

Conflict prevention and climate change in the MINUSMA mandate under Resolution 2423 (2018): Mission impossible?

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1. Introduction

The complex interrelation between armed conflicts and natural resources is not a new matter of debate in the United Nations system. As early as the end of the last century, the *Brundtland Report*¹ and the Rio Declaration on Environment and Development² clearly highlighted the mutual interconnection between security and environmental degradation. In 2005, in a solemn declaration on conflict prevention, the UN Security Council (SC) emphasized the close relationship between conflict prevention and sustainable development and recognized the need to adopt a conflict prevention strategy, particularly in Africa, which

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¹ 'Environmental stress is both a cause and an effect of political tension and military conflict' Report of the World Commission on Environment and Development on 'Our Common Future' UN Doc A/42/427 (4 August 1987) Annex, c 11, para 2, 286.

² UN Doc A/CONF.151/26 (Vol. I) (12 August 1992) (hereinafter: Rio Declaration). On the consideration of 'environmental security' within the outcome of the UN Conference on Environment and Development (Rio de Janeiro, 3-14 June 1992), the World Summit on Sustainable Development (Johannesburg, 26 August-4 September 2002) and the UN Conference on Sustainable Development (Rio+20) (Rio de Janeiro, 20-22 June 2012) see: J Ebbesson, 'Social-Ecological Security and International Law in the Anthropocene' in J Ebbesson, M Jacobsson, M Klamberg, D Langlet, P Wrangé (eds), *International Law and Changing Perception of Security*. Liber Amicorum Said Mahmoudi (Brill 2014) 74 ff.



addressed the root causes of armed conflicts, according to a comprehensive and integrated approach.³

If, however, one looks at international practice, tangible achievements are largely inconsistent. A myriad of projects have been undertaken by various States, groups of States and international institutions, at the global and regional level which are aimed at the protection and preservation of natural resources. Nevertheless, these actions have rarely been placed within a broader general framework, which would provide a genuinely comprehensive and integrated approach. In certain cases, a lack of coordination between the main actors involved has exacerbated tensions and security problems.

The picture becomes more inconsistent if the issue is considered having regard to UN peacekeeping operations (hereinafter: PKOs) mandates. Although UNEP (the *United Nations Environment Programme*) highlighted in 2012 that '[a] strategic approach to natural resources is a necessary part of meeting the peace and security objectives of peacekeeping',⁴ only a few PKOs have been required to play a role with regard to the management of natural resources.⁵ In any case, their mandate has been mainly aimed at assisting States with preventing illegal exploitation of natural resources (in particular, minerals, rubber and timber) by armed groups and commercial transactions fuelling conflicts.

Against this background, the decision of the SC to include the consideration of climate-related effects, ecological changes and natural disasters as a security concern when extending the mandate of certain PKOs in Africa cannot be overlooked.⁶ In particular, under Resolution 2423

³ 'Declaration on strengthening the effectiveness of the Security Council's role in conflict prevention, particularly in Africa' (UN Doc S/RES/1625 of 14 September 2005) Annex, Preamble, recital 6.

⁴ UNEP, *Greening the Blue Helmets. Environment, Natural Resources and UN Peacekeeping Operations* (Nairobi 2012) 42 (hereinafter: UNEP 2012).

⁵ See eg the *United Nations Mission in Liberia* (UNMIL) and the *United Nations Mission in the Democratic Republic of the Congo* (MONUC), renamed MONUSCO (*United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*) in 2010. On the implementation of their mandates see D Dam-de Jong, 'Standard-setting Practices for the Management of Natural Resources in Conflict-Torn States. Constitutive Elements of *Jus Post Bellum*' in C Stahn, J Iverson, JS Easterday (eds), *Environmental Protection and Transitions from Conflict to Peace* (OUP 2017) 185 ff.

⁶ See eg UN Doc S/RES/2408 (27 March 2018) concerning UNSOM (*United Nations Assistant Mission in Somalia*) and UN Doc S/RES/2431 (30 July 2018) concerning



(2018) of 28 June 2018, the Council expressly recognized the possible impact of the above factors and their effects (including drought, desertification, land degradation and food insecurity)⁷ on the stability of Mali and recommended the Government of Mali and the United Nations:

‘(...) to take into consideration, as appropriate, the security implications of the adverse effects of climate change and other ecological changes and natural disasters, among other factors, in their activities, programs and strategies in Mali’.⁸

Apparently, the wording of Resolution 2423 (2018) para 68 is plain and clear. It may be useful, however, to better understand the rationale of this provision and its implications at the legal and operational level. This is exactly the purpose of this paper, which will examine, first, the context of this provision (section 2), its object and purpose, and its legal nature (section 3), before exploring its implications for MINUSMA (*United Nations Multidimensional Integrated Stabilization Mission in Mali*) (sections 4 and 5). Some concluding remarks will ultimately address the strengths and shortcomings of this precedent from the broader perspective of the securitization of climate change and will provide some reflections on the role that UN PKOs can play in this special context.

2. *The UN Security Council recommendation: The context*

To better understand the object and purpose of the SC recommendation under consideration, Resolution 2423 (2018) needs to be placed in broader context, and especially, on the one hand, the growing concern of the international community about the increasing number of intercommunal conflicts of unprecedented violence in Africa, in particular in the Sahel region and, on the other hand, the consideration of the climate security issue within the SC.

AMISOM (*African Union Mission in Somalia*) Preamble 3. Both resolutions were unanimously adopted.

⁷ UN Doc S/RES/2423 (28 June 2018) 4th preambular paragraph. The same wording characterized the Preamble of UN Doc S/RES/2429 (13 July 2018) concerning UNAMID (*United Nations-African Union Hybrid Operation in Darfur*).

⁸ Res 2423 (2018) (n 7) para 68.



With regard to the first point, violent conflicts between nomadic pastoralists and sedentary farmers have grown at an alarming rate in various parts of West Africa and the Sahel region in recent years.⁹ In Central Mali – and, in particular, in the Mopti region – 43 attacks were documented in 2018 between Fulani herders (the largest pastoralist group spread across West Africa and the Sahel) and farmers of the Dogon community.¹⁰ A peace agreement was concluded by more than 30 leaders of the two communities in August 2018;¹¹ nevertheless, large scale massacres and retaliatory attacks occurred in the months that followed. In 2019, the deadliest assault took place in Ogossagou, a village of the Mopti region where at least 145 civilians of the Fulani community were killed and 95 per cent of their houses were burned down.¹² According to a preliminary investigation by MINUSMA (*United Nations Multidimensional Integrated Stabilization Mission in Mali*), the attack was planned, organized and coordinated and could amount to a crime against humanity.¹³ Dogon villages in the same region were assaulted by Fulani ‘self-defence’ groups in June 2019¹⁴ and violence against Dogon communities also continued in Burkina Faso, Mali and Niger in 2020.

⁹ See the report of the United Nations Office for West Africa and the Sahel (UNOWAS) on ‘Pastoralism and Security in West Africa and the Sahel: Towards Peaceful Coexistence’ (2018).

¹⁰ See eg UN Doc S/2018/273 (29 March 2018) para 41.

¹¹ French text at <www.hdcentre.org/wp-content/uploads/2018/08/accord-de-paix-entre-les-communautés-Dogon-et-Peulh-du-cercle-de-Koro-28-août-2018.pdf>.

¹² UN Doc S/2019/782 (1 October 2019) para 35. On the second attack against Ogossogou of 14 February 2020, see Human Rights Watch, *Mali: Army, UN Fail to Stop Massacre. Second Militia Attack on Ogossagou Village Killed at least 35* (18 March 2020) <www.hrw.org/news/2020/03/18/mali-army-un-fail-stop-massacre>.

¹³ UN Doc S/2019/782 (n 12) para 35. See also the statement made by the Prosecutor of the International Criminal Court (ICC), Fatou Bensouda (March 2019) <www.icc-cpi.int/Pages/item.aspx?name=190325-otp-stat-mali> and the joint Statement on attacks against civilians in Central Mali by the UN Special Adviser on the Prevention of Genocide, the UN Special Adviser on Responsibility to Protect and the Special Representative of the Secretary-General for Children and Armed Conflict, Press release (12 June 2019) <<https://peacekeeping.un.org/en/joint-statement-attacks-against-civilians-central-mali-United-Nations-Special-Advisers-prevention-of>>.

¹⁴ UN Doc S/2019/782 (n 12) para 68.



All clashes are driven and exacerbated by various economic, political, and social issues, including poverty, a strong overpopulation, and the widespread presence, in the whole region, of violent extremists and armed groups, who find in local conflicts fertile ground for their expansion strategies. The recruitment of Fulani herders by terrorist groups,¹⁵ on the one hand, and the forced enrolment of Dogon villagers by Dan Nan Ambassagou (the Dogon self-defence militia) into its ranks,¹⁶ on the other, are a significant example of the exploitation of divisions within communities. In addition, in the absence of State authority and with the proliferation of small arms and light weapons, self-defence groups grow stronger and contribute to fuelling the situation of insecurity.

It should be recalled, however, that the increased competition for land, water and other natural resources, exacerbated by climate-related effects (ie drought, desertification, land degradation and food insecurity) has also been regarded as part of the root causes of local conflicts between herders and farmers in the Sahel region in various UN documents,¹⁷ including in Presidential Statements of the SC.¹⁸ In particular, in August 2018, in the aftermath of the publication of a study on *Pastoralism and Security in West Africa and the Sabel* by UNOWAS,¹⁹ one such statement mentioned intercommunal conflicts for the first time and linked these tensions, *inter alia*, to the climate issue.²⁰ Accordingly, the Secretary-General was invited to make recommendations to the Council ‘on potential areas of improvement or new or refocused priorities, including (...) *effects of climate change on security, intercommunal violence as part of a broad prevention and sustaining peace agenda*’.²¹

¹⁵ ‘Activities of the United Nations Office for West Africa and the Sahel. Report of the Secretary-General’ UN Doc S/2019/1005 (30 December 2019) paras 36 and 89.

¹⁶ UN Doc S/2020/952 (29 September 2020) para 33.

¹⁷ See eg ‘Activities of the United Nations Office for West Africa and the Sahel. Report of the Secretary-General’ UN Doc S/2019/1005 (n 15) para 95.

¹⁸ See eg Statement by the President of the Security Council, UN Doc S/PRST/2015/24 (8 December 2015) para 1 and UN Doc S/PV.8307 (11 July 2018) 6-7 (Sweden).

¹⁹ See above (n 1).

²⁰ UN Doc S/PRST/2018/6 (10 August 2018) 3.

²¹ Statement by the President of the SC, UN Doc S/PRST/2019/7, 1 (emphasis added).



It cannot be overlooked, however, that climate ‘securitization’ is a highly controversial issue both within the SC and in the academic fora. What is certain is that Mali and the other five countries of the West African Sahel (Burkina Faso, Chad, Mauritania, Niger, and Nigeria) make only a modest contribution to global warming.²² Yet, they are among the most vulnerable to climate change,²³ because of the overall status of food, water, environment, health, and infrastructure in their territories.²⁴

Much more controversial is the existence of a direct causal link between climate change and local conflicts. The Sahelian region has always been characterized by significant climatic variability. However, during the last decades, it has been affected by a consistent increase in temperature (between 1.5°C and 2°C in far eastern Chad and the northern regions of Mali and Mauritania)²⁵ and by extreme events, including a substantial variability in precipitation, with a persistence of drought,²⁶ on the one hand, and torrential rains and frequent flooding on the other.²⁷ Flooding and draught can lead to major crop losses, serious food crisis²⁸ and massive displacement.²⁹ A lack of available grassland can also force nomadic herders to migrate or to move earlier than usual, with consequent ‘(...) increased competition for resources and the destruction of crops before they have been harvested in the receiving areas’³⁰ that may lead to conflicts with local farmers.

²² See eg Ministry of Foreign Affairs of the Netherlands, *Climate Change Profile. West African Sahel* (April 2018) <<https://reliefweb.int/sites/reliefweb.int/files/resources/West%2BAfrican%2BSahel.pdf>>.

²³ ‘[A]ll but one of the Sahel countries (Nigeria) rank among the 20% most vulnerable to climate change, and three (Burkina Faso, Chad, Mali) are among the most vulnerable 10%’ *Climate Change Profile* (n 22) at 4.

²⁴ *ibid*

²⁵ See eg UNEP, *Livelihood Security, Climate Change, Migration and Conflict in the Sahel*, 2011 (hereinafter: *UNEP 2011*) 30-34.

²⁶ *ibid* 38.

²⁷ *ibid* 39. In Mali, in 2020, seasonal floods affected 80,760 persons, killed 18 and injured 25, damaged 6,478 houses, destroyed 7,030 tons of food and washed away 274 hectares of crops, UN Doc S/2020/1281 (28 December 2020) para 83. On food insecurity in Mali, see UN Doc S/2021/519 (1 June 2021) para 74.

²⁸ For a detailed account see UN Doc S/2018/541 (6 June 2018) para 45.

²⁹ See eg *UNEP 2011* (n 25) 46.

³⁰ *ibid* 56. See also ‘Report of the Secretary-General in the Sahel region’ UN Doc S/2013/354 (14 June 2013) paras 13-14.



A more cautious approach in the interpretation of environmental variables and their interconnections with social phenomena and conflict outputs has been invoked, however, by some scholars.³¹ In particular, they argue that the Sahel cannot be considered as a whole, due to the range of situations, from the desert areas of the North to the humid savannah in the South.³² Additionally the political and social dynamics vary significantly in the countries in the region, with different implications for the management of environmental threats and their impact on the deterioration of local conflicts. Accordingly, if the UN Secretary-General's characterization of climate change as a 'threat multiplier', namely 'as a factor that can work through several channels (...) to exacerbate existing sources of conflict and insecurity'³³ is generally accepted, it is equally clear that each situation needs to be carefully considered to avoid dangerous automatisms.³⁴ Above all, one size fits all solutions should be strongly discouraged in addressing such daunting challenges.

As regards the second issue, it is widely known that possible implications of climate change for international peace and security have been addressed by the SC in various 'open debates', 'briefings' and 'Arria-Formula meetings' during the last two decades. After the first open debate of 2007, promoted by the United Kingdom to 'explor[e] the relationship

³¹ See eg B Venturi, L Barana, *Lake Chad: Another Protracted Crisis in the Sahel or a Regional Exception?* (March 2021) 10 IAI Papers 21/10.

³² On the uneven climatic conditions in different areas in Mali and the lack of country-specific and sub-national climate data, see eg C Nagarajan, 'Climate Security Expert Network' in *Climate-Fragility Risk Brief: Mali* (Adelphi 2020) in particular 12.

³³ 'Climate change and its possible security implications. Report of the Secretary-General', UN Doc A/64/350 (11 September 2009) para 13. More generally: '(...) the fact that quantitative studies fail to confirm statistically significant links between environmental factors and conflict does not mean they do not exist. Rather, environmental factors may exacerbate conflict dynamics and risk through multiple and indirect pathways, interacting in complex ways with social, political, and economic factors, which tend to be more direct and proximate drivers of armed conflict' *ibid* para 67.

³⁴ See UN Doc A/64/350 (n 33), where it is clearly stressed that further research is needed 'to shed clearer light on causal pathways and conditioning factors that may help to explain why, in different situations, broadly similar physical impacts of climate change may have very different implications for human well-being and security' para 104.

between energy, security, and climate',³⁵ with no formal outcome,³⁶ remarkable progress was made in 2011, when the President of the SC expressed concern '(...) that possible adverse effects of climate change may, in the long run, aggravate certain existing threats to international peace and security'.³⁷

More recently, the interrelation between political stability, humanitarian and development issues and the adverse effects of climate and ecological changes have also been addressed by the SC with specific reference to the Sahel region.³⁸

It should be recalled, however, that the legitimacy of the SC to address climate change has been contested by some States. In particular, China considers that this issue should be tackled within the intergovernmental framework of the UN Climate Change Convention (UNFCCC),³⁹ in accordance with the principle of common but differentiated responsibilities.⁴⁰ In the opinion of the Russian Federation, '(...) the Council has neither the specialized expertise nor the tools to put together viable solutions for effectively combating climate change'.⁴¹ Accordingly, the SC should avoid any conflict with other competent organs, in strict compliance with the general principle of the 'division of labour' among the UN bodies.⁴²

³⁵ UN Doc S/2007/186 (5 April 2007) Annex, 2. The open debate was held on 17 April 2007; for the verbatim records see UN Doc S/PV.5663 (17 April 2007).

³⁶ UN Doc S/2007/186 (n 35) at 1. On the evolution of the debate on the climate issue by the SC, see eg SV Scott, C Ku (eds), *Climate Change and the UN Security Council* (Edward Elgar Publishing 2018) 11 ff.; T Koivurova, 'Climate Change and International Security' in J Ebbesson, M Jacobsson, M Klamberg, D Langlet, P Wrangé (eds), *International Law* (n 2) 171 ff.; K Conca, 'Is There a Role for the UN Security Council on Climate Change?' (2019) 61 *Environment: Science and Policy for Sustainable Development* 4-15.

³⁷ Statement by the President of the Security Council, UN Doc S/PRST/2011/2015 (20 July 2011) 1.

³⁸ See eg UN Doc S/RES/2349 (31 March 2017) on Lake Chad Basin para 26.

³⁹ United Nations Framework Convention on Climate Change (New York, 9 May 1992) (hereinafter: UNFCCC) <https://unfccc.int/files/essential_background/background_publications_htmlpdf/application/pdf/conveng.pdf>.

⁴⁰ Rio Declaration (n 2), Principle 7.

⁴¹ UN Doc S/PV.8307 (n 18) at 16.

⁴² *ibid* On the SC competence to address (and engage in) climate change as a security issue, see eg C Gray, 'Climate Change and the Law on the Use of Force' in R Rayfuse, SV Scott (eds), *International Law in the Era of Climate Change* (Edward Elgar Publishing 2012) 219 ff.; Koivurova (n 36); SV Scott, 'Implications of Climate Change for the UN



As will be seen later, internal divisions also emerge from some Members' statements made at the adoption of Resolution 2423 (2018).⁴³

3. *Legal implications of Resolution 2423 (2018)*

3.1. *Object and purpose*

It should be first stressed – to avoid any misunderstanding – that the purpose of Resolution 2423 (2018) para 68 is not to prevent climate change and other natural disasters, either in the Sahel region or at the global level, but to address conflicts associated with the consequences of climate change at their roots. The resolution was adopted on the finding that the situation in Mali (*not climate change*) 'continues to constitute a threat to international peace and security'.⁴⁴ Therefore, the attention of the Council was focused on security challenges causing instability in Mali, including those associated with climate-related effects. As a result, the purpose of the SC was not to combat climate change, characterized as a threat to peace a security, but to prevent or contain conflicts, ie a situation which traditionally falls within the primary responsibility of the SC to maintain international peace and security (Article 24 of the UN Charter).

Resolution 2423 (2018) was unanimously approved, but not without divergences. It was supported by the Russian Federation due to '(...) the importance of maintaining consensus in the Security Council' and on the understanding that MINUSMA is carrying out a very important task in

Security Council: Mapping the Range of Potential Policy Responses' (2015) 91 Intl Affairs 1317 ff.; K Davies Kirsten, T Riddell, 'The Warming War: How Climate Change is Creating Threats to International Peace and Security' (2017) Georgetown Environmental L Rev 47 ff.; M Binder, M Heupel, 'Contested Legitimacy: The UN Security Council and Climate Change' in SV Scott, C Ku (eds), *Climate Change* (n 36) 186 ff.; A Kravik, 'The Security Council and Climate Change – Too Hot to Handle?' (2018) EJIL Talk! On various approaches by countries or groups of countries to the topic, see F Sindico, 'Climate Change: A Security (Council) Issue?' (2007) 1 Carbon and Climate L Rev 29 ff.; SV Scott, 'The Attitude of the P5 towards a Climate Change Role for the Council' in SV Scott, C Ku (eds), *Climate Change* (n 36) 209 ff.

⁴³ See below s 3.1.

⁴⁴ Res 2423 (2018) (n 7) Preamble.

the country.⁴⁵ Yet, the inclusion of a provision on climate and other environmental issues was criticised as a *coup* made by the so-called penholders, eg the SC members who produced the draft resolution:

‘We would like to draw the Council’s attention to the resolution’s provisions on climate and ecological issues. We believe that this issue, as it has always been, comes under the purview of the relevant bodies of the General Assembly and the Economic and Social Council. ... the Council has neither the mandate nor the necessary expertise to deal with such issues. Its main aim, as established in the Charter of the United Nations, is to examine issues that directly relate to peace and security. Unfortunately, our reasoning on this, which other delegations also talked about during the negotiations on the resolution, was not taken into consideration. This is therefore another de facto case of penholders abusing their rights’.⁴⁶

In the subsequent year, when the mandate of MINUSMA was further extended, the recommendation to the Malian government and the UN relating to climate change was not renewed. Only a general reference to climate change, ‘among other factors’, was placed in the Preamble of Resolution 2480 (2019), where the content of the recommendation under Resolution 2423 (2018) para 68, was substantially retrieved, stressing the need for adequate risk assessment and risk management strategies.⁴⁷

This time, however, it was France who firmly reacted, recalling that

‘... in the Sahel more than anywhere else it is important that the actions of the United Nations and local Governments fully take into account the impact of climate change and other environmental factors on security. Resolution 2480 (2019) recalls that, but we would like to continue to work with our partners with a view to going even further to develop the climate and security agenda within the Council’.⁴⁸

Disappointment was also expressed by Germany, which explicitly referred to the conflicts which emerged during negotiations:

⁴⁵ UN Doc S/PV.8298 (28 June 2018) 5.

⁴⁶ *ibid*

⁴⁷ UN Doc S/RES/2480 (28 June 2019) Preamble, recital 15. The same approach was adopted under UN Doc S/RES/2531 (29 June 2020).

⁴⁸ UN Doc S/PV.8568 (28 June 2019) 3.



‘(...) we were very clear throughout negotiations that the adverse effects of climate change on the stability and security of Mali needed to be explicitly referenced in the resolution. Those are key challenges that the international community needs to address collectively and urgently’.⁴⁹

These tensions clearly show that climate change remains a controversial issue within the SC not only when the competence of the Council to prevent climate change is under discussion, but also when climate-related effects are directly or indirectly interrelated with other (traditional) security threats.

3.2. *Legal nature*

Resolution 2423 (2018) was adopted pursuant to Chapter VII of the Charter. It is widely known, however, that: ‘[t]he language of a resolution of the Security Council should be carefully analysed before a conclusion can be made as to its binding effect’.⁵⁰ Paragraph 68 is not couched in mandatory language. The Security Council does not ‘decide’; it only ‘[n]otes the importance (...) to take into consideration, as appropriate’.⁵¹

It might also be recalled that the issue at stake is part of a conflict prevention strategy.⁵² Therefore, it should be framed within the context of the functions that the SC exercises under Chapter VI of the UN Charter in order to draw the attention of Member States to issues that can potentially affect the maintenance of international peace and security.⁵³

⁴⁹ *ibid* 5. See also the statement by Belgium *ibid* 6.

⁵⁰ ICJ, *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South-West Africa) Notwithstanding Security Council Resolution 276 (1970)* [1971] ICJ Rep 16 para 114.

⁵¹ Emphasis added. A similar recommendation was contained under SC Res 2429 (2018) (n 7), concerning the situation in Darfur, para 47.

⁵² See below s 5.2.

⁵³ In particular, see arts 34 and 36 (1) and (2) of the UN Charter.



Finally, the mere recommendatory effect of this provision is implicitly confirmed by the discussions that preceded the adoption of the resolution,⁵⁴ which can be used as a supplementary means of interpretation.⁵⁵ Due to the strong criticism expressed by Russia on this paragraph,⁵⁶ there are serious grounds to believe that a legally binding provision on this topic could never have been accepted.

If, against this background, it may be concluded that the provision at hand was not legally binding, it is equally important to recall that all UN member States, individually and jointly, are under the duty to co-operate in good faith with the Organization.⁵⁷ Accordingly, it may be argued that the addressees of the SC recommendation were expected to make reasonable efforts to integrate climate related effects within their planned activities in Mali.

4. *Addressees of Resolution 2423 (2018) and implications for MINUSMA*

The Malian government and the United Nations are the formal recipients of the SC recommendation under Resolution 2423 (2018) para 68. It may therefore be useful to explore the possible implications of the SC's exhortation for both national authorities and the world Organization itself.

4.1. *Mali*

Any assessment of the Malian contribution to the implementation of the SC recommendation at issue cannot be separated from the objective

⁵⁴ Again, according to the ICJ, the binding effect of a SC resolution should be determined on a case-by-case basis, '(...) having regard to the terms of the resolution to be interpreted, the discussions leading to it, the Charter provisions invoked and, in general, all circumstances that might assist in determining the legal consequences of the resolution of the Security Council', ICJ, *Legal Consequences* (n 50) para 114.

⁵⁵ See M Wood, 'The Interpretation of Security Council Resolutions', (1998) 2 Max Planck YB United Nations L 73 at 94-95. Statements made in the Council after the adoption of a resolution are included by the Author in this category.

⁵⁶ See above s 3.1.

⁵⁷ See UN Charter art 2(5). For broader considerations see: C Schreuer, 'Recommendations and the Traditional Sources of International Law' (1977) 20 German YB Intl L, 103-118; T Giegerich, 'Article 36' in B Simma, D-E Khan, G Nolte, A Paulus (eds), *The Charter of the United Nations. A Commentary* (3rd edn, Vol I, OUP 2012) 1143-1145; B Conforti, C Focarelli, *Le Nazioni Unite* (XI edn, Cedam 2017) 468-469.



difficulties faced by national institutions in the path of the effective restoration of State authority and the rule of law throughout their territory.⁵⁸ The situation became even more complex in 2020. The political tensions caused by widespread protests, arising from disputes around legislative elections held in Spring 2020 within a difficult context, due to the COVID-19 restrictions, and other serious incidents⁵⁹ culminated in a *coup d'état* on 18 August.

The political crisis contributed to further diverting the attention away from the implementation of the 2015 Peace Agreement.⁶⁰ A transitional government was formed in October 2020; however, its President and Prime Minister were forced to resign after a second *coup* in May 2021.⁶¹ The Transition Charter includes the implementation of the agreement among its objectives.⁶² An action plan covering six priority areas – security, institutional and political reforms, good governance, education, social stability, and elections – was approved by the National Transitional Council in February 2021. Nevertheless, the advancement of key reforms remains critical for various reasons, including the assassination of two of the leaders of the signatory groups of the 2015 Peace Agreement in April 2021.⁶³

The presence of State authorities continues to be limited.⁶⁴ The action plan for the re-organization of the national security system,⁶⁵ adopted in September 2019,⁶⁶ was delayed due to disagreement between the parties at the local and national level.⁶⁷ The return of judicial authorities in Central Mali has been jeopardized by direct threats from radical

⁵⁸ In this sense see SC Res 2423 (2018) (n 7) para 38 (i).

⁵⁹ Incidents included the kidnapping of the opposition leader and electoral officials; see UN Doc S/2020/476 (2 June 2020) para 2.

⁶⁰ Accord pour la paix et la réconciliation au Mali issu du processus d'Alger <<https://peacemaker.un.org>>.

⁶¹ UN Doc S/2021/519 (n 27) para 3. Legislative and presidential elections are scheduled for March 2022, UN Doc S/2020/1281 (n 27) para 3.

⁶² Décret N° 2020-0072/PT-RM du 1er Octobre portant promulgation de la Charte de la transition, *Journal Officiel de la République du Mali*, Special No 17, 1er Octobre 2020 <<https://constitutionnet.org/sites/default/files/2020-10/mali-jo-2020-17-sp.pdf>>.

⁶³ See UN Doc S/2021/299 (26 March 2021) para 7 and UN Doc S/2021/519 (n 27) para 2.

⁶⁴ See eg UN Doc S/2021/299 (n 63) para 30.

⁶⁵ See 2015 Peace Agreement (n 60) Sections II and III.

⁶⁶ More details in UN Doc S/2019/1005 (n 15) para 65.

⁶⁷ UN Doc A/HRC/WG.6/29/MLI/1* (6 November 2017) para 67.



elements.⁶⁸ As regards human rights protection, the Parties to the 2015 Peace Agreement pledged to promote cultural diversity, inclusiveness and respect for human rights. Mali is also a party to the International Covenant on Civil and Political Rights (ICCPR)⁶⁹ and has been since 1974; accordingly, pursuant to Article 2 of the ICCPR, the Malian government is expected to adopt adequate preventive and repressive measures to ensure that there is respect for the rights recognized under the Covenant for all individuals within its territory and subject to its jurisdiction, without any distinction. However, the human rights situation continues to deteriorate, especially in central Mali, where most violations – including grave violations – and abuses are perpetrated by armed groups, judicial authorities, and national forces.⁷⁰

Finally, the *Macina Liberation Front* (MLF) – one of the leading terrorist groups in the Sahel region which largely draws its membership from the Fulani herders – is not a party to the Peace Agreement, as it was excluded from the negotiations. Therefore, the MLF is released from any formal commitment and all forms of communication or dialogue have been barred since the beginning.⁷¹

Against this backdrop, it can be argued that the Malian government is unable, on its own, to comply with all the undertakings that require adequate control of the territory and effective human rights protection. As a result, in a generalized context of State weaknesses, governmental action highly depends on the collaboration of the international community. Indeed, as will be shown below, the support of the UN and, in particular MINUSMA, has been essential for the implementation of Resolution 2423 (2018) para 68 by the Malian authorities.

⁶⁸ UN Doc S/2021/299 (n 63) para 32.

⁶⁹ New York, UN Doc A/RES/2200 (XXI) Annex (16 December 1966) entered into force on 23 March 1976.

⁷⁰ See eg the last Malian Government periodic report to the Human Rights Council, UN Doc A/HRC/WG.6/29/MLI/1* (n 67) para 67 and the most recent reports by the UN Secretary-General on the situation in Mali: UN Docs. S/2020/476 (n 59) para 76 ff.; S/2020/952 (n 16) para 66 ff.; S/2020/1281 (n 27) paras 66-69; S/2021/299 (n 63) para 54 ff.

⁷¹ For further considerations see B Drange ‘The Potential and Limits of Peace Agreements. Colombia and Mali’ (2018) *Conflict Trends* 4.



4.2. *United Nations*

The United Nations is the second addressee of Resolution 2423 (2018) para 68. Absent any further specification, ‘United Nations’ is to be interpreted very broadly, ie as the whole UN system. Accordingly, all the primary and subsidiary bodies of the Organization (including PKOs) fall within the scope of the SC recommendation.

In this paper, the attention will only focus on MINUSMA, a UN PKO which has been operating since 2013, in the areas most threatened by the interconnection of various factors of instability. It was in fact deployed in 2013,⁷² after the Malian army, with the support of French and African⁷³ forces, restored their control over Timbuktu and Gao.

MINUSMA is a ‘robust’ PKO, which has been authorized by the SC ‘to use all necessary means to carry out its mandate’.⁷⁴ In particular, according to Resolution 2423 (2018), the mission is required ‘to continue to carry out its mandate with a proactive and robust posture’, as well as to

‘anticipate and deter threats and to take robust and active steps to counter asymmetric attacks against civilians or United Nations personnel, to ensure prompt and effective responses to threats of violence against civilians and to prevent a return of armed elements to those areas’.⁷⁵

The very broad mandate held by MINUSMA was strengthened in 2019 by the addition of the security situation in Central Mali as a second strategic priority of the UN mission.⁷⁶

⁷² UN Doc S/RES/2100 (25 April 2013) para 7. As at December 2020, the deployed number of personnel in MINUSMA amounted to 15,775 units, including military (12,877), police (1,718) and civilian personnel (1,180), which had been contributed by 60 countries <<https://minusma.unmissions.org/en/personnel>>.

⁷³ African-led International Support Mission in Mali (AFISMA) was established by ECOWAS in 2013, with prior SC authorization, UN Doc S/RES/2085 (2012) (20 December 2012) para 9.

⁷⁴ See UN Doc S/RES/2164 (25 June 2014) para 12. See also: Res 2423 (2018) (n 7) para 32; Res 2480 (n 47) para 19; and Res 2531 (n 47) para 18.

⁷⁵ Paras 33-34. See also para 38 d) (ii) second hyphen.

⁷⁶ Res 2480 (2019) (n 47) para 20. The primary strategic priority of MINUSMA remains to support the implementation of the 2015 Peace Agreement.



Under Resolution 2423 (2018), the topic of climate change was addressed under the general heading ‘Environmental issues’, which included two paragraphs. One was the already mentioned para 68. The other paragraph required MINUSMA to consider the environmental impact of its activities and to manage them according to the relevant UN rules and regulations (para 67). The latter recommendation was reiterated by the SC following the establishment of MINUSMA⁷⁷ and the Secretary-General has regularly reported on its implementation.⁷⁸

The environmental impact of military operations has increasingly been a topic of attention at the international level in recent years.⁷⁹ Special provisions have also been incorporated within the Draft principles on protection of the environment in relation to armed conflicts, which the International Law Commission provisionally adopted on first reading on 8 July 2019.⁸⁰ Accordingly, a reduction of the so-called peacekeeping environmental footprint is a positive development, which fits into (and strengthens) the above-mentioned general trend. The contribution of UN PKOs to global greenhouse gas emissions is, however, very low if compared with the carbon emissions produced by leading industrial States. Therefore, the reduction of their environmental footprint may only have a minor impact on global warming mitigation.

A major role can be played by MINUSMA in preventing and suppressing certain security implications of climate change through its actions and strategies. The mandate conferred on the mission is in fact flex-

⁷⁷ UN Doc S/RES/2100 para 32. MINUSMA was the first UN PKO to receive a direct mandate to address environmental concern for its ecological footprint. On concrete undertakings, see eg UN Doc 2020/952 (n 16) para 112. On the reduction of the environmental impact of UN PKOs see eg *UNEP 2012* (n 4); L Maertens, ‘Quand les Casques bleus passent au vert: environnementalisation des activités de maintien de la paix de l’ONU (2016) 47 *Études internationales* 57 ff.; L Maertens, M Shoshan, *Greening Peacekeeping: The Environmental Impact of UN Peace Operations* (International Peace Institute 2018); PF Diehl, ‘Mainstreaming Climate Change Adaptation into Peace Missions’ in SV Scott, C Ku (eds), *Climate Change* (n 36) 131 ff.

⁷⁸ See eg UN Doc S/2018/541 (n 28) para 52; S/2019/983 (30 December 2019) para 52; S/2020/223 (20 March 2020) para 92; S/2021/519 (n 27) para 89.

⁷⁹ See eg ‘Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people’ UN Doc A/70/95-S/2015/446* (17 June 2015) (hereinafter: *HIPPO Report*) para 292; as to NATO, see above s 1.

⁸⁰ UN Doc A/CN.4/L.937 (6 June 2019) Draft principles 6 [7] and 7 [8], 2.



ible and broad enough to ensure an indirect, but meaningful, contribution to the implementation of the SC recommendation addressed to the UN in many respects. In particular, MINUSMA may co-operate in preventing and removing certain security implications arising from climate change in central Mali on three levels.

First, the military component of MINUSMA provides a deterrent presence in the Mopti region, ie the area where the most dramatic intercommunal clashes have occurred in recent years. As the *Brundtland Report* highlighted in 1987, '[t]here are, of course, no military solutions to 'environmental insecurity'. In addition '(...) modern warfare can itself create major internationally shared environmental hazards'.⁸¹ It should be noted, however, that the priority tasks of the military component of MINUSMA are the protection of civilians and stabilization of areas where civilians are at risk,⁸² not the settlement of intercommunal conflicts through the use of military force.⁸³ In addition, stabilization is a necessary precondition to prevent other causes of clashes between local communities, such as the exploitation of intercommunal violence by terrorists and ethnically-based self-defence groups.

Second, MINUSMA is required to support the Malian authorities in reducing intercommunal tensions through reconciliation, mediation, and good offices.⁸⁴

Third, MINUSMA supports government efforts to combat impunity – which is one of the interconnected and aggravating factors of violence in Mali – through a strategy aimed at increasing criminal accountability.⁸⁵ As will be seen below, MINUSMA has achieved interesting results in supporting reconciliation and social cohesion efforts. Instead, the fight against human rights abuses and impunity continues to be hindered by

⁸¹ *Brundtland Report* (n 1), Chapter 11, para 38.

⁸² See eg SC Res 2423 (2018) (n 7) para 38 *d*) and UN Doc S/RES/2584 (2021) (29 June 2021) para 30 *c*).

⁸³ On the action to be adopted by UN PKOs to respond to different environments and threats, see United Nations Department on Peacekeeping Operations, *The Protection of Civilians in United Nations Peacekeeping Handbook* (2020) 143 ff., particularly 147-148 (threats of intercommunal violence).

⁸⁴ See SC Res 2584 (n 82) para 30 *c*) and *d*) (ii).

⁸⁵ *ibid* para 30 *d*) (i).

serious challenges, including increasing insecurity and restrictions on movement due to the COVID-19 pandemic.⁸⁶

5. *Major strengths and open challenges*

From the previous survey it can be argued that various actions undertaken by MINUSMA are consistent with the most urgent measures that have been highlighted during the SC debates on climate change and the situation in the Sahel, ie the adoption of a comprehensive and integrated approach and conflict prevention. It may be useful, however, to assess whether and to what extent the objectives pursued by the SC recommendation at hand have been achieved.

5.1. *Comprehensive and integrated approach*

As noted above, the need for a holistic approach has been repeatedly stressed during the SC open debates on climate change⁸⁷ and in various Presidential statements.⁸⁸ In addition, from the reading of the UN Secretary-General reports on the situation in Mali, it is not possible to distinguish the contribution of single threats (COVID-19 pandemic, armed conflicts, inter-community conflicts, effects of climate change, ‘taxation’ by armed groups and poverty) from the deterioration of the humanitarian situation (food insecurity and malnutrition, massive population movements).

According to Principle 25 of the Rio Declaration (‘Peace, development and environmental protection are interdependent and indivisible’), actions aimed at promoting environmental security⁸⁹ would be better

⁸⁶ See UN Docs S/2019/782 (n 12) para 35; S/2020/476 (n 59) para 78; S/2020/952 (n 16) para 43.

⁸⁷ See eg UN Doc S/PV.8307 (n 18) *passim*.

⁸⁸ See eg UN Doc S/PRST/2018/6 (n 20) at 3 and UN Doc S/PRST/2019/7 (n 21) para 26.

⁸⁹ On this notion see eg: H Nasu, ‘The Place of Human Security in Collective Security’ (2013) 18 *J Conflict & Security* L 95 ff.; H Nasu, ‘Human Security and International Law: The Potential Scope for Legal Development within the Analytical Framework of Security’ in ME Footer, J Schmidt, ND White (eds), *Security and International Law* (Hart Publishing 2016) 25 ff.; C Chinkin, M Kaldor, *International Law and New Wars* (CUP 2017).



framed if they were based on an interdependent and dynamic approach – similar to that characterizing sustainable development. Accordingly: ‘(...) the field of security should be broadened to a more comprehensive notion of ‘*sustainable security* (...)’, ie a more expanded field that ‘(...) facilitates critical integrations of state, human and environmental security’.⁹⁰

In addition, a cross-pillar approach (environment, development, human rights, peace and security)⁹¹ is consistent with a basic principle of international environmental law, the principle of integration, according to which: ‘In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it’.⁹²

It would be reductive, however, to limit the scope of this principle to the reconciliation between the three components of sustainable development, namely, ie economic growth, social development and environmental protection. As the International Law Association (ILA) Committee on the International Law on Sustainable Development highlighted in 2006,⁹³ institutional integration (global, regional, national, sub-national and local) ‘... is both the most obvious form of integration and the one that most fully reflects what Principle 4 [of the Rio Declaration] was quite clearly referring to’.⁹⁴ In addition, integration requires not only better coordination between different subjects and initiatives to avoid duplicative or conflicting approaches, but also a systemic inter-institutional integration, which leads to ‘a coherent and coordinated policy- and decision-making across institutions both *horizontally* and *vertically*’.⁹⁵ Are the United Nations prepared to lead this process?

⁹⁰ S Khagram, WC Clark, DF Raad, ‘From the Environment and Human Security to Sustainable Security and Development’ (2003) 4 *Journal of Human Development* 289, 290 (emphasis added). See also A Bellal, G Giacca, ‘Principle 25. Peace, Development and Environmental Protection in JE Viñuales (ed.), *The Rio Declaration on Environment and Development* (OUP 2015) 585, 588.

⁹¹ UN Doc S/PRST/2019/7 (n 21) para 26.

⁹² Rio Declaration (n 2) Principle 4. See also art 3 of the ‘Global Pact for the Environment’, that was drafted by an international network of one hundred experts from all over the world in 2017 <<https://globalpactenvironment.org/uploads/EN.pdf>>.

⁹³ ILA, *Report of the Seventy-Second Conference (Toronto 4-8 June 2006)* (London 2006).

⁹⁴ *ibid* 476.

⁹⁵ *ibid* 478.

With respect to the Sahel, a recent SC Presidential statement, reiterating and broadening previous exhortations on the topic,⁹⁶ stressed the need for a holistic approach to address root causes of terrorism, inter-communal violence, and all other major challenges in the region, including the promotion of sustainable development. It also encouraged ‘... *cross-pillar efforts to foster greater coherence and coordination* within the UN System as well as with partners in the region’.⁹⁷

Resolution 2423 (2018) para 68 may be regarded as a concrete application of the principle of integration, since the security implications of the adverse effects of climate change are to be taken into account by the Government of Mali and the United Nations within all their decision-making processes (‘activities, programs and strategies in Mali’). It should also be noted that other operative paragraphs of the resolution are characterized by the adoption of an integrated approach.⁹⁸ Accordingly, since para 68 is to be read in conjunction with all the provisions of Resolution 2423 (2018) aimed at preventing conflicts or promoting integration, all measures under para 68 are necessarily interrelated with (and strengthened by) other actions in accordance with that resolution.

With regard to the situation on the ground, MINUSMA is an integrated mission with military, police and civilian components, which performs a wide range of activities on the ground. For years, the effective implementation of this mission’s mandate has been undermined by a gap in the integration and complementarity of its personnel at the organizational and operational level.⁹⁹ Recently, in compliance with Resolution 2423 (2018) para 28¹⁰⁰ MINUSMA adopted a strategic plan to enhance the complementarity of skills and to take a coordinated approach across

⁹⁶ See eg UN Doc S/PRST/2015/24 (n 18) para 2 and UN Doc S/PRST/2016/11 (28 July 2016) 4.

⁹⁷ UN Doc S/PRST/2020/2 (11 February 2020) 2 and 3 (emphasis added).

⁹⁸ See eg paras 17, 28, 29 and 31.

⁹⁹ For further details see S Rjetens, C Ruffa, ‘Understanding Coherence in UN Peacekeeping: A Conceptual Framework’ (2019) 26 *Intl Peacekeeping* 383 ff.

¹⁰⁰ In particular, the SC requested that MINUSMA ‘(...) strengthen its efforts to improve coordination between its civil, military and police components, including through an integrated approach to operational planning and intelligence as well as through the establishment of intra-mission dedicated coordination mechanisms’.



its various units, with a view to better reflecting its strategic priorities.¹⁰¹ An important development also consisted in adopting a three-year UN Integrated Strategic Framework (ISG) in 2019,¹⁰² setting joint priorities and coordinating the internal division of labour between the UN Country team, MINUSMA, the United Nations Development Programme (UND) and other UN agencies to strengthen stabilization efforts in Central Mali.¹⁰³

A crucial issue for peacekeeping and peace-building operations is however represented by the difficult integration between short-term and long-term objectives. Various projects have been promoted by MINUSMA in recent years to contain or avoid conflicts between herders and farmers in the short term.¹⁰⁴ Nevertheless, broader actions for climate change mitigation and adaptation may require long-term perspectives. Unfortunately, as the UN practice shows, those projects risk not being undertaken if they collide (or are perceived to collide) with the urgent needs of local and national actors and their expectations for quick results.¹⁰⁵

5.2. *Conflict prevention*

As noted above, the main purpose of Resolution 2423 (2018) is to address climate change-related conflicts at their roots. A similar approach may be found in the SC Presidential statements characterizing conflicts between herders and farmers in the Sahel region as a consequence of

¹⁰¹ See L Spink, *Strengthening Planning in UN Peacekeeping Operations: How MINUSMA is Reinforcing its Strategic Planning Unit* (Center for Civilians in Conflict 2019).

¹⁰² See UN Doc S/2019/207 (5 March 2019) paras 15-18.

¹⁰³ This action was promoted by the SC under Res 2423 (2018) (n 7) para 29 and Res 2480 (2019) (n 47) para 25.

¹⁰⁴ See below s 5.2.

¹⁰⁵ On the possible tension between the short-term objective of settling two million returnees in Rwanda in 1994 and the long-term goal of safeguarding endangered forest areas, see eg R Matthew, 'Integrating Climate Change into Peacebuilding' (2014) 183 *Climatic Change* 83 ff.

‘competition for natural resources, rapid population growth, weak governance, pressures related to climate and ecological factors, and the circulation of small arms and light weapons’.¹⁰⁶

More generally, during the last two decades, the SC has repeatedly stressed ‘(...) its determination to pursue the objective of prevention of armed conflict as an integral part of its primary responsibility for the maintenance of international peace and security’.¹⁰⁷ It also committed itself ‘(...) to consider and use the tools of the United Nations system to ensure that early warning of potential conflicts translates into early, concrete preventive action’.¹⁰⁸ The following year, although recognizing that ‘[i]t is a difficult time to write about conflict prevention’, the UN Secretary-General emphasized that conflict prevention is not only ‘the core function of the United Nations’, but also the most convenient solution at the practical level.¹⁰⁹ In light of the foregoing, it can be argued that actions under Resolution 2423 (2018) para 68 should be undertaken pursuant to a conflict prevention approach.

MINUSMA’s mandate includes supporting conflict prevention efforts in Mali, through preventive diplomacy and mediation.¹¹⁰ In particular, it includes providing support to the national authorities to reduce intercommunal tensions and facilitate reconciliation and social cohesion through mediation and good offices.¹¹¹ If ‘good offices’ is intended in its

¹⁰⁶ See eg UN Doc S/PRST/2019/7 (n 21) para 26 and UN Doc S/PRST/2020/2 (n 97) 2-3.

¹⁰⁷ See eg UN Doc S/RES/1366 (30 August 2001) para 1 and UN Doc S/RES/2171 (21 August 2014) para 1.

¹⁰⁸ UN Doc S/RES/2171 (2014) para 20. See also the SC ‘Declaration on strengthening the effectiveness of the Security Council’s role in conflict prevention, particularly in Africa’, where the Council emphasized the close interrelation between conflict prevention and sustainable development; UN Doc S/RES/1625 (14 September 2005) Preamble, recital 6. For a systematic survey on the topic, see: International Peace Institute, *The UN Security Council and Conflict Prevention* (October 2011) <www.jstor.org/stable/pdf/resrep09518.pdf?refreqid=excelsior%3Ad747d18331f9787ce1c6472f58437c11>.

¹⁰⁹ ‘Report of the Secretary-General on the United Nations and conflict prevention: a collective recommitment’ UN Doc S/2015/730 (25 September 2015) paras 1, 13 and 14.

¹¹⁰ See above s 5.2.

¹¹¹ *ibid*



broad meaning,¹¹² MINUSMA plays an active role on the ground. Its civilian component (which usually, in a peace operation ‘is at the forefront of the mission’s engagement with local communities’)¹¹³ has recently been strengthened in the Mopti region, ie the area of Central Mali where violent clashes between herders and farmers are more numerous and frequent.¹¹⁴ In addition, the Mission is preparing additional projects for demarcating transhumance routes that will include water points and forage areas, with the aim of preventing conflicts concerning access to natural resources, reducing crime and violence, and facilitating the return of internally displaced persons.¹¹⁵

In the UN practice, there are only a few precedents of the direct engagement of Civil Affairs sections of PKOs in promoting social cohesion in areas affected by intercommunal tensions driven by environmental degradation and competition over natural resources. For instance, the Civil components of UNAMID (*United Nations – African Union Hybrid Operation in Darfur*) and MONUSCO (*United Nations Organization Stabilization Mission in Democratic Republic of the Congo*) have both addressed local conflicts between farmers and herders over water shortages and access to fishing areas respectively. Intercommunity dialogue has also been promoted in Eastern Chad by MINURCAT (*United Nations Mission in the Central African Republic and Chad*) and in northern areas of Côte d’Ivoire by UNOCI (*United Nations Operation in Côte d’Ivoire*) in order to resolve disputes over scarce natural resources.¹¹⁶ Obviously, every UN mission is a *sui generis* case, due to its mandate, composition, strength, and the context in which it operates. In addition, conflict drivers and other overlapping factors may vary from one context to another. Some useful lessons can however be drawn from previous experience.

First, adequate skills, experience¹¹⁷ and a strategic coordination with

¹¹² On the meaning of ‘good offices’ and their role in UN peace operations, see A Day, *Politics in the Driving Seat: Good Offices, UN Peace Operations, and Modern Conflict* in C De Coning, M Peter (eds), *United Nations Peace Operations in a Changing Global Order* (Springer 2019) 69 ff.

¹¹³ UNEP 2012 (n 4) at 71.

¹¹⁴ UN Doc S/2020/223 (n 78) para 76.

¹¹⁵ UN Doc S/2021/299 (n 63) para 26. See also UN Doc S/2021/ 519 (n 27) para 31.

¹¹⁶ See UNEP 2012 (n 4) p 71-72.

¹¹⁷ *ibid* 72; *Hippo Report* (n 78) para 75; F Da Costa, J Karlsrud, ‘A Role for Civil Affairs in Community Conflict Resolution? MINURCAT’s Intercommunity Dialogue Strategy in Eastern Chad’ (2010) 48 *Humanitarian Exchange Magazine*; A Day, ‘Politics

international actors and local stakeholders¹¹⁸ are obvious, but necessary, conditions.

Inclusivity is another basic requirement. Notably, public participation should be enhanced, but with care taken not ‘to further exacerbate conflicts between ethnic groups and [to] unwittingly endorse one particular clan over another’.¹¹⁹ This implies, primarily, that all those who make efforts under a strategy of preventive diplomacy behave in good faith.¹²⁰ From this perspective, impartiality – one of the basic principles of UN peacekeeping operations – may also play a crucial role in a positive outcome for these undertakings and the credibility of the peace operation as a whole.

Finally, a successful preventive approach cannot be separated from: the capacity to collect (and exchange) adequate and reliable information in a constant and timely manner; the availability of early warning systems and adequate analytical capability.¹²¹ The latter should also be seen as instrumental in providing the Security Council with sufficient analysis on potential peace and security risks posed by environmental challenges, as explicitly called for under the *HIPPO Report*¹²² and, in a more nuanced way, under the Preamble of Resolution 2423 (2018).¹²³

Considering all these elements, on the one hand, and the competences and resources they imply, on the other, it may be wondered whether MINUSMA is prepared to tackle a similar challenge.

The Civil Affairs Division of MINUSMA works closely with local au-

in the Driving Seat: Good Offices, UN Peace Operations, and Modern Conflict’, in C De Conig, P Mateja (eds), *United Nations Peace Operations in a Changing Global Order* (Springer 2019) 67 at 78.

¹¹⁸ See *UNEP 2012* (n 4) at 75.

¹¹⁹ Da Costa, Karlsrud (n 117).

¹²⁰ See eg UN Doc S/PRST/2011/18 (22 September 2011) 2: ‘The Council further encourages concerned parties to act in good faith when engaging with prevention and mediation efforts, including those undertaken by the United Nations’.

¹²¹ See eg A Day (n 117) 80. On information sharing and early warning, see eg SC Res 2584 (2021) (n 82) paras 28 and 48, and UN Doc S/2021/519 (n 27) para 56-57.

¹²² *Hippo Report* (n 79) para 292.

¹²³ Res 2423 (2018) Preamble, recital 28.



thorities and communities to provide reconciliation and mediation services in an effort to resolve local conflicts.¹²⁴ In Ogossagou, the area most affected by violence, local peace agreements were signed in 2020, allowing for the return of 500 internally displaced persons to Djenné.¹²⁵ MINUSMA has also promoted joint intercommunity activities to reduce the risk of new conflicts between the Dogon and the Fulani communities.¹²⁶ Finally, quick impact projects (QIPs) have been implemented to improve access to drinking water and basic health services, to support the local population in relation to agricultural activities, and to organize income-generating projects.¹²⁷

It cannot be overlooked, however, that structural problems may affect the positive outcome of the entire process. Whether there is a positive impact will also depend on a number of variables, such as the scarcity of reliable data, operational constraints (recently increased as a result of the COVID-19 pandemic), and the lack of commitment from local actors may affect the positive outcome of the entire process.¹²⁸

What is more, MINUSMA is a large multidimensional operation, with the mandate to pursue a variety of complex objectives in a highly unstable and dangerous context. The SC has been consistently called upon to adopt a different strategy in planning peace operations by avoiding, on the one hand, over-ambitious goals (the so called ‘Christmas-tree mandates’)¹²⁹ and a disparity between their mandate and their resources, on the other. It can hardly be said, however, that Christmas is really

¹²⁴ For more details see the periodic reports by the UN Secretary-General on the situation in Mali in 2019 and 2020. See also the budget for MINUSMA (1 July 2019 – 30 June 2020) UN Doc A/73/760 (22 February 2019).

¹²⁵ UN Doc S/2020/952 (n 16) para 36. See also UN Doc S/2021/299 (n 63) para 25 and UN Doc S/2021/519 (n 27) para 30.

¹²⁶ See UN Docs S/2020/223 (n 78) para 25; S/2020/476 (n 59) para 12; S/2020/1281 (n 27) para 36.

¹²⁷ See UN Docs S/2020/1281 (n 27) para 87; S/2021/299 (n 63) para 75-76; and S/2021/519 (n 27) para 79. See also QIPs Overview – Mali <https://minusma.unmissions.org/sites/default/files/2013-2020_qips_overview_en_0.pdf>. An overview of QIPs implemented by MINUSMA from its inception until 30 September 2020 is <https://minusma.unmissions.org/sites/default/files/2013-2020_qips_overview_en_0.pdf>. 156 QIPs (25% of the total) have been realized in the Mopti region.

¹²⁸ See eg UN Doc S/2020/952 (n 16) para 105.

¹²⁹ ‘The Security Council and UN Peace Operations: Reform and Deliver, Security Council Report’ (5 May 2016) 9.



over.¹³⁰ In addition, despite the extension of the MINUSMA mandate from the North to the centre of Mali in 2019, budgetary pressures continue.¹³¹ Finally, since its establishment, MINUSMA has been operating in a dangerous and asymmetrical environment. The situation on the ground is characterized by the constant expansion of terrorist groups,¹³² violent attacks on the UN personnel by armed extremists,¹³³ and the absence of any (or scant) co-operation by self-defence Dogon and Fulani militias.¹³⁴

6. *Concluding remarks*

In 2012 UNEP observed that '[t]he linkages among natural resources and conflict are complex and often misunderstood or neglected by the international community'.¹³⁵ The interrelation between climate change and conflicts is even more complex, but the international community has basically addressed this challenge only through mere statements of principle. In this context, Resolution 2423 (2018) represents a step forward, but it is not without criticism.

A considerable enhancement on previous SC practice is represented by the adoption of a preventive and integrated approach to the root causes of crisis and tensions. This might be taken for granted, due to the multidimensional challenge posed by climate securitization in the Sahel region. Nevertheless, as repeatedly warned by various groups of independent experts over the last two decades, for too long conflict prevention has remained 'the poor relative' of huge operations deployed during and after armed conflicts,¹³⁶ with consequent flaws in the functioning of

¹³⁰ See 'Is Christmas Really Over? Improving the Mandating of Peace Operations', Security Council Report (22 February 2019).

¹³¹ For further details see Spink (n 101) 9.

¹³² UN Doc S/2020/223 (n 78) para 38.

¹³³ As of March 2021, fatalities within MINUSMA included 158 lives lost and 426 seriously injured <<https://minusma.unmissions.org/en/personnel>>.

¹³⁴ See UN Doc S/2019/983 (n 78) para 51.

¹³⁵ *UNEP 2012* (n 4) 81.

¹³⁶ *Hippo Report* (n 79) para 63. See also paras 72-73.



an effective system of collective security.¹³⁷ Similarly, the adoption of a comprehensive and integrated approach to sustainable development and human security has been constantly advocated in a number of UN documents in recent years. Yet, theoretical assertions have rarely been translated into concrete actions.

It cannot be ignored, however, that the fulfilment of the objectives pursued by the SC recommendation under Resolution 2423 (2018) para 68 risks being hampered by structural problems. In particular, the adoption of a comprehensive and integrated approach is not supported by innovative tools. As a result, multidimensional threats and complex security issues are tackled by the SC within a legal framework that has remained substantially unchanged since 1945 and with the support of operational means, whose reform has been repeatedly called for by various groups of independent experts, but in reality, which has not seen substantial reform being undertaken. It is striking to note, for instance, that large PKOs like MINUSMA, which are already burdened with a heavy mandate and which operate in a very hazardous environment, continue to be considered as a useful instrument to deal with whatever problem arises, including overly ambitious security tasks, with scant consideration for their own structural flaws and the extreme complexity of situations on the ground.

More generally, as the situation in Mali clearly shows, the increasingly elusive notion of ‘security’ and the manifold, multifaceted and mutually interconnected causes of instability require an active engagement by the international community, including universal, regional, and sub-regional organizations, which goes far beyond military and financial commitment.

Accordingly, the establishment of a clear legal and operative framework regulating partnership, division of labour and accountability is a necessary step towards the translation of the ‘climate security’ slogan into action. Additionally, the aforementioned framework should also contribute to strengthening the treaty regime on climate change by providing it with an ‘operative arm’, giving concrete content to the general principle of climate change as a common concern at the regional level, including the most troubled and disadvantaged areas as the Sahel region.

¹³⁷ See eg ‘A More Secure World: Our Shared Responsibility. Report of the High-Level Panel on Threats, Challenges and Change’ UN Doc A/59/565 (2 December 2004) especially para 39.