

## CONCLUSION: FILLING GAPS, LOOKING FORWARD

*...[S]overeign states have a responsibility to protect their own citizens from avoidable catastrophe...when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states.*<sup>489</sup>

Ambitions to protect citizens from mass violence and genocide are energizing international debate over state sovereignty and its responsibilities. When nations fail to provide safety to their population on a large-scale, then the international community weighs when and how to step in. As urged by *The Responsibility to Protect*, there is a growing call to embrace responsible sovereignty and to intervene when lives are on the line. Indeed, nations dramatically endorsed the basic concept of a “responsibility to protect” at the UN World Summit in 2005.

The idea of protection has developed from a long history of concern for civilians caught in conflict. Emerging from the failures to stop genocide and mass killing in the 1990s, the international community debated the merits and risks of military interventions and focused on improving peace operations and humanitarian efforts. UN Secretary-General Kofi Annan challenged critics of “humanitarian intervention” to square international respect for state sovereignty with the desire to prevent a future Rwanda or Srebrenica. In 2000, the *Brahimi Report* argued for clearer guidance and adequate resources for peace operations, but warned of a “potentially large mismatch between desired objective and resources available” for peacekeepers to extend protection to civilians.<sup>490</sup> The ICISS panel took the question further, offering *The Responsibility to Protect*, a challenge to an uncertain world soon after September 11, 2001.

Debates about humanitarian action and military intervention are still in the news, as third parties deploy to foreign soil in efforts to secure peace and, increasingly, to protect civilians. From Afghanistan to Haiti, from the Democratic Republic of Congo to Timor-Leste, from Kosovo to Burundi, large numbers of forces serve

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<sup>489</sup> ICISS, *The Responsibility to Protect*, viii.

<sup>490</sup> A/55/305-S/2000/809, 21 August 2000, 11.

worldwide in peace and stability operations under varied flags. Over 70,000 uniformed personnel are deployed in UN missions alone, and the growing participation of troops in operations led by NATO, the European Union, the African Union, and ECOWAS further swell the ranks of peacekeepers.

Lively discussions of a “responsibility to protect” and of various protection strategies bode well for closing the protection gap recognized in the 1990s. The 2006 US National Security Strategy, for example, declares that “(w)here perpetrators of mass killing defy all attempts at peaceful intervention, armed interventions may be required.”<sup>491</sup> Headlines call for militaries to help protect vulnerable populations in post-conflict environments or to intercede in ongoing violence. This attention offers evidence that a new norm may move from the realm of dialogue to one with practical applications for modern forces.

## WHY IT MATTERS

Interpretations of the “responsibility to protect” can spiral off in innumerable directions. Debates over civilian protection have proliferated, framing discussions of the role of international organizations, of their capacity to lead operations, and of specific missions such as AMIS in Darfur and *Operation Artemis* in the DRC. Reducing civilian vulnerability has also animated a broad “protection” agenda within humanitarian organizations and agencies, marshalling resources and driving new strategies ranging from conflict prevention to addressing the “inner emotional life” of a refugee, for example. UN reports and resolutions have further declared concern for the protection of civilians. NGOs frame policy recommendations around meeting the “responsibility to protect” and urge it as a rationale for multiple strategies to reduce vulnerability for civilians in conflicts.

There are two main hazards with so many approaches to protection. First, as more actions are cast as supporting the “responsibility to protect,” its meaning is diluted. This broad base may increase the overall capacity to reduce threats to civilians, but weaken focus on the ICISS argument for intervention in the face of the worst violence: mass killing, genocide, and ethnic cleansing. The powerful argument of the report is that nations *must act* when extreme violence endangers civilian populations. That kind of intervention is rarely offered and is likely to require advance thinking and planning.

Second, debates over a “responsibility to protect” norm may distract the international community from addressing the practical, immediate challenges within current operations. Certainly the world’s governments have fallen short

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<sup>491</sup> *The National Security Strategy of the United States of America*, March 2006, 16-17.

of fully endorsing a “responsibility to protect” and adopting criteria for the Security Council to trigger an intervention. Nations have merely acknowledged it as grounds for responding to mass violence. But at one level the basic argument about whether to send forces to protect civilians is over; troops have already been sent, and sent in large numbers, under mandates to “protect civilians under imminent threat.” While debates over sovereignty and responsibility continue in capitals around the world, more than 55,000 troops serve in six UN-led operations in volatile environs, with mandates to protect civilians, but without guarantee of the capacity to meet that mandate.

Since 1999, missions led by the UN, the EU, the AU, and ECOWAS have been directly charged to “protect civilians.” The Security Council has made this directive a regular feature of Chapter VII mandates for operations, and in April 2006, the Council again reaffirmed the role of peacekeepers to ensure aspects of civilian protection and its inclusion in UN mandates. The requirement is likely to continue as the UN deploys troops at unprecedented levels and plans for new missions. NATO, the EU, the AU and ECOWAS have expanded their ability to organize and lead missions, primarily as peace support operations, and have some capacity to intervene in cases of mass violence and genocide. While not sent to halt genocide, peace operations approach the idea at the heart of the ICISS report: using armed personnel to protect civilians from violence.

What, then, does it mean for militaries assigned such a role? The protection of civilians is an implicit job of peacekeeping forces, but it has not been the traditional goal of peace operations. While balancing the broader political goals of the mission, peacekeepers have tried various strategies and tactics of protection: patrolling, escorting humanitarian supplies, supporting the disarmament and demobilization of local fighters, responding to violent militias, working with government forces, and trying to provide broad security. They also offer support to elections, to establish the rule of law, and to build local and national government capacity to provide its population with security. In the DRC, for example, peacekeepers have tried to strengthen peace in a region where millions have perished. The large UN force of 18,000 includes some highly skilled contingents with combat experience operating in regions such as Ituri, where violence is especially high. The mission is using force to protect civilians under imminent threat, with a stance more aggressive than other UN missions with similar mandates.

But operations such as MONUC are not authorized, designed or equipped as humanitarian or military interventions. They operate in a gray zone between more traditional peacekeeping missions and military interventions, navigating questions of sovereignty, consent, impartiality, and mission goals. Many face

situations that are hazardous for peacekeepers and civilians alike. Missions are challenged to protect civilians in difficult environments where a state's capacity may be severely limited, but where the mission must respect its sovereignty. Two issues arise: first, who is responsible for protection, and second, who can provide it? The peacekeeping force is neither fully responsible nor fully capable; neither is the state. Navigating partial responsibility, with limited means, can lead to unclear goals for peace operations and their military forces. The offer of protection is undercut by the inability of outside forces to deliver it.

In the future, militaries may be asked to conduct operations for which protection *is* the central aim. With the growing argument that military forces should play a leading role in providing physical security for civilian populations threatened by genocide and ethnic cleansing, the unaddressed operational aspects of such missions take on increased, urgent importance. Thousands of military personnel already work in environments where civilians are at great risk or could be. These uniformed personnel too often operate without sufficient capacity, clear guidance and doctrine, adequate training and leadership, and a concept of their mission to uphold their mandates to “protect civilians.” They and the international community are not well-served by this stance. Neither is the local population that hopes to find security with the deployment of such personnel.

## **TRANSLATING IDEAS INTO CAPACITY**

This study began as an investigation of preparedness for operations to protect civilians from mass violence and genocide. Surprisingly, there was little information about preparation for military interventions to protect civilians—or for addressing protection as a role for armed forces serving in peace and stability operations. This study considered the many concepts of protection, the role of military forces, and the primary tools used to prepare personnel for missions that might address civilian protection.

### **Competing Concepts**

Fundamentally, every mission needs an approach to protecting civilians, whether for a UN-led peace operation or for a military intervention force authorized to halt a genocide. It is not sufficient to deploy forces and hope they figure out an effective protection strategy once they arrive. The concept should support both a strategic framework for the mission and tactical guidance to troops on the ground.

There are multiple, contradictory concepts of what the protection of civilians means for modern operations, reflecting the divergent views of military and civilian leaders, NGOs, and international organizations. Even experienced

military officers and humanitarian leaders can be confused. It is no surprise then that mandates from the Security Council do not translate easily into operational terms. Six concepts of protection with implications for a military role stand out:

- Protecting civilians can be conceived of as a *legal obligation* of military actors to abide by international humanitarian and human rights law during the conduct of war.
- Protection may be seen as the natural outcome of *traditional warfighting* through the defeat of a defined enemy.
- Protection may be viewed as a job for humanitarian organizations aided through the provision of broad security and “*humanitarian space*” by military forces.
- Protection may be considered the result of the *operational design* of assistance by relief agencies to reduce the vulnerability of civilians to physical risk.
- Protection may be viewed as a *set of tasks* for those deployed in complex peace operations or other interventions, potentially involving the use of force to deter or respond to belligerent attacks on vulnerable populations.
- Protection may be the *primary mission goal*, where the operation is designed specifically to halt mass killing in the immediate term, as stipulated in *The Responsibility to Protect*.

Military actors are familiar with some of these concepts of protection, such as their obligations under international law and the Geneva Conventions. Most forces recognize security as the result of defeating an enemy, a longer-term means of providing protection. Those experienced in stability and peace operations understand the concept of humanitarian space and their role in supporting assistance strategies. Common tasks such as patrolling are well known roles that help reduce civilian insecurity, for example. Within a mission, military contingents can also balance these varied concepts of protection.

In general, however, the ideas originating in the humanitarian community about protection do not transfer automatically to military operations. “Civilian protection” and “protection” are not terms widely used in military publications. Operationally, military and civilian leaders may face a proliferation of approaches to protection but lack a common language to discuss them. These communities employ different means to achieve their goals and have different understandings of what protection means. Clarifying the divergent approaches, how they fit together, and when each is appropriate could improve peace operations.

NATO, the EU, the AU, and ECOWAS are the organizations most likely to intervene militarily on behalf of civilians. None has an institutional concept of civilian protection for their military missions, however. Reflecting its civilian leadership and humanitarian orientation, the UN has focused more on non-coercive forms of protection—legal, humanitarian, and political—than on

military roles or the use of force to offer protection. The United Nations has developed an umbrella approach, giving room to varied concepts of civilian protection across agencies and within operations. Despite UN mandates, recognition of the role for UN peacekeepers has been slower. The Secretary-General and the Security Council have nonetheless made more explicit reference to their roles within the last year.

To plan and lead a mission, however, military and civilian leaders need a clear concept of operation, identifiable goals, a desired end-state and a realistic means to get there. These needs raise an important distinction between military missions designed to halt mass killing and military roles in peace operations with civilian protection mandates. The former type of mission crosses the sovereignty threshold identified by *The Responsibility to Protect*, where a desire for consent, impartiality, and limited use of force take a back seat to the immediate goal of saving lives. Unlikely to be led by the United Nations, such a military intervention may look very little like peacekeeping, and more like combat.

In more stable environments with less, or localized violence against civilians, a peace operation with protection as a mandated task might be appropriate. This type of peace operation has numerous incarnations, including UN operations authorized under Chapter VII as well as the AU mission in Darfur. Peace operations are not primarily designed to protect civilians, however; they aim to provide security and promote long-term stability through support to local governance capacity. Most can intervene in specific instances if civilians become threatened, but the focus is on carrying out their tasks in support of peacebuilding, humanitarian assistance, and the rule of law.

Efforts to “operationalize” the “responsibility to protect” should therefore address both types of missions: full-scale “responsibility to protect” military interventions and peace operations with protection mandates. A different name is needed for missions that deploy in hostile environments with a willingness to use force to save civilians who are threatened by large-scale violence. When civilians face immediate physical threats, the decision to use force for their protection may shift the operation to a *coercive protection* mission.

### **Moving to Coercive Protection**

“Coercive protection” tries to capture the strategy of using or threatening to use force to protect civilians. Such missions can be consistent with a UN Chapter VII mandate, but can come close to the approach of a military intervention, testing the principles of traditional peacekeeping. In circumstances of large-scale violence or genocide, modifying a peace operation is inadequate for upholding

protection mandates. In those situations, forces need to have a clear goal of protecting civilians, with that objective driving their strategy and tactics. Full-scale interventions to protect civilians are likely to occur only in extreme cases and only for a limited time. They could involve significant force and war-like tactics to eliminate the capacity of the killers or to halt violence quickly. Yet such interventions are not traditional warfighting operations, since the goal is not to defeat a designated enemy—although that may be a strategy—but to stop violence against a civilian population.

Clarifying the mission goal is therefore crucial. Most military thinkers and planners insist on defining a military mission first, and then the strategy, tactics, and procedures to accomplish it. By identifying protection of civilians as the operation's goal, military leaders will draft a strategy to achieve it, just like any other mission assigned to them. As military personnel serve worldwide in peace and stability operations with mandates to protect civilians, they too require guidance and preparation for their role in providing physical protection for civilians, and, if needed, to intervene forcefully to save lives. Issues involve the right level of force, of consent and of potential escalation; whether to take action or to react; to whom and where to offer protection; and how to transition to a follow-on peace operation. Such questions should be considered prior to deployments to help prepare those leading and participating in the mission.

### **Willing Actors and Operational Capacities**

So who can act? The UN, NATO, the EU, the African Union, and ECOWAS have the most capacity to mount interventions under their own authority. While none has explicitly endorsed the concept of a “responsibility to protect” as a basis for its actions, each organization could intervene to halt mass killings, genocide, or ethnic cleansing. Each can also launch peace operations where protection is a task or the goal of its mission. Indeed, except for NATO, each organization has *already* deployed forces under mandates explicitly to protect civilians, with the standard caveats. These organizations can also authorize coalitions of the willing, which offer another avenue for organizing and leading operations to intervene on behalf of civilians.

These organizations are developing more operational capacities. NATO has the most robust military force and is working on the NATO Response Force, which will boast 25,000 troops rapidly available for deployment. The European Union is developing its rapid reaction force and its new Battlegroups model; the African Union is establishing the African Standby Force and working with African subregional organizations; and ECOWAS is organizing its own regional standby force.

The baseline capacity required to stop mass violence against civilians, however, is not clear. Missions always benefit from trained, equipped, and capable military forces with strong leadership. Few studies offer specific, detailed designs for an intervention force to protect civilians in conflict. Without agreement on precise components for such missions, it is best to judge these groups as somewhat capable, depending on the requirements of a particular operation.

It is still wise to heed the warning of the *Brahimi Report*: “If an operation is given a mandate to protect civilians, therefore, it also must be given the specific resources needed to carry out that mandate.”<sup>492</sup> Peace operations that include civilian protection and enforcement activities, for example, require sufficient equipment and support to conduct civilian protection within the frameworks of their missions—and help prevent break-out of larger-scale killing. UN operations can lack such robust capacity. The AU has led two peace operations and ECOWAS has deployed multiple times in West Africa, but neither organization has the headquarters support and operational capacity of NATO or Western militaries, or the United Nations. Most missions led by the EU itself tend not to involve robust forces and Chapter VII authorization. Thus, the organizations most likely to deploy with a mandate to protect civilians are either not designed to lead military interventions (i.e., the UN), or are not yet prepared to organize and manage complex peace operations (i.e., the AU and ECOWAS).

Pushing for protection mandates regardless of capacity could have perverse effects. If forces cannot implement them, they will erode the credibility of peacekeeping as an enterprise. They may also raise civilians’ hopes and alter their behavior, leaving them vulnerable to attacks from which the UN and other organizations cannot or will not protect them. This has been seen not only in Rwanda and in the former Yugoslavia, but also in the DRC, where active MONUC patrolling gave the appearance of security but did not materialize into coercive protection in Bukavu and elsewhere until 2005. Thus, if capacity and coordination are not forthcoming, the Security Council and leading nations should at least be candid about matching expectations with mandates.

## **Mandates and Rules of Engagement**

Political and military leaders use mandates and ROE to guide their choices about the design of an operation, its level of force, and instruction to personnel about their role. For UN-authorized interventions, the mission’s mandate and ROE are derived from Security Council resolutions, but there is little evidence that either the Secretary-General or the Security Council establishes the operational

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<sup>492</sup> *Report of the Panel on United Nations Peace Operations*, A/55/305, S/2000/809, para. 63.

meaning of language such as “protect civilians under imminent threat.” In turn, the political leadership for a new mission or intervention is unlikely to have direct guidance about what is expected in terms of protecting civilians. Thus, moving from the Council’s call for protection to an understanding of how individual peacekeepers should provide protection is not a clear path.

Since its first such mandate for UNAMSIL, the Security Council has strengthened Chapter VII mandates and ROE to be more explicit in allowing and directing peacekeepers to protect civilians. Earlier operations had been authorized to promote a “secure and stable environment,” to protect personnel associated with the UN or UN-authorized missions, or to establish “humanitarian areas” or “safe areas.” These mandates usually cast the use of force as a response to attacks; peacekeepers did not expect to use force robustly, and the Council did little to push them. With the adoption of “protect civilians” language for nearly a dozen missions, a new standard is being set. In addition to UN operations, similar direction is in mandates for those led by regional organizations and coalitions, including AMIS, the ECOWAS intervention in Côte d’Ivoire, the French-led force in Côte d’Ivoire, and the EU-authorized *Operation Artemis* in the DRC.

Mandates and ROE allow, but do not require, that personnel take certain actions. UN mandates have reoccurring caveats: that forces should protect civilians “without prejudice to the responsibilities” of the host government and to do so “within capabilities” and “within area of deployment” of the authorized force. These conditions offer plenty of room for interpretation by mission leaders, planners, troop contingents, and the nations that send the forces for each mission, allowing for divergent views and implementation. The doctrine and the training of forces also impact how they understand their role and their ROE.

For example, critics of the AU in Darfur called for a strengthened AMIS mandate to protect civilians. The mandate was clarified in 2006 to take all necessary steps “to ensure a more forceful protection of the civilian population” and no longer referred to the Government of Sudan as responsible for the protection of civilians.<sup>493</sup> Yet AMIS still lacked capacity, mobility, leadership, and a desire to take a more active stance. As a result, attacks against civilians continued. The letter of the mandate may be less important than its interpretation by mission leaders and instructions given to the peacekeepers on the ground. When missions with protection mandates do use force they also face criticism, as seen in Haiti and the DRC. UN operations in those countries have been accused both of being too passive in protecting civilians and of using too much force and endangering citizens.

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<sup>493</sup> AU Peace and Security Council, Communiqué of the 46<sup>th</sup> Ordinary Session, 10 March 2006.

The willingness to use force is a question for every level of a mission. Within UN-led operations, this starts with the authorizing body (i.e., the United Nations) and runs through the political leadership to the force commander, to the leaders of individual sectors and troop contingents, and finally, to those in the field. Troop contingents from various nations can certainly interpret the same mandate and ROE differently. For missions not led by the UN, NATO, or nations with advanced militaries, mission-wide rules of engagement for forces may not exist. Willingness is further affected by the actors' perception of the risks and level of force protection; the ability to do other tasks as part of the mission; the training and operational capacity of troop contingents; and the direction of the military leadership. Lacking a common understanding of the purpose and ROE of a mission is, unfortunately, familiar territory.

Especially in operations where consent is partial, the mission needs a clear concept of civilian protection and use of force. More than one officer pointed out the need to project the idea that the mission is going to “do something.” Without common doctrine for UN missions, the translation of Council mandates into ROE varies widely, especially for missions with Chapter VII authority where force is directly used to compel compliance or protect individuals. The issues with mandate and ROE interpretation can be addressed by military doctrine and training for missions, which help clarify for leadership and for personnel how the mission concept translates on the ground.

## **Doctrine and Training**

Doctrine and training prepare forces for operations. Militaries use doctrine to help translate concepts into action and to support missions at the strategic, operational and tactical levels. Policy decisions, however, always shape how doctrine is applied.

Most civilian-led multinational organizations, however, do not have formal doctrine. Although resolutions began to call for peace operations to “protect civilians” more than six years ago, the UN is just starting to prepare guidance on this directive. For the first time, the UN is developing doctrine for peace operations, which should assist troop contributing countries and mission leaders. The EU, AU, and ECOWAS also lack formal doctrine and are moving to write it for their missions. Only NATO has well-established doctrine for its operations.

The United Kingdom and Canada identify the protection of civilians as a potential goal of a military operation, as suggested by *The Responsibility to Protect*, but offer no specific operational guidance to that end. Other countries with extensive peace support operations doctrine, such as the United States, France and the Netherlands, make no direct reference to this concept as a

mission goal, except in the context of other operations, such as for non-combatant evacuations. These nations make important distinctions in their approach to peace support operations about Chapter VII, the role of forces in working with civilian populations, and in strategies for civilians at risk. But their doctrine offers less guidance for operations directed to support physical protection to civilians.

Most peace operations doctrine approaches the protection question cautiously and without identifying specific tactics for stopping *génocidaires*. There are good reasons for this, as the fundamental principles of such missions run counter to robust, coercive civilian protection. Peace support operations are expected to be impartial; to use force to uphold their mandate, but not to defeat a party to a conflict, regardless of its abhorrent behavior. They focus on managing consent and providing support to a political agreement, not taking sides. In general, nations with doctrine specifically for peace support operations treat the protection of civilians as an obligation of forces under international humanitarian law, as support to the rule of law and humanitarian efforts, and more broadly as part of civil-military relations. Where doctrine addresses how peace support operations should consider the use of force, there is little that discusses the use of coercive action to protect a civilian population.

This doctrinal gap arises partly from the lack of a common terminology to identify missions and tasks “triggered” by a mandate to protect civilians. There are certainly areas within existing doctrine that apply to such roles, as seen in doctrine for counterinsurgency, peace support, peace enforcement, peacekeeping, operations other than war, humanitarian assistance, non-combatant evacuation, small wars, military policing, and civil-military cooperation. These doctrine encompass traditional military and humanitarian concepts of protection: as an obligation of warfighting, as observance of international humanitarian and human rights law, and as support to the provision of humanitarian space. Some peace operations doctrine also provides limited lists of military tasks for protecting civilians. There are a few areas where doctrine identifies coercive tactics to protect civilians, but they are not categorized as such. Thus, there is basic preparation for peace operations involving the use of force and for combat missions with tasks applicable to protecting civilians. But arriving at more active types of civilian protection through peace support operations doctrine will require a shift in traditional interpretations of mandates and an exercise in leadership not often found in peace operations.

Almost no doctrine, however, addresses the concept of civilian protection as the *goal* of a military mission. Skilled militaries could conduct operations mandated

to protect civilians—and get much of it right—even without explicit doctrine on coercive protection tasks. If a mission is clear about what to accomplish on the ground, a force can figure out a strategy and course of action, provided that troops are sufficiently well-trained and equipped, and that the mission has effective command and control arrangements. Yet the lack of doctrine means that there is less preparation for the mission and its tasks, which can reduce the effectiveness of the mission.

Where doctrine addresses civilian protection, national training is also likely to cover military roles, such as operating within the Geneva Conventions, or providing support to rule of law and to humanitarian space. Some forces have national instruction on working with civilian agencies and NGOs, but this training does not address preventing armed groups from using violence against non-combatants. Training programs also cover civilian protection as part of operations for evacuating civilians from foreign countries, for instance, and teach likely tasks, such as conducting patrols and securing facilities; assisting disarmament programs and crowd control; and helping support other components of a peace operation. Some of these roles fall close to policing and establishing civil order.

Coercive protection is not well-defined or a priority within most military training programs. When there are rapid changes in the nature of military missions, training may need to shift *before* new doctrine is formally approved. As complex operations blur lines between peacekeeping and warfighting, such a shift is needed for more robust kinds of civilian protection and to prepare peacekeepers for missions in places like the DRC.

Overall, UN training modules do not yet address how countries should understand mandates to “protect civilians under imminent threat” or how military forces should prepare for missions with such mandates. The United Nations has developed more training standards for peace operations, and is developing guidance on civilian protection which builds on traditional roles for peacekeepers to support human rights, the rule of law, and international humanitarian principles. Draft modules rightfully stress that the principles of minimum use of force, impartiality, and consent do not justify *inaction* in the face of atrocities. Further, there is a beginning effort to address a military peacekeeping role in defending human rights, including the potential use of coercive techniques to protect civilians. This approach to human rights and military actions goes beyond what is found in most UN guidelines to date for protecting civilians, as well as within much doctrine for peace support operations.

Training efforts like this approach can fill a gap in guidance for operations that may use coercive protection. Without explicit guidance in key areas—how to stop a belligerent from committing gross human rights abuses, for example—missions trying to balance protection with broader political aims may find their goals at odds. Training that treats the protection of civilians as an explicit goal or as the central task of a mission—whether led by the United Nations, a lead nation, or a coalition—is necessary and should be a regular feature of training provided to troops deploying to regions with civilians at risk.

As countries and multinational organizations develop new and revised doctrine and training for peace and stability operations, there is an opportunity to better address these areas. Until a major troop contributor or the UN develops these tools, however, it is unlikely that regionally-based training centers will introduce curricula or scenarios that address civilian protection as a specific component of a peace operations or intervention force. This suggests the importance of UN standards and demonstrates how a gap in concepts or doctrine can affect training instruction.

### **Lessons from MONUC and the DRC**

In the DRC, mission leaders have tried to navigate tough, inevitable choices about protecting civilians in a hostile environment. MONUC had authority *on paper* to protect civilian lives since 2000, but *in practice* mission personnel took years to adjust their understanding of the mission and its goals. Different contingents interpreted their mandates in contradictory ways. Some forces and their leaders were not even aware of their mandates with Chapter VII authority to protect civilians. MONUC began to develop a more aggressive stance to protect civilians in the DRC after the Ituri crisis of 2003 and *Operation Artemis*. Even then, with more robust ROE, the lack of a unified conception of MONUC's mandate and responsibilities continued to cause internal confusion and lead to a failure to protect civilians.

In the DRC, the stark contrast between the UN's mandate to protect civilians and its inability to respond to violence in Kisangani, Bunia, and Bukavu eventually led to troop increases for MONUC—to a level far higher than anyone could have predicted in 1999 when almost *no* political will existed for peacekeepers in the DRC. It also led to a change in MONUC's approach and its willingness to use force. After struggling for years, MONUC had developed a clearer approach to protection by 2005. The military component acted more in accordance with its Chapter VII mandate; peacekeepers conducted cordon-and-search operations and worked locally to identify spoilers to the peace. Peacekeepers also faced the repercussions of using aggressive tactics, as militia retaliated violently against the UN forces.

A distinct approach to protecting civilians has emerged from the MONUC mission. Driven by the leadership on the ground, MONUC has used its civilian protection mandate to integrate the varied civilian agencies with the military peacekeeping roles. Rather than pick one approach to protect civilians, MONUC leaders ask representatives of its military and civilian components what they can do, today, for protection purposes. The result is a more coherent, mission-wide strategy for increasing protection. While that approach alone does not address the role of military forces in providing physical protection, it helps integrate the role of military actors with that of civilian agencies.

The DRC case demonstrates serious dilemmas for UN peacekeepers tasked to protect civilians without having all the tools to do it. The success of a shift in strategy is still being assessed. The MONUC operation continues to demonstrate both creative approaches to a military role in providing protection and the difficulties faced by outside actors in providing protection. The experiences of MONUC and *Operation Artemis* highlight the impact of concepts of operation, capacity, mandates and ROE, doctrine, and training on peace operations directed to protect civilians. MONUC's experience also offers standard questions for future military missions: the definitions of vicinity and capacity, the integration of actors, clarity on the use of force and the role of peacekeepers in providing broad security in lieu of a state's responsibility—and the operational concept of protection. Given the trend of military forces being sent on missions to protect civilians, these critical areas deserve deeper consideration.

### **MAKING THE MANDATE POSSIBLE: GAPS AND OPPORTUNITIES**

In debates over the “responsibility to protect,” critics and advocates often end their discussion at whether or not to “send in the troops.” Yet that is where more attention is needed: Which troops should be sent to do what job? What are the goals and concept of such missions? Will forces be asked to stop marauding militia or to bolster the government to do its job? What kinds of mandate, ROE, doctrine, and training should guide armed services in this area? Such questions may puzzle military and civilian actors in operations in the DRC, Haiti, Sudan, and elsewhere. These issues deserve as much attention as do debates over future interventions.

Protecting civilians is *not* an impossible mandate. Success requires that forces understand their mission's goal, know their own role toward achieving that goal, and be prepared to serve that role. Military leaders can organize operations to achieve goals asked of them, but need political leaders to describe the ends in clear terms. Basic characteristics for successful missions are easy to identify: a baseline capacity, a concept of the operation, authority and willingness to act,

and well-prepared and trained military personnel prepared to offer coercive protection as needed. Thus, a mandate that is possible may still be hard to achieve.

Civilian protection mandates can lay bare the gaps between the reality on the ground and the capacity of the UN or other organizations to impact it. Where military forces are directed to provide physical security and protection to civilians that role needs support. Those roles may require deterring or dissuading bad actors from using violence—or to defeat abusive armed groups and employ tactics closer to traditional warfighting. These missions need more than just enough troops, but a well-coordinated and commanded force, strong leadership, and other tools of military engagement. Organizations including the UN need to be entrusted with sufficient capacity to be effective. Where protection mandates require the use of force and the lead organization is *not* able to implement them, mandates should be recast to reflect what is possible. Mandates need to offer more than an appearance that something is being done to address civilian suffering.

## Understanding Gaps

Multinational organizations and nations offer little evidence of preparing their forces to intervene in genocide or to stop mass violence as part of a stability or peace operation. Why is that so?

First, the gap in Western doctrine and training suggests that more developed militaries are not concerned with civilian protection. This may not be as cold-hearted as it sounds, but reflect what military leaders traditionally see as force requirements for their defensive and warfighting roles. NATO and coalition operations are not often deployed with mandates to provide protection to civilians, with exceptions such as the French-led mission *Operation Licorne* in Côte d'Ivoire. NATO and the coalition forces in Iraq and Afghanistan, for example, are concerned with the civilian population, but have roles to provide security and stability and assist the governments, rather than protect civilians *per se*. Most EU-led missions have not involved the use of force or protection mandates, with the exception of *Operation Artemis*. The AU and ECOWAS do have protection aims, but rely on African nations to support their missions.

Western militaries also provide few personnel to UN-led missions. Of the more than 100 countries supplying upwards of 70,000 uniformed personnel to UN operations each month, the top contributors are developing states, traditionally nations with less military capacity, doctrine, and training. The US, UK, Canada and France, for example, provide less than a thousand military personnel, combined. As a result, their contingents are not often asked to protect

civilians—and their leaders are not queried as to what such a mandate means. Thus, these nations are less likely to design their doctrine, training, simulations and gaming to address protection roles for their national military forces.

Yet Western countries with well-developed forces and sophisticated doctrine—the US, the UK, and France, for instance—serve on the UN Security Council and vote for UN mandates. They debate UN peace operations; provide funding, leaders and military equipment to these missions; and support their success politically. Along with other nations, they have participated in discussions of the “responsibility to protect,” received reports on protecting civilians from the Secretary-General and been given regular briefings on the humanitarian costs of conflict and on civilian populations at risk worldwide. There is no lack of information about the problem or the concept of protection.

Thus, there is a second view of what hinders developing tools to prepare forces for protection missions: Nations do not see the mandates to protect civilians as having an operational role for their military forces. One officer suggested that interest in protection was a fad and would disappear in a few years.<sup>494</sup> Further, protection is associated with humanitarian efforts. The language of protection has deep roots within the humanitarian community, which has an extensive protection agenda. Civilian relief agencies and human rights organizations desire Security Council mandates with civilian protection to facilitate their engagement with UN peacekeeping operations in the field.

Such endeavors may create field-based strategies for better civilian-military roles in joint efforts for protection. But that approach is not itself an answer to what, actually, is the appropriate military role in protecting civilians under threat of physical violence. Most approaches to protection used by the humanitarian and human rights community do not address the role of military forces. Their strategies are related to, but different than, those associated with military roles in peace operations or as intervention forces to halt genocide.

There is a third reason for this gap: It is hard work to identify the proper role for military actors to protect civilians, and thus, to develop doctrine, training, and related guidance. As established with UN mandates, peace operations must balance their provision of protection with the role of the government where they operate. For most UN operations, the sovereign power holds primary responsibility for the welfare of its people. In weak states or in ones recovering from war, such as the DRC, the division of responsibilities can be unclear. The UN continuously maneuvers between offering support to the political process,

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<sup>494</sup> US Army Colonel (retired) with extensive peacekeeping experience, interview with author, Newport, RI, July 2005.

cooperating with the government, and taking responsibility for protecting the local populace. Even when there is conceptual clarity within mission leadership, when troops are well-organized and well-equipped, and when forces are ready and prepared to use force, the “right” approach may be elusive for military forces and their leaders.

Finally, there is an argument that specialized preparation is unnecessary for operations mandated to protect civilians or for full-scale military interventions to stop genocide. Experienced military officers are unlikely to view a humanitarian intervention as a completely new mission or one for which they are ill-prepared. Rather, they argue that protection just requires organizing existing capabilities to achieve that goal. On the strategic level, this argument makes sense and recommends using military leaders’ insights into organizing future missions. As an immediate response to large scale violence, however, traditional warfighting and other military operations are not designed to halt violence against civilians. There is little to suggest that many nations have conducted missions to protect civilians; that lessons from these missions are integrated in current doctrine and training; and thus, that modern forces appreciate how to protect civilians during an operation.

Likewise, there is an argument that the tasks needed to halt mass violence are familiar to military forces. Some countries train for tasks that are both well-known military roles, such as patrolling, protecting a perimeter, and engaging armed actors, and for tasks more associated with policing and other missions, such as engaging with local populations. Yet many militaries do not receive such training and deploy to operations prepared more for securing a physical area than preventing violence against a dispersed population.

If a concept of protection—such as coercive protection—was imbedded in the doctrine, training and other tools used to prepare militaries for their role, however, troops could take on such missions or tasks without much question—and then face the normal problems of any military operating in a conflict or post-conflict environment. Alternatively, if personnel recruited for missions with civilian protection mandates were given a working concept regarding their operational role in protection, they could determine how to draw on and apply their existing doctrine and training to the situation. Yet neither means of preparing for missions is evident. Guidance on protecting civilians focuses more on traditional, permissive, and low-threat post-conflict environments, and on the requirements of international humanitarian law. Multinational forces are often prepared to work with NGOs, support civilian order, provide security to refugees and IDPs, offer support to elections and conduct preventive patrols. More explicit guidance for contingencies that approach or cross the threshold

identified by the ICISS—namely genocide, ethnic cleansing, and mass killing—is not easily identified. Without a clearer link to tools used to prepare military and peacekeeping forces for a “civilian protection” role, there is a large gap in the preparedness of many militaries and their leaders to carry out such missions.

## Looking Forward

The international community expects military forces to protect civilians both today and in the future. A shift is needed to meet this expectation. The development of tools to prepare forces for missions, however, often relies on Western militaries to take the lead. For guidelines, regional training centers and multinational organizations—including the UN, NATO, the AU, the EU and ECOWAS—usually turn to existing national doctrine, training, ROE, and other tools in developing their own. Likewise, national training programs for foreign forces usually mirror a nation’s own guidance for operations. Therefore, the tools developed by major militaries or multinational organizations for civilian protection missions can help prepare and support forces in other national or multinational missions.

There is a clear opportunity today to develop those tools and improve capabilities to halt mass violence against non-combatants. As Iraq and Afghanistan suffer from continued instability, NATO and Western militaries feel the strain on their capacity to undertake complex missions and look for better strategies to establish security in failed or failing states. The United Nations is under stress as it attempts to manage its growing force of peacekeepers in large, complex missions with explicit “protect civilians” mandates. Driven by new contingencies worldwide, other nations and multinational organizations are re-evaluating how they deploy troops and conduct missions. The UN, for its part, is developing more doctrine and training guidance. The EU, the AU, and ECOWAS are improving their capacity and evaluating their resources for future missions.

Protection should be on the agenda. While Darfur and Iraq, Haiti and the DRC are each troubling environments for civilians, for example, they suggest different strategies for military forces concerned with protecting civilians. The questions raised by this study are a starting point to consider the requirements of missions with protection mandates: Is protection the central mission goal or one of many tasks of the mission? What are the concepts of protection being used by the mission leadership and personnel? What is the military’s role, therefore, and what basic capacities will forces need? What do military forces need to understand about the mandate, their ROE and calibrating the use of force? What doctrine and training should guide their approach? What is the longer-term strategy for protection?

The current environment may be a unique moment, where creative dialogue on the means of intervention is energized and where new approaches are more welcome. That opportunity should be seized. First, recent operations should be examined in greater depth to identify successful strategies and to develop knowledge of what works—and what does not. The deep experience within military and civilian circles should also be tapped. Many countries have provided troops for peace and stability operations, ranging from well-developed Western forces serving under NATO, to leading UN troop contributing countries from Asia and Africa, to nations newer to such missions within the EU and the AU. Each of these nations has much to offer.

Second, the lessons and analysis drawn from the field and headquarters should be thoroughly tested. They should be incorporated into scenarios with military and civilian leaders in gaming exercises and simulations. These efforts can identify guidance for future Chapter VII missions by nations, coalitions and multinational organizations.

The impact of the varied definitions of protection within the military, peacekeeping, and humanitarian communities should also be assessed. This review could lead to better understanding within and between these communities about concepts of civilian protection and development of terminology recognizable within military circles. In the future, more effective communication could ensure that all parties understand their responsibilities, the nature of the mission, and the types of situations they may encounter on the ground.

Third, from these testing efforts, doctrine and training can be improved. The UN can help develop and define a working concept of the protection of civilians for those leading or deploying with its peace operations. By building on its recently developed training standards, the UN could strengthen approaches to civilian protection within its Standardized Training Module series for peacekeepers, as well as in other civilian, police and military training programs. UN and national guidance should also address questions of impartiality, consent, host nation sovereignty, relations with civilian leaders and humanitarian actors, and the caveats of “within capabilities” and “area of deployment.” Civilian leaders would benefit from training in ROE and mandates, since they often direct missions involving peacekeepers and should understand the grounds for the legitimate use of force. National and regional organizations and many bilateral and multinational training programs could adapt these guidelines for their own programs.

Efforts to develop guidance could bear fruit immediately for pre-deployment training for troops. Guidance can also be incorporated into tactics, techniques, and procedures, which frequently precede formal doctrine and training. Military leaders could also better inform civilian leaders of what they require for specific types of protection operations and to improve preparation.

In the long-term, the role of military actors in providing physical protection should be integrated with existing doctrine for peace support operations and for other kinds of military interventions. Developing draft doctrine could spur useful discussion among multinational organizations and with nations revising their own doctrine. Doctrine should address coercive action in achieving the mission's broader goals and distinguish between military interventions explicitly aimed at halting mass violence and those missions where protection is but one of many tasks. As nations revise their doctrine, they could better identify military responsibilities and tasks for operations mandated to protect civilians. In turn, guidance should be included in more general training programs to align with revised doctrine. As major militaries address protection with doctrine, training and other guidance, there will be multiple benefits both for their own forces and for those that deploy with multinational organizations and coalitions.

This approach is an important part of operationalizing the “responsibility to protect,” and what the UN, NATO, the EU, the AU and ECOWAS require to develop more capacity for interventions and for modern peace and stability operations.

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Today, millions of citizens live in conflict zones, facing lives disrupted and terrorized by violence. Whereas past failures to act against mass killing have horrified and shamed the world, countries have begun to step up and take some action. The idea of protecting civilians from mass violence has prompted important debate and gained increased acceptance. While no outside parties can prevent all violence against another nation's citizens, they can take action when other diplomatic, political and humanitarian efforts fail and where violence threatens to reach extreme levels.

The instinct to embrace a “responsibility to protect” is fundamentally a moral one. Nations are right to call for countries to stand up to their sovereign responsibilities and to shield citizens from mass violence and killings. No nation should shy from that position. Those who are realists and schooled in pragmatic thinking, however, rightfully question how such a norm will work, and if it is embraced, how it will be carried out.

This study tries to narrow the space between those ideals and reality. As states acknowledge a “responsibility to protect” and presuppose a distinct military role for protecting civilians, multinational organizations and national militaries need to be ready and better prepared for such roles. That goal cannot be put into practice without identifying the capabilities and the tools to act. This study suggests a starting point to support that exercise. Serious, sustained efforts are needed to take these concepts further and move aspirations for protecting civilians from rhetoric to action; from debate to knowledge; from a desire to protect to a deliberate strategy of protection. As the capacity to protect is strengthened, the right question for nations will be whether they are meeting their responsibilities, both to their own citizens and those of other lands. That worthy goal should drive wise preparation, in hopes that the responsibility to protect will one day no longer be debated and that every nation will provide for its own people.