Action for Peacekeeping and Protection of Civilians - Leadership and Cooperation

Purpose of the Paper

The purpose of this paper is to inspire the dialogue on Protection of Civilians (POC) to be held at the 2018 Challenges Annual Forum. The Forum will concentrate on the UN Secretary-General's Action for Peacekeeping (A4P) Declaration of Shared Commitments on UN Peacekeeping Operations, endorsed by Member States.

Hence, the paper will discuss key aspects of the POC commitments in the A4P Declaration, related to their implementation. The paper will focus on paragraph 10 of the A4P Declaration (titled "Strengthening the protection provided by peacekeeping operations") but also refer to other paragraphs, relevant for the discussion.

The Forum provides an opportunity for participants to discuss the implementation of the A4P commitments, including with representatives from the UN Department of Peacekeeping Operations (DPKO)/ Department of Field Support (DFS). The UN Secretariat is currently revising the DPKO/DFS policy on POC, and developing a handbook to operationalize the policy, with the support of the Folke Bernadotte Academy (FBA).

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Executive Summary

This paper discusses key aspects of the POC commitments as stated in the A4P Declaration. Leadership and cooperation are reoccurring themes.

The analysis of the commitment on (1) "tailored, context-specific" approaches to POC falls back on the POC policy, the peacekeeping principles, and the overarching political objective of missions.

The emphasis on protection of (2) "women and children" in the commitments is furthered with a gender perspective, mainstreamed child protection concerns, and the analysis of communities at risk, as referenced in the POC policy.

The paper discusses (3) "all necessary means" in the commitments and explores the range of civilian, military and police competences in POC. Moreover, it looks at Tier I of the POC concept on dialogue and engagement with relevant actors.

Lastly, the paper reviews the commitment of (4) "strategic communications and engagement with local populations". Two-way dialogue, meaningful involvement and local ownership are addressed.

A4P POC Commitments

Which are the POC commitments in the A4P Declaration?

In paragraph 10 of the A4P Declaration, Member States commit

- to support (1) **tailored, context-specific** peacekeeping **approaches** to protecting civilians, in relevant peacekeeping operations, emphasising the protection of (2) **women and children** in those contexts;

- to implement protection of civilians mandates of peacekeeping missions, including through using (3) **all necessary means** when required, in accordance with the UN Charter, mission mandates, and applicable international law; and

- to improving (4) **strategic communications and engagement with local populations** to strengthen the understanding of the peacekeeping missions and their mandates.

The paper will look at the four key elements of these commitments highlighted above. The aim is to draw the attention to the implementation of the commitments.

The headings below formulate dichotomies with the purpose to stimulate discussion among participants at the 2018 Challenges Annual Forum. The aspects addressed are non-exhaustive.

(1) "Tailored, Context-Specific Approaches" vs. Standards, Principles and Overarching Objectives

How should tailored, context-specific approaches to POC be supported? How are they linked to basic principles and overarching objectives?

Many agree with the need for tailored, context-specific approaches to protecting civilians. Peacekeeping missions require comprehensive knowledge and understanding of the area of deployment to be successful.

Experiences from other places cannot necessarily be transferred. However, POC methods developed in the mission in the DR Congo, for example, have been replicated in other missions. These, and other lessons learned, have also been incorporated into policy. The DPKO/DFS POC policy provides a certain degree of standard responses that could be adapted in different theatres. It entails the three tiers of the POC concept:

Tier I: Protection through dialogue and engagement

Tier II: Provision of physical protection

Tier III: Establishment of a protective environment

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The pursuit of tailored approaches to protecting civilians could be linked to the call for sequencing and prioritization of mandates (paragraph 5, A4P Declaration). Peacekeeping mandates have become too broad and complex, some stakeholders argue, referring to "Christmas tree" mandates. One of the reasons for their expansion, in size and scope, may be increasingly complex contexts, and/or different perceptions of these contexts.

Several POC approaches could be on the table if there are divergent views of the context, for example, in/between the Security Council, the Secretariat, and the host state. In turn, these different perceptions could depend on contrasting perspectives, experiences, or information received.

Indeed, it can be a challenging task to untangle settings with diverse and dynamic threats and their incentives, relations and capabilities. Yet, POC mandates require peacekeeping missions to do this; develop, and constantly adapt, tailored strategies for each POC threat (within the missions' capabilities and areas of operations).

Moreover, peacekeeping missions are to prevent and respond to POC threats regardless of the source of the threat. Missions struggle to live up to this definition in the policy, specifically in places where the host states are constituting POC threats. In these cases, the "impartiality" as well as the legitimacy and credibility of the missions could be compromised. Experiences such as in the Central African Republic and the DR Congo demonstrate challenges with upholding the peacekeeping principles. Also, "consent of the parties" is important for missions' freedom of movement and action to be able to protect communities at risk. Another example includes South Sudan.

The Human Rights Due Diligence Policy is one instrument that should be used when missions support non-UN forces (paragraph 22). This policy was developed after the introduction of the Force Intervention Brigade in the mission in the DR Congo in 2012. However, missions express concern with how to ensure its full application. Correspondingly, "the need for a clear delineation of roles between operations" is recognized in the A4P Declaration, including with regional organisations such as the African Union and the European Union (paragraph 18).

The challenges addressed above demonstrate the necessity of active political backing of missions. POC should be aligned with the political strategy and objective of the mission, starting from the Security Council mandate.

Thus, Member States affirm "the primacy of politics" in the A4P Declaration, including support to "resolutions through bilateral and multilateral engagements" (paragraphs 3 and 5). Member States, and the Council, should utilize all the tools "in the toolbox" to protect civilians and create the conditions for a political solution.

Likewise, continuous engagement with host nations, as well as

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contributing countries, is central from the outset of discussions of possible mission deployments to the time of their exit. Host governments commit to cooperate with missions, including facilitating access. Furthermore, they recognize their role in the safety and security of mission staff as well as their primary responsibility in POC in the A4P Declaration (paragraph 9 and 19). Contributing countries commit to redouble efforts to communicate clearly on caveats that impede missions' abilities to protect civilians (paragraph 15).

The UN Secretary-General expressed that performance, and accountability, should be viewed in terms of impact on POC when he presented the A4P agenda to the Council. Leadership and cooperation are required at all levels.

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(2) "Women and Children" vs. Communities at Risk, Gender Perspective and Mainstreamed Child Protection Concerns

How should the emphasis on protection of women and children be implemented?

Women and children are often disproportionally affected in conflict and post-conflict environments. Ergo, the Security Council accentuates these groups in POC mandates, and missions deploy designated Women Protection Advisers and Child Protection Officers.

The POC policy also states that mission responses should be based on an analysis of "the communities at risk" in each specific case. Similarly, a gender perspective as well as the mainstreaming of child protection concerns have proven to be effective approaches to protect women and children (paragraph 28 and 29 of the policy). This analysis is required to assess which women, men, girls and boys who are at POC risk, sometimes in different ways, in each situation.

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Additionally, the Women, Peace and Security agenda is complementary in stressing the full equal meaningful participation of women (paragraph 8, A4P Declaration).

(3) "All Necessary Means" vs. Unarmed Strategies, Whole-of-Mission and Integrated Approach

How should missions ensure POC impact?

"All necessary means" is an operative phrase to include the use of force in mission mandates. The POC policy, and specific guidance for military and police, helps to define when force can be used to protect civilians.

Military operations against armed groups by missions in the DR Congo, Mali and the Central African Republic seem to challenge the principle related to the non-use of force. Some even argue that missions have become parties to the conflicts.

With offensive operations there is a danger that missions unintentionally get caught in violence instead of peaceful means, and even harm civilians. In Mali, civilians can be subjected to risk by the mission's bare presence, attracting attacks from armed elements. In the DR Congo civilians sometimes face repercussions after having interacted with the mission.

The use of force to protect civilians, when required, needs to be in furtherance of the political strategy of the mission, as discussed earlier. Preventive measures are becoming even more important, considering challenging environments, and calls for cost-effectiveness and streamlining, some argue. Missions are working on proactivity, readiness and early-warning to prevent and respond to POC threats.

Peacekeeping missions have unique civilian, military and police competences at their disposal. As the UN Secretary-General states, "at its best, peacekeeping is one of the most effective tools available to the UN".

The POC policy, and forthcoming handbook, assists missions with several tools to implement POC in different contexts. It stresses POC as a whole-of-mission activity, including unarmed strategies such as political affairs, justice and security sector support, and human rights.

The mission leadership, including the mission Chief of Staff, has an important role to ensure internal coherence and coordination of the different components of the mission. The leadership needs to assure that everyone understands the overall vision, and implements their work in accordance with the POC strategy. POC Advisers are assisting the missions to achieve this aim. The Head of Mission leads the central POC coordination mechanism, the Senior Management Group on Protection. Examples of offices involved: The Joint Mission Analysis Cell (JMAC) is usually the main unit responsible for threat assessments. The Joint Operations Centre (JOC) reports and tracks POC indicators. Civil Affairs offices have a significant role in community engagement. UN police officers are assisting the police in the prevention of criminal activities and lawlessness.

The POC policy also stresses the importance of an integrated approach, including coordination with humanitarian actors, UN agencies, funds and programmes, and national and international NGOs.

Hence, "dialogue and engagement" (Tier I of the POC concept) is important for the entire mission, internally and externally, not least for the senior mission leadership in relation to the host nation.

Some think that missions should be able to engage with all relevant actors, independent of their motives, tactics and history. They refer to

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the principle of "impartiality", as well as legitimacy and credibility of the missions.

The UN Secretariat is currently developing guidance on mission engagement with non-state armed groups, with the aim to influence intent and behaviour. The senior mission leaders have to manage the balance of different options in relation to armed groups, for example, what is referred to as "carrot and stick" methods. They have to decide in which situations uniformed tools could be a leverage or when other tools such as political pressure, "naming and shaming", or pre-DDR/Community Violence Reduction projects could create the space for POC and the peace process.

(4) "Strategic Communications and Engagement with Local Populations" vs. Dialogue, Involvement and Ownership

How should strategic communications and engagement with local populations be improved?

Strategic communications are imperative for missions to be able to fulfil POC, according to many observers. Some mean that it is at the centre of the "dialogue and engagement" of missions, in particular of the senior mission leadership. In increasingly challenging environments it is not enough *what you do,* but *what you communicate about what you do* could be just as important.

Strategic communications are related to the discussion of discrepancies in the peacekeeping principles addressed previously in the paper. Another example is the mission in Mali, allegedly struggling with its legacy that is affecting the mission's credibility in POC. Some argue that other actors have been defining the role of the mission.

The management of expectations should not be the only reason for the interaction with local populations though. Missions should involve them, and existing protection mechanisms, to understand POC risks in order to take informed decisions and appropriate actions. Women, men, boys and girls should be the point of departure and paramount throughout the POC work of missions.

Besides, inter-communal tensions can quickly escalate to violence and state-level conflict, especially if groups or individuals have strategic leverage. This lesson was, for example, drawn by the mission in the Central African Republic. Thus, senior mission leaders should strive to connect support to the national process with local concerns and capacities for a sustainable impact.