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The Crisis of Peacekeeping

Why the UN Can't End Wars

Séverine Autesserre

In nearly 50 conflict zones around the world, some one and a half billion people live under the threat of violence. In many of these places, the primary enforcers of order are not police officers or government soldiers but the blue-helmeted troops of the United Nations. With more than 78,000 soldiers and 25,000 civilians scattered across 14 countries, UN peacekeepers make up the second-largest military force deployed abroad, after the U.S. military.

The ambition of their task is immense. From Haiti to Mali, from Kosovo to South Sudan, UN peacekeepers are invited into war-torn countries and charged with maintaining peace and security. In most cases, that means nothing less than transforming states and societies. Peacekeepers set out to protect civilians, train police forces, disarm militias, monitor human rights abuses, organize elections, provide emergency relief, rebuild court systems, inspect prisons, and promote gender equality. And they attempt all of that in places where enduring chaos has defied easy solution; otherwise, they wouldn't be there to begin with.

Unfortunately, this endeavor has a spotty track record. Global leaders continue to call on "the blue helmets" as the go-to solution whenever violence flares in the developing world. U.S. President Barack Obama praised UN peacekeeping as "one of the world's most important tools to address armed conflict," and the UN itself claims that it has "helped end conflicts and foster reconciliation by conducting successful peacekeeping operations in dozens of countries." But in fact, UN peacekeepers too often fail to meet their most basic objectives. On many deployments, they end up watching helplessly while war rages. On others, they organize elections and declare victory, but

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without having fixed the root causes that brought them there—making it all too likely that fighting will flare again before long.

Part of the reason for this failure is a lack of resources. It is hard to fault the UN for that, since it relies on contributions from its members. The larger problem, however, is a fundamental misunderstanding about what makes for a sustained peace. The UN's strategy favors top-down deals struck with elites and fixates on elections. But that neglects what should be the other main component of their approach: embracing bottom-up strategies that draw on local knowledge and letting the people themselves determine how best to promote peace.

THE RISE OF THE BLUE HELMETS

When the UN was created, in 1945, it was never intended to have its own fighting force; the UN Charter makes no mention of peacekeeping. But it quickly became clear that some such capacity would be essential if the organization was to have any hope of meeting its simplest goals. In 1948, the UN's mediator in Palestine asked for a small group of UN guards to monitor the truce between Israel and its Arab neighbors, an ad hoc mission that marked the birth of peacekeeping. Most deployments over the next few decades followed a similar pattern: at the invitation of the host government and with the agreement of all warring parties, the UN would send in soldiers after a cease-fire or a peace settlement was reached, provided that no permanent member of the Security Council vetoed the idea.

The possibility of a veto meant that intervention was limited to places not caught up in the East-West rivalry, and as a result, peacekeeping missions were rare during the Cold War. Only 13 were set up between 1948 and 1978, and none at all between 1979 and 1987. The missions that did exist were fairly unintrusive. A small number of unarmed observers would monitor cease-fire lines and troop withdrawals, as in Kashmir in 1949, or lightly armed soldiers would try to insert themselves between national armies, as in Lebanon in 1978. Sometimes, the presence of UN soldiers helped prevent further conflict, while at other times, it did not. The 1973 Yom Kippur War embodied this mixed track record: UN peacekeepers succeeded in enforcing the cease-fire along the Egyptian-Israeli border in the Sinai, but they failed to do the same at the Israeli-Syrian border in the Golan Heights. Even though the UN peacekeeping forces were awarded the 1988 Nobel Peace Prize, their global impact remained limited.



The end of the Cold War heralded a new era. With U.S.-Soviet tensions no longer paralyzing the UN, the organization would finally, its leaders thought, be able to do its job. And so in the span of roughly two years, from April 1991 to October 1993, it launched 15 new peacekeeping operations—more than it had in the first 40 years of its history. In many countries, the missions worked: in Namibia, El Salvador, Cambodia, and Mozambique, peacekeepers helped decrease violence by disarming combatants and brokering agreements. Owing to the sheer number of missions, peacekeeping became institutionalized. It acquired a dedicated department within the UN and its own staff, budget, and standard operating procedures—all the bureaucratic trappings of a global priority.

The optimism soon faded. First came the events in Somalia, where the UN would send approximately 28,000 troops to monitor a cease-fire in the country's long-running civil war and provide humanitarian relief. In June 1993, two dozen Pakistani peacekeepers were killed by

militants there, and a few months later, in the “Black Hawk down” episode, so were 18 U.S. soldiers supporting the UN mission. Then came the massacres in Rwanda in 1994 and in Srebrenica in 1995, when UN peacekeepers stood by and watched as local armed groups perpetrated genocide.

Observers began to sour on peacekeeping. The people living where peacekeepers operated were not much kinder, portraying them as meek

When the UN was created, in 1945, it was never intended to have its own fighting force.

foreigners uninterested in their work. Salvadorans nicknamed the UN mission in their country “Vacaciones Unidas” (United Vacations), Cypriots spoke of “beach keepers,” and Bosnians mocked the “Smurfs.” Yet because major powers preferred UN operations to the type of full-scale interventions they had no

interest in doing, the Security Council continued to generate missions at a fast pace—authorizing 16 of them between 1994 and 1998.

By 1999, the UN realized it had to rethink its approach. That year, leaders in Kosovo, East Timor, Sierra Leone, and the Democratic Republic of the Congo finally reached peace agreements and asked for the UN’s help in implementing them. The organization’s secretary-general, Kofi Annan, who had previously headed its peacekeeping department, wanted to prevent new failures, so he requested two major reviews of international intervention. The first resulted in the Brahimi report (named after the Algerian diplomat who led the initiative), which detailed reforms to make UN peacekeeping more effective. The second produced the “responsibility to protect” doctrine: the idea that the so-called international community is morally obligated to help people living in states that are unable or unwilling to protect their citizens from serious violations of human rights.

These reports, and the debates they launched, transformed the UN’s approach to peacekeeping. No longer should peacekeepers merely monitor cease-fire lines passively. Instead, they should take a proactive stance, using military force to prevent combatants from perpetrating violence. To avoid another Rwanda or Bosnia, where overly restrictive rules of engagement had led to disaster, peacekeeping forces should have strong mandates and ample resources.

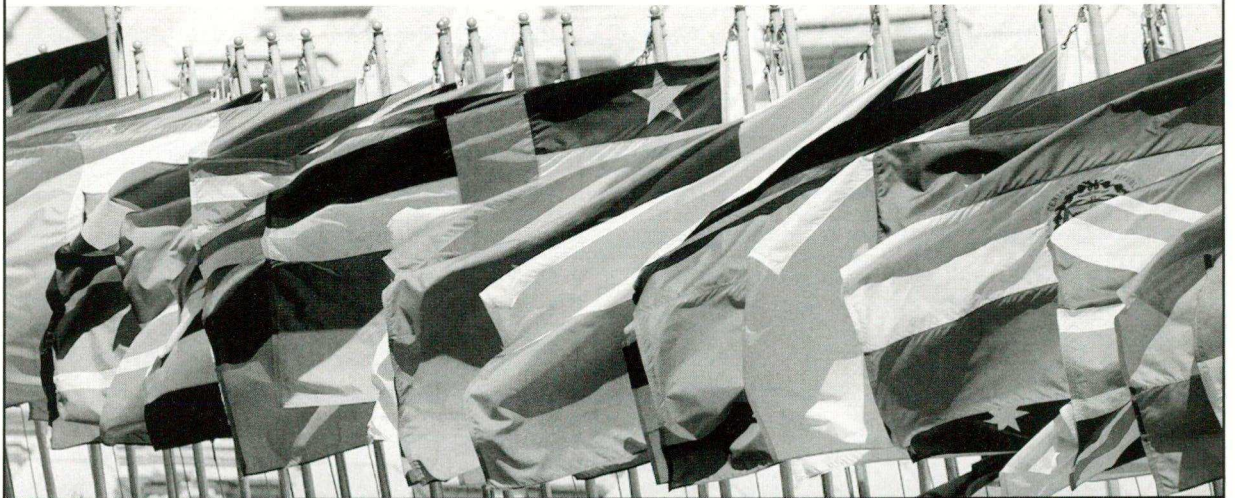
The result of these developments is that peacekeeping is now very different from what it was during the Cold War. Instead of trying to

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end war primarily between states, peacekeepers now focus on maintaining peace within states. Their duties have expanded to include a laundry lists of tasks, from reorganizing armies to protecting populations to arranging elections. The personnel have evolved accordingly.

Peacekeepers can't hold the Security Council responsible for all their shortcomings.

In addition to soldiers and military officers, UN missions now hire experts on development, gender, politics, economics, administration, justice, human rights, land-mine removal, elections, media, and communication. In postwar East Timor and Kosovo, the UN even served as a de facto transitional gov-

ernment overseeing the new states' functions. And of the 18 missions deployed since 2000, an increasing number have been given "enforcement" mandates: instead of relying on the consent of all the warring parties to implement peace agreements and using their military might only in self-defense, UN soldiers can employ lethal force to defeat combatants. In the Central African Republic, Congo, and Mali, UN troops have ended up fighting rebel groups on the side of—or on behalf of—the government.

Despite all these supposed improvements, today, just like 20 years ago, peacekeepers often fail to meet the high expectations set for them. Experts all use different definitions of success and thus arrive at different conclusions, so whether or not a UN mission can be considered a failure is a matter of interpretation. Some scholars have arrived at positive assessments. Michael Gilligan and Ernest Sergenti, for instance, have calculated that 85 percent of UN operations have resulted in prolonged periods of peace or shortened periods of war. Page Fortna has determined that, all else being equal, the presence of peacekeepers decreases the risk of another war breaking out by 55–62 percent. Lisa Hultman, Jacob Kathman, and Megan Shannon have shown that the deployment of UN troops reduces both battlefield deaths and civilian killings. Other scholars have come to more dispiriting conclusions. Jeremy Weinstein discovered that 75 percent of the civil wars in which the UN intervened resumed within ten years of stopping. Michael Doyle and Nicholas Sambanis studied 138 peace processes and found that roughly half of those that had peacekeepers failed to decrease the violence or further democracy. Roland Paris analyzed 11 UN missions in depth and found that only two were able to build a sustainable peace.

What's more, missions that are celebrated as successful on the national and international levels do not necessarily improve conditions on the ground. In a study of Liberia, Eric Mvukiyehe and Cyrus Samii showed that, despite some positive outcomes, peacekeeping deployments at the municipal level did not promote security or help restore local authority.

Finally, even the success stories tend to fall apart on closer inspection. The mission in Cyprus, which began in 1964, is often heralded for having reduced fighting between Greek and Turkish Cypriots, but it can hardly be called a triumph. The island is divided in two, and political reunification looks almost as distant as it did 50 years ago. The 2004–6 operation in Burundi used to be the poster child for UN peacekeeping, credited with tamping down violence after years of civil war and helping the country transition to democracy. A decade later, however, Burundi is back to dictatorship and war. The bottom line is that UN missions do help, at times, to some extent, but they could do far better.

PEACEKEEPING ON THE CHEAP

The UN's defenders rightly point out that peacekeepers have one of the hardest jobs in the world. They operate in places rife with ruthless militias, abusive armies, corrupt officials, and shabby infrastructure. Instructions from the Security Council to support the host government further complicate their task, since rebels are less inclined to cooperate when they believe that the UN is aiding the enemy. Moreover, since great powers tend to care little about the crises the UN is sent to address, peacekeepers are given precious few resources with which to accomplish their ambitious mandates. At \$7 billion annually, the UN peacekeeping budget may seem impressive. But it equals less than 0.5 percent of global military spending, and with it, the organization is expected to help resolve more than a quarter of all ongoing wars.

The main consequence is too few people on the ground, which makes it difficult for the UN to even scratch the surface of its mandates. In Congo, for example, the UN mission's gender office in the province of North Kivu—where sexual violence is pervasive—was staffed by one lone UN volunteer for years. Meanwhile, the number of UN soldiers is usually paltry given the size of the territories they're supposed to monitor or pacify. There is roughly one peacekeeper per 400 square

miles in Western Sahara, one per 50 square miles in Congo, and one per 30 square miles in South Sudan. Compare that to the peak of the U.S. war in Afghanistan, when there was one foreign soldier per two square miles, or to the United States itself, where there is one law enforcement officer per four square miles.

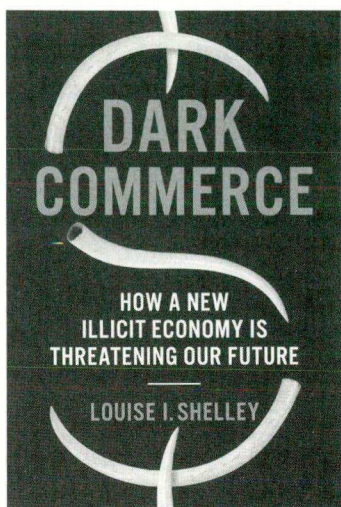
Since the UN does not have its own pool of soldiers, it must rely on the goodwill of its member states to provide them. Countries are reluctant to risk the lives of their troops in conflicts in which they have no stake, and so it often takes months for the UN to muster the forces it needs. When it finally does, it almost always ends up with poorly trained and poorly paid soldiers from developing countries. (In 2018, the top troop contributors to the UN were Bangladesh, Ethiopia, and Rwanda.) These troops are often poorly equipped, too—forced to get by without helicopters and to make do with outdated vehicles.

To make matters worse, their commanders report not just to the UN leadership but also to their own country's chain of command. These officers know what their countries expect from them: to bring their troops back home safe. When they have to choose between fulfilling the UN mandate and avoiding casualties, they generally choose the latter. That is what happened in Srebrenica in 1995, when the Dutch commander of a peacekeeping battalion, outnumbered and outgunned, had his soldiers stand by as Serbian forces rounded up and killed some 8,000 Muslim men and boys.

Worst of all, some peacekeepers harm those they are meant to help. In the Central African Republic, Congo, and Somalia, they have engaged in torture. In Bosnia, Haiti, and Kosovo, they have been implicated in sex-trafficking rings. In fact, over the past 12 years, the UN has received nearly 1,000 allegations of sexual abuse and exploitation by peacekeepers. Those who commit such horrible acts are a minority, but the bad apples have done grave harm to the UN's reputation.

THE WRONG STRATEGY

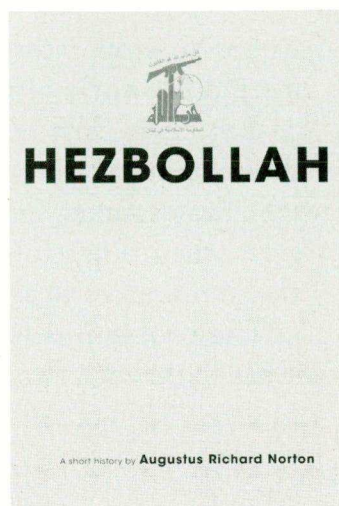
Both the peacekeeping leadership in New York and the rank and file in the field tend to blame all these woes on the Security Council, which provides neither adequate resources nor clear mandates. To ensure success, they say, peacekeepers need more money, more logistical support, and more people, along with more realistic instructions. And, they add, the Security Council needs to force countries that contribute



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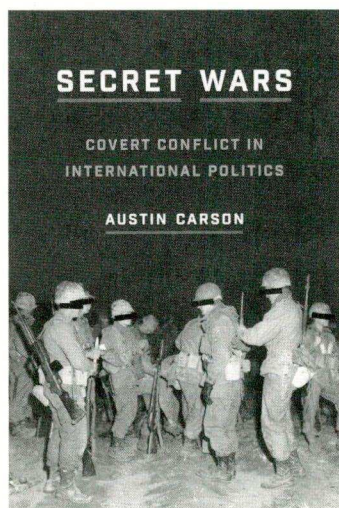
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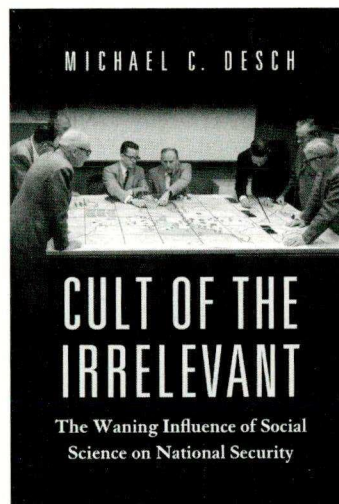
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troops to stop interfering with the operations on the ground and instead tell their officers to respect the UN chain of command. But peacekeepers can't hold the Security Council responsible for all their shortcomings. Because they are the product of compromise, mandates are always vague, and they always need to be interpreted. Besides, even when powerful states and troop-contributing countries devote ample resources to a UN mission, the resulting efforts often fail.

The problem is bigger than mandates and resources. Above all, it has to do with two strategic choices the UN frequently makes: first,

Pushing for a vote before a country is ready may do more harm than good.

to work with national elites to stop violence from the top down and, second, to push for quick elections as a way to consolidate the peace. The standard UN approach to ending wars is to host large, costly conferences in order to

strike agreements between governments and rebel leaders and then organize a national vote and declare victory. Both tendencies are based on faulty assumptions.

The weakness of the top-down approach is that warfare is often the result of not just national or international competition but local competition, too. In many conflict zones, the fight is over such issues as land, water, livestock, and low-level traditional and administrative power. In South Sudan, for example, it is not only tensions between President Salva Kiir and the former vice president and now rebel leader Riek Machar that fuel the current fighting; it is also clan rivalries and countless spats between herders and farmers.

When it comes to the UN's fixation on elections, the problem is that pushing for a vote before a country is ready may do more harm than good. In Angola in 1992, a premature vote triggered a resumption of fighting between the ruling party and the main rebel group (resulting in more deaths in two years than there were in the 17-year war that the UN had supposedly ended).

Both of these errors are on full display today in Congo, the site of both the world's deadliest conflict since World War II and the largest peacekeeping mission in the world. The UN attributes strife there to national and international factors: a weak central government, tensions between Congolese President Joseph Kabila and his opponents, and disputes with neighboring Rwanda and Uganda. It views elections, which Kabila has delayed for years, as a sort of cure-all. In fact, much

of the violence in Congo is local in origin. Disputes often center on who will control neighboring land, the exploitation of local mining sites, or the traditional or administrative power over a village or a district. These tensions often result in localized fighting in one village or territory but frequently escalate into generalized conflict across a whole province and even at times spill over into neighboring countries.

Compounding these mistakes is the UN's overriding disdain for all things local. Because subject-area experience is valued more than country expertise, management positions almost always go to foreigners, who usually have no in-depth knowledge of their host societies, cultures, or institutions. Often, staff lack the language skills to communicate with local people—or even, at times, with one another. In the mission in Cyprus, for example, few peacekeepers speak Greek or Turkish; the same is true for Arabic or Nuer in South Sudan, Albanian or Serbo-Croatian in Kosovo, and French or Haitian Creole in Haiti.

Peacekeepers' everyday behavior only adds to the problem. Both the UN's military personnel and its civilian personnel live in fortified compounds and gather information mainly from elites. Sometimes, the result is that they thoughtlessly apply universal templates. For example, on seeing the success of so-called disarmament, demobilization, and reintegration programs in Burundi and Sierra Leone, the UN attempted similar initiatives in Haiti and South Sudan, where conditions were different; the efforts failed. At other times, dangerous groupthink takes hold. In Congo, for instance, between the last two rounds of elections, from 2006 to 2011, most peacekeepers held a simplistic view of the primary cause of the violence (the illegal exploitation of mineral resources), the main consequence (sexual abuse of women and girls), and the best solution (a stronger state). By empowering the Congolese government and its army, the strategy that emerged from this view actually led to an uptick in human rights violations, including sexual abuse.

The preponderance of foreign staff and foreign ideas also generates resentment among local partners. In country after country, residents complain that peacekeepers are arrogant and demeaning, live in lavish accommodations, drive fancy SUVs, and spend far too much time relaxing and far too little actually doing their jobs. They regularly disparage peacekeepers as neocolonial; local media portray them as parasites at best and thugs at worst. Fair or unfair, these views often cause local

people to refuse to cooperate with UN initiatives, even when they support the underlying goals.

In recent years, insiders and outsiders have attempted to change the standard UN approach. Certain low-level staff and high-ranking leaders within field missions have tried to promote local conflict resolution. A 2015 independent review of peacekeeping, commissioned by the UN, emphasized the importance of customizing projects to each context and interacting with everyday people. Apart from a few marginal cases, however, the UN is largely paying lip service to the importance of these ideas instead of actually implementing them.

THINK LOCALLY, ACT LOCALLY

Peacekeeping is broken, but that doesn't mean the world should give up on it. In many conflict zones, peacekeepers are the only ones protecting populations against abuse by national armies and rebel groups—even if sporadically and imperfectly. (In the Central African Republic and Congo, people have protested or rioted at the mere hint that the UN might close a nearby base.) What's more, there's no alternative body or mechanism for reestablishing peace in conflict-ridden countries. The goal should be not to eliminate peacekeeping but to rethink it.

The main problem is that the UN looks at its efforts backward. It has a cookie-cutter approach that begins with international best practices and tries to apply them to a local situation. Instead, it should start with local realities and then create a customized strategy. For inspiration, the UN need only look to the pockets of peace that already exist in many war-torn places.

Consider the island of Idjwi, in Lake Kivu in eastern Congo. Since war broke out in Congo in 1996, a conflict that has killed anywhere from two million to five million people, Idjwi has avoided the brunt of the violence, even as other islands in nearby lakes have not. Idjwi has all the same factors that have fueled fighting around it: a geostrategic location, mineral resources, ethnic tensions, a lack of state authority, extreme poverty, disputes over land and traditional power. But the island's residents, including the poorest and least powerful, have set up various grass-roots organizations—religious networks, women's associations, youth groups, and so on—to help resolve disputes. They also draw on strong traditional beliefs—for example, forming blood pacts through which different families



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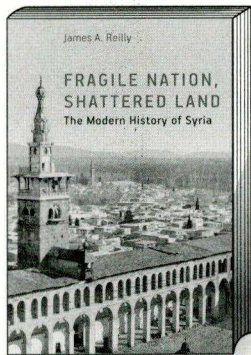
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promise never to hurt one another. They have worked to foster what they call a “culture of peace.”

There are similar examples: The inhabitants of the autonomous region of Somaliland, in war-torn Somalia, have reduced violence through a twin process of bottom-up peace building and state building and by relying on ordinary people and local leaders to help maintain their hard-won stability. In Colombia, residents of the rural community of San José de Apartadó have created a zone of peace in the middle of a region controlled by militias. Contrary to the UN’s standard procedures, building peace doesn’t require billions of dollars in aid or massive international interventions. It often involves empowering average citizens.

The UN currently views such bottom-up peace-building efforts as a sideshow. Instead, it should see them as an essential complement to its current top-down efforts to stop fighting. In practice, this means acknowledging that resolving local disputes is just as important—and just as much a part of peacekeepers’ job—as addressing broader issues. It also means devoting money to local conflict resolution. Both at headquarters and on the ground, the UN should create specialized offices or departments for bottom-up peacemaking and staff them with experts in the analysis and resolution of grass-roots conflicts. This new staff, in turn, should produce guidelines and organize training for their colleagues. The Security Council should also mandate that all missions support bottom-up peace building financially and logistically. And the UN leadership should emphasize to all staff members that doing so within their own areas of expertise, whether that be elections or gender, is mandatory.

As peacekeepers seek to bolster local peace efforts, they must resist the temptation to impose universal approaches. They can take their cues from the Life and Peace Institute, a Swedish peace-building agency that grounds its actions in in-depth local expertise. In Congo, it relies heavily on local employees and does not implement projects directly, instead working with a few handpicked on-the-ground organizations. These organizations then empower ordinary citizens to come to their own conclusions about the causes of their communities’ conflicts, agree on the right solutions, and put them into practice. It’s not foreigners based in capitals and headquarters who conceive, design, and implement peace initiatives; it’s the intended beneficiaries themselves, with an assist from outside organizations.

For the UN, this model would mean stepping up efforts to recruit staff who have an in-depth understanding of local contexts and a command of local languages, even as it continues to hire people with subject-specific expertise, as well. When considering retention and promotion, it should value time spent in a given area more than the number of missions completed in different countries. And it should give preference to nationals over foreigners when filling posts for a given mission (and among nationals, it should give preference to those who come from the specific area where they will be working). Foreigners should be hired only for positions for which no local person

with the necessary skills can be found or for those in which outsider status is an asset—for example, a recruiting post in which a local employee would face inordinate pressure to hire friends or family, a political job in which a local staff member might worry about retribution when standing up to a warlord, or a position in which contributing ideas from elsewhere is key. Even if the UN paid its local recruits a salary equivalent to that of its foreign staff, as it should, this measure would still save the organization money, since it currently spends a great deal on extras for foreigners, such as insurance premiums and hardship allowances.

The UN should also rethink how it uses local hires. As things stand now, foreigners tend to make decisions, while local staff execute them. Although this makes sense for diplomatic missions seeking to uphold their countries' interests, it is a bad idea for an international organization whose main mandate is to promote peace. The prevailing practice should be inverted: local people should be in the driver's seat, and foreigners should remain in the back. Instead of imposing or strongly advocating one idea, peacekeepers should use their technical expertise in a different way: to suggest several options, explain the pros and cons of each, and offer support—financial, logistical, military, and technical—in implementing whichever plans the local stakeholders agree on.

Letting the intended beneficiaries of international intervention decide is all the more important when there are hard choices to make between two worthy goals—for instance, between democracy and peace or between peace and justice. In the current setup, foreign peacekeepers

The UN has a cookie-cutter approach that begins with international best practices and tries to apply them to a local situation.

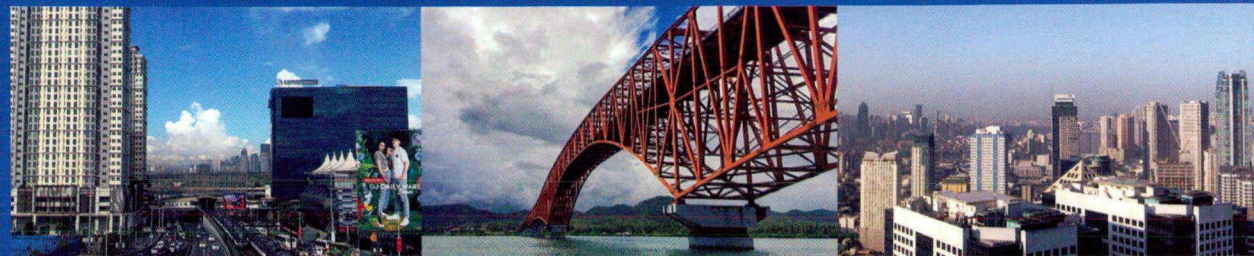
and diplomats, rather than ordinary citizens, are typically the ones who choose between these goals. Far better to let those who have to live with the consequences of a decision be the ones making it. For example, in places where a focus on elections would come at the expense of addressing other pressing sources of conflict (such as poverty), the UN should recognize the tradeoff. If the demand truly exists for elections, they can be set up quickly, with the understanding that the risk of violence may grow. But if people seem to care more about solving other problems, then the UN should put democracy on the back burner and apply its scarce resources toward solving those underlying causes of war.

A BETTER WAY

The consequences of conflict rarely stay within national borders. What initially looks like contained fighting can quickly destabilize vital regions, and war creates a breeding ground for terrorists and illicit traffickers. In just the past five years, armed conflicts have spawned the worst refugee crisis since World War II. Partially in response to all these events, hateful nationalist political movements have surged in the United States and Europe.

In many cases, calling on the blue helmets has become merely a convenient substitute for a serious grappling with what it would take to bring peace. The same story thus repeats itself, whether in Bosnia, Congo, East Timor, Kosovo, Rwanda, Somalia, or South Sudan. After the outbreak of war, donor countries pledge millions of dollars in aid and ask the UN for help. Eventually, the warring parties call for cease-fires, sign agreements, and hold elections. But soon, sometimes just days later, violence flares up again. Often, it has never actually ended; in many cases, it lasts for years.

The international community's preferred strategy for dealing with conflict simply isn't working: peacekeeping as currently practiced is a Band-Aid on a gaping wound. The good news is that there is a way to rethink the current strategy so that it has a better shot at establishing lasting peace: rely more on the very people it is ostensibly trying to protect. 🌍



A PREDICTABLE SUCCESS

Over the past decade, the Philippines has posted a year-on-year GDP growth of between six and seven percent, nearly twice the world average over the same period. Such GDP figures are not uncommon among emerging markets that benefit from a demographic dividend and rising spending power.

The Philippines, however, stands out as a star player in the ASEAN region because of its exceptional advantages, like its skilled workers, thousands of whom operate ships, fly planes and run hospitals across the world. The 100

million-plus Filipinos, an archipelago of more than 7,100 islands, cannot ignore geopolitical and economic movements in the region and beyond, for better or worse.

Amid the much discussed rise of populism around the world - as seen in the Donald Trump election phenomenon - and the growth of Eurosceptic movement, many have accepted that liberal politics and globalization have not provided the vast majority with their expected benefits. Around the world, millions voiced their anger through the ballot box.

Two years into the Duterte Administration, the Philippines appears to have diverged from familiar policies, particularly in the fields of politics and diplomacy, without abandoning its commitment to free market economics. And as a trade war rages between the United States and China, and the rising standard of living in China has resulted in higher labor costs,

Southeast Asian economies position themselves as alternative locations for manufacturing and assembling finished goods.

Filipino policy makers and business leaders are identifying growth opportunities in a global

economy that is no longer dominated by the United States but driven by several players, be they single countries, like China, or regional blocs, like the EU.

Like the narrative of many developing

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Villaraza & Angangco
Managing Partner Alejandro Navarro

million-plus Filipinos also possess a comfortable familiarity with the English language, a plus for Western investors in a region that is both geographically and linguistically fragmented.

With technology advancing rapidly, driving the world towards greater convergence and inte-

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A predictable success

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countries, the benefits of economic growth in the Philippines have not been inclusive. To correct that, the current administration enacted the first package of a tax reform law that cut the personal income tax rate for low earners and raised the rates for high earners. The main objective of the new tax law was to raise revenue for the government's ambitious, multi-billion dollar "Build, Build, Build" infrastructure program.

With the announcement and rollout of several infrastructure projects, companies and investors have had to enlist the services of local law firms, many of whom go beyond advice on basic legal compliance but provide cross-disciplinary expertise and strong connections across Southeast Asia.

Founded in 1980, **Villaraza & Anganco** has grown into a full-service law firm that has developed a deep and extensive knowledge of issues and challenges that face the business community in the Philippines. As such, they are able to formulate strategies that help their clients surmount unfamiliar

difficulties.

"Our direct involvement in issues of national concern has given us a broader outlook in solving our clients' problem. We look at our clients' problems not just from a purely legal point of view but also from a strategic point of view, as we consider regulatory and administrative aspects. We take a multi-disciplinary and tailored approach to each problem," **Villaraza & Anganco Managing Partner Alejandro Navarro** explained.

Despite the unexpected headwinds the Philippine economy is facing, Navarro remains optimistic, "Just like any market, there are some challenges. The 2018 tax reform law's effects are being felt by way of inflation. The second package of this tax reform will reduce the corporate income tax rate and lessen fiscal incentives. This will support the growth of local SMEs and affect businesses in export processing zones.

"While there may be some negative aspects, our economy has the fundamentals and potential for exponential growth. In

the Philippines, we're seeing growth in tourism all around the country. This is an area that is open for even more investment and development," he added.



Cruz, Marcelo & Tenefrancia Senior Partner Patricia Bunye

Aside from the traditional economic sectors like manufacturing, tourism and retail, the fintech and blockchain sectors have presented new investment opportunities in the Philippines, most notably in energy, transportation, logistics and banking. With more than 100 million consumers, of which more than 10 million work overseas, the country is an ideal place to develop idea-to-market applications.

Because Philippine laws prohibit full foreign ownership in certain vital industries, finding the right local partner is essential for international investors. While it may appear a hindrance, this requirement, in the long term, will encourage serious commitment to the national economy and local communities.

For deals in energy, transportation and natural resources, **Cruz, Marcelo & Tenefrancia** has gained a reputation for being the go-to law firm for must-win cases and for ironing out successful deals that have benefitted both the foreign investor and the local community.

"The competitive advantage of the Philippines is the mining sector. The economy has been focused on BPOs and OFWs. But we have something here that is largely untapped. If you keep the minerals underground, they're of no use to us. But if they are extracted, developed and utilized, that's great wealth for the country," **Cruz, Marcelo & Tenefrancia Senior Partner Patricia Bunye** said.

"It is fundamental that foreign firms seeking to enter the Philippine market find the right partners. This involves due diligence and background intelligence. Law firms such as CMT play an important role in that we have helped companies, both big and small, navigate the local jungle, so to speak, and have made sure that they are aware of all the applicable laws in sectors they would like to enter," Bunye added.

"Law firms help vet local partners to avoid deals going sour. Without the right professional advice, issues can develop in later stages of the deal. As much as we would only like to present the advantages and possible benefits of coming to the Philippines, we also need to be upfront about the potential pitfalls so that all expectations are managed throughout," she also said.

Higher levels of unpredictability usually accompany investment and financial commitments to emerging markets. The right partners provide a predictable winning investment, securing excellent legal guidance and obtaining extensive due diligence. ■

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