Academy.⁸

Nonetheless, considerable ambiguity and controversy prevails about what the concept implies in practice and how a local population can actually “own” processes that are driven from the outside. One controversy concerns the timing and extent of the inclusion local actors in peacebuilding processes. Some, like Tschirgi, demand a strong involvement at the earliest possible point of time: „The people of the war-torn society must own the reconstruction process. They must actively be involved in setting the agenda and leading the process, which is a highly political process complicated by the deep wounds of the conflict”.⁹ The concept of the “light footprint” propagated by the former Special Representative of the SG for Afghanistan, Lakhdar Brahimi, was such a practical concept to promote an early take-over of responsibilities by local actors. Today, the validity of this concept is highly disputed.

Simon Chesterman, in contrast to Tschirgi, speaks out against an early transfer of control of reform processes to local actors. This might play into the hands of the original perpetrators: „At worst, premature restoration of local control might lead to a return to the governing policies (or lack thereof) that led to intervention in the first place”.¹⁰ Ellis has similar concerns: „Many officials in the new government, however, have murky pasts – including ties to a militia that committed atrocities during the war. They and their colleagues have very little interest in making more than a rhetorical commitment to good governance”.¹¹

Similarly, Kuehne points out that a major difficulty in the field is to identify local actors who are simultaneously “relevant, reliable, and willing” and asks, on a more general level: “What is the substance of the concept of local ownership in failed states where there is, by definition, no political class available to exercise this ownership in a responsible way? A key feature of state failure is that the political class has been destroyed or has destroyed itself.”¹² Caplan adds that insufficient qualification for certain tasks and responsibilities is another obstacle for the early transfer of responsibility.¹³

⁸ Tschirgi, N., “Post-Conflict Peacebuilding Revisited: Achievements, Limitations, Challenges”, New York, International Peace Academy 2004, p. 9.

⁹ *Ibid.*

¹⁰ Chesterman, S., “You, the People: The United Nations, Transitional Administration, and State- Building” Oxford, Oxford University Press, 2005, p. 6.

¹¹ Ellis, S., “ How to Rebuild Africa”, *Foreign Affairs*, Vol. 84, No. 5 (2005), p. 142.

¹² Kuehne, W., “Post-Conflict Reconstructing and War-Shattered Societies – What Actually is the Problem? What can be Done? Unpublished Draft Paper Prepared for the UN Foundation, New York, in Preparation for the Report of the Secretary-General’s High-Level Panel on Threats, Challenges and Chance 2004”, 2003, p. 5.

¹³ Caplan, R., “Partner or Patron? International Civil Administration and Local Capacity-building”, *International Peacekeeping* Vol. 11, No. 2, (2004), p. 239.

The issue of how to deal with “spoilers” has to be seen in this context. As Scheye and Peake have stated, local actors are not necessarily benevolent stakeholders “but rather ought to be conceived to be a collection of actors, many of who regard reform as a direct challenge to their power, livelihoods, and practices”.¹⁴ Steve Stedman therefore distinguishes in his article on “Spoiler Problems in Peace Processes” between „limited“, „greedy“ und „total“ spoilers. Each of these groups has to be managed in a specific way, either by bringing it into the peacebuilding process or isolating or even neutralizing it.¹⁵ Practitioners are still struggling to put this differentiation into practice, be it in Afghanistan, the DR Congo, Kosovo or elsewhere.

II. Deconstructing Local Ownership

In sum, in terms of academic research Local Ownership is a vague concept that evokes many diverging interpretations and is difficult to handle both analytically and operationally. Because of this vagueness it may rather obfuscate than clarify how local actors are participating in peacebuilding.

However, there are normative as well as practical reasons why the term has to be retained for field-oriented research:

- 1) the term is consistently used in official mandates and documents by the UN as well as other international actors like the EU, World Bank, AU, etc.
- 2) Local Ownership is a reflection of the legal right to self-determination and the principle of national sovereignty as stipulated in the UN Charter and in other international legal documents; even if the UN Security Council authorizes the intervention into domestic affairs under Chap. VII of the Charter, self-determination and sovereignty continue to be important guidelines for international action;
- 3) practice has shown that international peacebuilding efforts often fail because project planning and implementation is carried out with insufficient local input and without respect for local structures and traditions; Local Ownership is the widely accepted metaphor (rather than a precise term) to remind all internationals within as well outside of peace missions not to commit this error.

The main focus of the ZIF research project in its first phase, therefore, has been to find a way to operationalize the concept in a meaningful way. This was not only done on the basis of existing

¹⁴ Scheye, E. / Peake, G., “Unknotting Local Ownership”, *After Intervention: Public Security in Post-Conflict Societies – From Intervention to Sustainable Local Ownership*, DCAF / Pfp Consortium of Defence Academies and Security Studies Institutes, Geneva / Vienna, 2005, p. 236.

¹⁵ see Stedman, S., “Spoiler Problems in Peace Processes”, *International Security*, Vol. 22, No. 2 (1997).

academic literature, documents and reports of the UN, OSCE and EU but also by conducting interviews in the field (Kosovo and Liberia) as well as organizing two major seminars with field personnel and other experts doing research in the area of peacebuilding and Local Ownership.¹⁶

The result of this two-step process was a clear insight to deconstruct Local Ownership at least into the following major issues and problem areas:

- *process and outcome*
- *asymmetric, interactive relationship between externals and internals*
- *basic dilemmas*
- *executive and non-executive mandates*

In the next chapter these areas will briefly be described and discussed in more detail.

III. Key Issues and Problem Areas of Local Ownership

1. Process and Outcome

There is no doubt that Local Ownership is a central goal of peacebuilding and therefore may be described as an end state rather than a process. Chesterman for instance argues that Local Ownership should be seen as the end and not as the means of post-conflict peacebuilding. Existing conditions prevailing on the ground as well as political or strategic objectives of the international community will prevent a significant input of local actors in relevant decision-making processes in particular at the beginning of the peacebuilding process.¹⁷

However, there are two fundamental reasons against defining Local Ownership merely as an end state. *Firstly*, because of the normative imperative of the principle of sovereignty and self-determination legal authority clearly remains with the local population also in a failed state, unless there is an executive mandate based on Chap. VII. *Secondly*, peacebuilding is neither static nor linear. There are diverse forms and degrees of local participation at any phase of this process starting with the entry or even the planning of the international intervention. Narten in his research on local ownership correctly states:

“... the process and final outcome of the gradual transfer to legitimate representatives of the local society, of assessment, planning and decision-making, the practical

¹⁶ Hansen, W. / Gienanth, T. / Parkes, R., “International and Local Policing in Peace Operations. Lessons Learned and the Way Forward to Integrated Approaches, 8th International Berlin Workshop”, Berlin, December 14–16, 2006. Accessible at ZIF: http://www.zif-berlin.org/Downloads/Zif_Report_220807.pdf

¹⁷ Chesterman, S., “You, the People: The United Nations, Transitional Administration, and State-Building” Oxford, Oxford University Press, 2005, p. 4.

management and implementation, and the evaluation and control of all phases of state-building programs up to the point when no further external assistance is needed.”¹⁸

The main assumption of the ZIF research project therefore is that Local Ownership constitutes both the *process* and the *outcome* of engaging local actors in peacebuilding activities from the very beginning up to the final goal of exercising full responsibility.

This dual nature of Local Ownership inevitably raises the question about *phases and timing* as well as *degrees and types* of involvement on the different levels and areas of peacebuilding. *Capacity building* in its different forms obviously becomes an important activity to improve and build up Local Ownership over time. Researching reports and other documents of the relevant international organizations in Kosovo and in Liberia as well as semi-structured interviews with a selection of international and local actors in both countries will hopefully generate sufficient data to come forward with solid empirical data how the dual nature of ownership and capacity building are managed in the two countries.

2. Asymmetric, Interactive Relationship?

Due to the vagueness of the concept there is considerable danger of abusing the rhetoric of Local Ownership for political purposes. Experienced mission personnel are aware of this danger in particular in long and highly intrusive peace operations. On the one hand, the concept can be invoked to downplay the intrusiveness of the intervention and to maintain a continuing international presence. On the other hand, it can be used as an argument in support of a premature departure because of mission fatigue or because international engagement is needed in another post-conflict area although Local Ownership has not yet effectively been established. The quick departure of the international community from Liberia after the premature elections which brought Charles Taylor to power is but one example.

Reserachers like, for instance, Reich who contend that the use of the term Local Ownership distracts from the fact that international interventions tend to be characterized by an asymmetric relationship between external and internal actors.¹⁹ In most cases, donors and international organizations have already shaped the agenda, assessed the situation, and designed the programs before any local involvement takes place. Even if project objectives subsequently claim to aim at Local Ownership, i.e. by providing project benchmarks and by

¹⁸ Narten, J., “Dilemmas of Promoting Local Ownership: State-building in Postwar Kosovo”, in: Paris, R. / Sisk T. (Eds.), *Statebuilding after Civil War: The Long Road to Peace*, 2007 (forthcoming), pp. 46 et seq. Accessible at: http://state-building.org/resources/Narten_RPPS_October2006.pdf.

¹⁹ Reich, H., “Local Ownership in Conflict Transformation Projects. Partnership, Participation or Patronage?”, Berghof Occasional Paper 27, 2006, pp. 6-8.

prescribing participatory program implementation, the described asymmetric relationship is likely to prevent a true accomplishment of local authority and responsibility.²⁰

Instead of appealing to Local Ownership Reich, as well as the ZIF research team, therefore argues in favor of acknowledging this asymmetric interaction between external and internal actors as a fundamental feature on the way to effective Local Ownership. A differentiated terminology should therefore be applied that centers around process, the reality of asymmetries, concepts of participation, capacity-building and gradual transfer of responsibilities etc. to get a clearer picture of what the international community is actually doing in the field and what the de facto role of local actors in peacebuilding is. This is very much in line with the findings of Hansen based, among others, on her insights as the chief political advisor of the EU Police Mission (EUPM) in Bosnia-Herzegovina: "... different degrees of authority will be required and desirable at different states and in various areas of a reform process. While it may be counterproductive or unfeasible to insist on local decision-making at an initial stage, local authority should increase in the course of a reform process".²¹

3. Dilemmas of Local Ownership

During the expert meeting which ZIF conducted in April 2007 on "Local Ownership in Peacebuilding in Failed States – Approaches, Experiences, and Prerequisites for Success" several dilemmas which the internationals face in dealing with Local Ownership emerged as major issues. Authors like Narten²² and Hansen/Wiharta²³ have come forward with a first tentative typology of key dilemmas.²⁴ After thorough discussions during the expert workshop and afterwards the ZIF research team has worked out the following set of dilemmas as being the most relevant ones:

²⁰ *Ibid*

²¹ Hansen, A., "Building Local Capacity for Maintaining Public Security", in: After Intervention: Public Security in Post-Conflict Societies – From Intervention to Sustainable Local Ownership, DCAF / PFP Consortium of Defence Academies and Security Studies Institutes, Geneva, Vienna, 2005, p. 8.

²² Narten, J., "Post-conflict Peacebuilding & Local Ownership: A Case Study on External-local Dynamics in Kosovo under UN Interim Administration", Paper Presented at the International Studies Association Conference in Chicago, 3 March 2007, pp.16 et seq. Accessible at: <http://64.112.226.70/one/isa/isa07/>.

²³ Hansen, A. / Wiharta, S., "The Transition to a Just Order after Conflict", Policy Report, Draft 2006.

²⁴ In his study of post-conflict Kosovo, Narten also refers to the so called *statehood dilemma*: External peacebuilders may be restricted in their choice of local counterparts and in establishing structures of self-government if the final status of a territory is unclear. Though local ownership is crucial for the legitimacy of international peacebuilding, it might complicate the overall political process. So far, Kosovo is the only case in which this dilemma played a role in the context of implementing of local ownership. See Narten, J., "Dilemmas of Promoting Local Ownership: State-building in Postwar Kosovo", in: Paris, R. / Sisk, T. (Eds.), *Statebuilding after Civil War: The Long Road to Peace*, 2007 (forthcoming).

- a) *Intrusiveness dilemma*: Overly intrusive policy- and decision-making by external actors tends to alienate local stakeholders. Less intrusive measures may not suffice to stabilize a post-conflict situation.
- b) *Dependency dilemma*: Establishing sustainable local structures and capacities requires long-term external commitment. Yet, long-term international involvement and assistance tend to create local dependencies on external support.
- c) *Transition dilemma*: International peacebuilding activities should cooperate with local actors and should be based on existing structures and traditions from the very beginning. However, traditional power structures and mentalities often cause or contribute to the outbreak of a given conflict. External peacebuilders thus face a dilemma in selecting local partners. They should be cautious in relying on traditional elites and try to transform their attitudes and behavior.

The plausibility and applicability of this set of dilemmas for the further operationalization of the concept of Local Ownership will be tested in the field interviews in Kosovo and Liberia

4. Executive and Non-Executive Mandates

It makes a big difference for both the theory and practice of Local Ownership whether the involvement of the international community in a failed state is based on an executive or non-executive mandate. In the latter case, Local Ownership is suspended, at least in legal terms. Interim governmental and administrative authority is executed by international bodies, like UNMIK in Kosovo or UNTAET in East Timor.

There is not yet much empirically based research available which systematically compares the fate of Local Ownership in executive and non-executive mandates. In the context of the before mentioned Expert Workshop on Local Ownership, some practitioners advised not to overestimate the difference as international interventions in failed or failing states take place because local structures and actors have broken down, eroded, or degenerated into crime and warlord structures over years. Therefore, while it is desirable to develop peacebuilding strategies with as much local input as possible, peace operations might have to act quite intrusively in the beginning, irrespective of the kind of mandate.

It remains to be seen whether the field research which will be conducted by ZIF in Kosovo and Liberia will confirm this assessment. As a preliminary result of this it already can be stated that in executive mandates like the one in Kosovo, unlike the non-executive ones as in Liberia, there

is inevitably a tendency to pay very little or even no attention at all to Local Ownership in the start-up phase. Based primarily on field interviews ZIF will try to assess

- whether this was a deliberate strategy or whether it came about due to negligence and a lack of understanding of or respect for the relevance of Local Ownership;
- how the negligence of Local Ownership in the start-up phase has to be judged in hindsight by international and local actors in terms of implementing ownership in the most effective way;
- how Local Ownership fared in the phased process of handing over governmental authority to the Kosovars, particularly in the fields of Rule of Law and Elections which are the areas of ZIF's research.

With regard to Liberia and its non-executive mandate the issue will very much be whether full legal ownership from the very beginning has not been a smokescreen rather than reality with regard to the de facto management of the Rule of Law and Elections. The research so far confirms that this has been indeed the case. A strong tension between the formal exercise of ownership and the reality of peacebuilding activities seems to exist.

Yet, on the other hand, one may well argue that Liberian ownership from the very beginning put much more pressure on the international actors to take Liberian authority and lead over peacebuilding activities serious from the very beginning and to pursue capacity-building more energetically.

Conclusion

As the research project has just entered into its intensive field research phase it is too early to present definite conclusions on how Local Ownership is managed in the field, what the systematic problems of its implementation are and how the latter can be improved.

Yet there are some preliminary findings:

- In both missions there seems to have been a lack of a systematic approach to Local Ownership from the very beginning on the strategic level.
- This neglect seems to have entailed a lack of consciously investigating the different nature of the challenges Local Ownership poses in the different key areas of peacebuilding and a corresponding lack of a deliberate strategy of differentiated phasing of the implementation of ownership in these key areas.
- Finally, the high turn-over rate of international mission personnel and the semi-annual or annual renewal of Security Council mandates create further impediments for dealing

with Local Ownership effectively; these time frames go together with an obligation to report progress back to the headquarter in New York and to other capitals in rather short intervals and promote a tendency amongst mission staff to call in more international “experts” when difficulties with the local actors occur; the local actors may either resent the time pressure which is put on them by the internationals or may not like their approach at all; the growing gap between the internationals and locals deriving from this situation is a well know phenomenon in most missions of longer duration.

The author looks forward at a fruitful discussion of these conclusions and other issues of this paper at the IPSA panel in San Francisco.

Abbreviations

DAC	Development and Assistance Committee
DSF	German Foundation for Peace Research
FFI	Norwegian Defense Research Establishment
OECD	Organization for Economic Cooperation and Development
UNMIL	United Nations Mission in Liberia
UNMIK	United Nations Interim Administration Mission in Kosovo