Fulfilling the Promise of Protection

Charting a Course for Policymakers and Advocates

May 2011

Description of Collaborating Organizations

Stimson Center's Future of Peace Operations Program contributes to the international community's efforts to help war-torn societies transition to self-sustaining peace. The program seeks to expand and improve international efforts to restore the rule of law and end violence against civilians, through the refined application of prevention and response mechanisms, including the deployment of peace operations. In 2011, the Future of Peace Operations program will focus on improving the effectiveness and efficiency of international police peacekeeping, developing measures of progress for peace operations, and increasing global preparedness to prevent and respond to violence against civilians in conflict-affected societies.

Better World Campaign (BWC) works to foster a strong, effective relationship between the United States and the United Nations (UN) through outreach, communications, and advocacy. We encourage U.S. leadership to work constructively through the United Nations and to strengthen the United Nations' ability to carry out its invaluable operations around the world. And we engage policy makers, the media, and the American public to increase awareness of and support for the United Nations.

Citizens for Global Solutions (CGS) envisions a future in which nations work together to abolish war, protect our rights and freedoms, and solve the problems facing humanity that no nation can solve alone. We are a membership organization working to build political will in the United States to achieve our vision. We do this by educating Americans about our global interdependence, communicating global concerns to public officials, and developing proposals to create, reform, and strengthen international institutions such as the United Nations.

Refugees International advocates for lifesaving assistance and protection for displaced people and promotes solutions to displacement crises. As the leading advocacy organization on refugee crises, RI successfully challenges policy makers and aid agencies to improve the lives of displaced people around the world and increase stability before conflict spreads. RI declines government or UN funding, allowing its advocacy to be fearless and independent. Their field-based knowledge of humanitarian emergencies and expert recommendations are sought out by global leaders whose decisions bring immediate relief to refugees and solutions to large-scale crises. Due to RI's efforts, refugees receive food, medicine and education; displaced people return home; peacekeepers protect the displaced from harm; and stateless people obtain legal status.

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Introduction

The Challenge

Modern peacekeeping operations are deployed to do much more than keep the peace between warring parties. They are asked to tackle a disparate list of challenges from building state capacity to reforming national police and armed forces. Protecting local populations from physical violence has largely proven to be THE LITMUS TEST of success for peacekeeping operations, and crucial to the legitimacy and credibility of the mission. However, given the inherent difficulty of protecting civilian populations from violence, seven current UN peacekeeping missions[1] continue to struggle to fulfill their mandate of protecting civilians under imminent threat.

A Window of Opportunity

The lack of fundamental guidance and training on the protection of civilians is one of the main limiting factors for UN and regional peacekeeping missions. In recognition of this critical liability, both the UN Security Council and the UN General Assembly Special Committee on Peacekeeping (C-34) took an unprecedented step of tasking the UN Secretariat with developing guidance and training materials[2] that could fill this gap and promote similar reforms at the African Union. If developed and implemented correctly, guidance could:

- Develop a common understanding of what peacekeepers are expected to do to protect civilians from physical violence;

- Better identify what assets and resources are needed to effectively protect civilians through peacekeeping;

- Provide those that plan, deploy, and execute peacekeeping operations with the skills needed to identify, prevent, and respond to violence against civilians; and

- Develop indicators and measures of effectiveness for stakeholders to evaluate peacekeeping operations' ability to protect civilians.

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[1]   MINUSTAH, MONUSCO, UNAMID, UNIFIL, UNMIL, UNMIS, and UNOCI.
[2]   United Nations Security Council. S/Res/1894, 11 November 2009 and United Nations General Assembly (UNGA) Special Committee on Peacekeeping Operations ("Special Committee"), 2010 Annual Report.

Charting a Course

This initiative seeks to reinforce the United States' position as a supporter of UN peacekeeping reform and the ability of peacekeepers to protect civilians. The initiative aspires to ensure that critical products and deliberations on protection retain the quality content necessary to ensure their effectiveness.

For policymakers

Implementation of protection reforms requires sustained political and monetary support from the United States who (as a permanent member of the Security Council and as a major financial contributor to UN peacekeeping) has unique influence over reforms within the secretariat and special committee on peacekeeping. **Therefore, the 'Fulfilling the Promise of Protection' initiative provides USG policymakers with:**

- A more thorough understanding of UN-reform processes, documents, and content related to the protection of civilians.
- Tools to guide USG engagement with the UN: a set of questions to ask and milestones to monitor for determining progress.

For advocates

The protection agenda has gained momentum in New York, however, detractors of multilateralism and a climate of fiscal austerity threaten to undermine Washington's support for the UN (despite the obvious benefit of peacekeeping to US interests abroad).[3] With only two years left in the Obama administration, the advocacy community must rally USG support for protection initiatives, and hold the administration accountable. **Therefore, the 'Fulfilling the Promise of Protection' initiative provides advocates with:**

- A set of tools serving to coordinate advocacy platforms, and questions on specific issues or missions (e.g. a list of important asset and resource considerations).
- A way to measure the Obama administration's success in advancing reforms at the UN, and hold the administration accountable for its commitments.

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[3] It is in the interest of the United States to support reforms to improve the effectiveness of UN and regional peacekeeping. The recent examples of UNMIS in Southern Sudan, UNIFIL in Lebanon, and AMISOM in Somalia demonstrate the relevance of peacekeeping to international security and the protection of US interests.

Fundamental Guidance

Research shows that a lack of guidance and training on the protection of civilians has directly hindered the success of peacekeeping operations mandated to protect. In order to address this liability, the UN Security Council and the UN General Assembly Special Committee on Peacekeeping (C-34) tasked the UN Secretariat to develop fundamental guidance.[1] The following milestones provide a map to individuals responsible for monitoring and shaping the UN's development of guidance. **Note: To ensure effectiveness, fundamentals A through D should be developed in a coordinated fashion, building on existing policies, best practices, lessons learned, and each other.**

Fundamental A: A common understanding

In 2010, the UN drafted, consulted member states, and signed-off on the Operational Concept on the Protection of Civilians.[2] **Questions to ask**:

- **Dissemination**: How is the UN's "Operational concept on the protection of civilians" being:
  a) Disseminated within the UN secretariat, and integrated into other fundamental guidance and training related to the protection of civilians;
  b) Shared with senior mission leadership; and
  c) Disseminated to troop and police contributing countries (T/PCCs), and within existing missions?

- **Evaluation/Revision**: Is there a plan to review and revise the concept going forward, and assess how widely it is understood?

Fundamental B: Mission-wide strategies

The UN Secretariat developed a strategic framework in order to assist mission leadership in the development of mission-wide protection strategies.[3] **Questions to ask**:

- **Process**: How is the UN consulting with existing mission stakeholders, troop and police contributing countries (T/PCCs), and donors in revising/ introducing this strategic framework?

- **Content**: Does the strategic framework require the mission:

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[1] See: United Nations Security Council. S/Res/1894, 11 November 2009; and United Nations General Assembly (UNGA) Special Committee on Peacekeeping Operations ("Special Committee"). 2010 Annual Report.

[2] "DPKO/DFS Operational Concept on the Protection of Civilians in UN Peacekeeping Operations," January 2010. The document outlines a three-tiered approach to or framework for protection including: protection through political process, providing protection from physical violence, and establishing a protective environment.

[3] Current protection strategies from MONUSCO, UNAMID, and UNMIS should be examined for lessons learned but should not necessarily serve as a model for future strategies.

a) To develop the strategy in consultation with protection stakeholders horizontally across the UN mission's components and agencies, and with protection actors external to the mission (local communities, NGOs and host government or parties to the conflict, as appropriate);

b) To identify and analyze belligerent actors' motivations and capacities to attack civilians, as well as the vulnerabilities of civilians, and outline a plan to end those threats using integrated lines of effort (including security that utilizes the military and police component);

c) To develop a communication and coordination strategy, including an information collection and sharing strategy;

d) To develop worse-case contingency planning;

e) To include a clear delineation of protection roles and responsibilities within the mission;

f) To develop/include tools to help mission implementers identify and manage risks that may be inherent in protection activities (e.g. issues of consent and the use of force)?

- **Evaluation/Revision**: Does the guidance require the mission to identify benchmarks for success, and a process to review and revise the strategy throughout the life of the mission?

Fundamental C: Training Modules

The Secretariat is tasked with developing training modules on protecting civilians. **Questions to ask**:

- **Process**: Have the following stakeholders been consulted in the development of these modules: major troop and police contributing countries; UN departments and agencies including DPA, DFS, OCHA, UNHCR, and UNICEF[4]; and external protection and peacekeeping experts?

- **Content**: Are the modules developed for stakeholders at all levels of a UN PKO (mission leadership and mission personnel, both military and civilian)? Do the modules:

a) Explain the importance of protection of civilians (POC) to the legitimacy and success of UN PKOs,

b) Address the challenges of POC, and the concept of managing the consequences of action and inaction;

c) Provide an accurate description of the broad range of tasks used in practice to achieve the POC objective, and

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[4] Department of Political Affairs (DPA), Department of Field Support (DFS), Office for the Coordination of Humanitarian Affairs (OCHA), United Nations Refugee Agency (UNHCR), and United Nations Children's Fund (UNICEF).

d) Encourage leadership and personnel to analyze belligerent actors, the range of threats, and vulnerabilities of civilians in each context before agreeing on courses of action?

- **Dissemination**: How are the modules disseminated within the Secretariat and to senior mission leadership? How are the modules integrated into training for civilian personnel and used/integrated into peacekeeping training center modules and programs around the world?[5]

- **Evaluation/Revision**: How will the Secretariat monitor the dissemination of, implementation of, and adherence to the training modules? Is there a plan to review and, if needed, revise the modules going forward?

Fundamental D: Measures of Effectiveness

The Secretariat was tasked with developing ways to measure and review a mission's progress in implementing mandates and activities to protect civilians. **Questions to ask**:
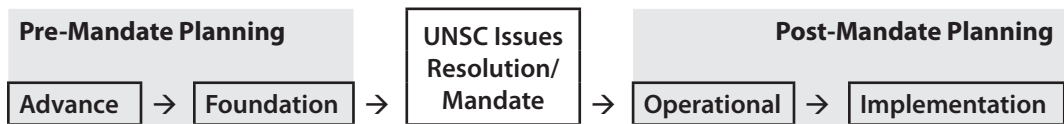
- **Content**: Are these measures of effectiveness being developed? If so, do the measures of effectiveness include quantitative data (number/type of civilians attacked or under threat, number/type of protection providers, number of mission protection activities, etc.) as well as qualitative data (the impact of mission protection activities on civilian vulnerabilities, access to assistance, confidence of the population, and threats to civilians)?

    a) Does the process to measure the effectiveness of PoC activities include the engagement and perceptions of the vulnerable population/communities under threat, and other appropriate protection actors (host state government as appropriate, international and national NGOs, etc.)?

- **Dissemination**: How are the measures of effectiveness being disseminated within the Secretariat and to senior mission leadership?

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[5] Examples of such programs include the: Global Peace operations Initiative (GPOI), Africa Contingency Operations Training and Assistance (ACOTA), and International Association of Peacekeeping Training Centres (IAPTC).

Mission Mandate and Planning

UN Security Council resolutions authorizing peacekeeping operations attract significant attention from UN member states and external stakeholders. However, mission planning begins well before the UN Security Council (UNSC) debates a resolution, is refined following the UNSC approval of the mandate and should continue to be reviewed throughout the life of a mission. Protection of civilians (POC) should be taken into account at the earliest stages of mission planning and mandate development. The following provides a guide to evaluate whether and how protection is being considered at key pivot points prior to a mission's deployment.[1] **Note: Throughout the entire planning process, the security of civilians from physical violence should be considered as a necessary means for achieving a durable peace throughout the course of planning, not just a product of political, developmental, and humanitarian action.**

Pre-Mandate Planning		UNSC Issues Resolution/ Mandate		Post-Mandate Planning	
Advance →	**Foundation** →		→	**Operational** →	**Implementation**

Although this diagram shows a sequential process, there are frequent consultations with UNSC members, key member states, potential troop and police contributing countries, and various UN secretariat offices and UN agencies throughout the planning and mandate development process.[2]

Advance Planning

The Strategic Assessment: The purpose of the Strategic Assessment is to provide "a mechanism for joint analysis and strategic discussions that cut across the political, security, development, humanitarian, and human rights aspects of the UN's work."[3] **Questions to ask**:

• Does the assessment ask if specific belligerents employed violence against civilians in the past, or are they likely to do so in the future, particularly in response to pressure by the UN or other actors?

The Strategic Planning Directive: Where the Strategic Assessment concludes that the deployment of a UN PKO is a viable option and further planning

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[1] Much of this content has been drawn from Max Kelly and Alison Giffen. "Military Planning to Protect Civilians: Considerations for United Nations Peacekeeping Operations," forthcoming publication of the Stimson Center; and Holt, Victoria and Glyn Taylor, with Max Kelly. Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges. (DPKO/OCHA), 17 November 2009.

[2] Diagram and text adapted from Holt, Victoria and Glyn Taylor, with Max Kelly. Protecting Civilians in the Context of UN Peacekeeping Operations. (DPKO/OCHA), 17 November 2009, p. 111.

[3] UN: Guidelines for Strategic Assessment (DPA, May 2009) as referenced in Max Kelly and Alison Giffen. "Military Planning to Protect Civilians: Considerations for United Nations Peacekeeping Operations," forthcoming publication of the Stimson Center.

should take place, the Integrated Mission Task Force issues a Strategic Planning Directive. **Questions to ask**:

- Does the directive account for violent threats against civilians in the proposed Area of Operations (AO), and describe how the security of civilians relates to broader political and conflict dynamics?

- Have planners assessed the commitment of the parties to a peace agreement, and whether and how actors will test UN peacekeepers?

Foundation Planning

The USG's Planning Directive: Based on the Strategic Planning Directive, an Under Secretary-General's (USG's) Planning Directive begins breaking down the specified mission-wide strategic objectives into mission-wide operational objectives. It also specifies the range of possible scenarios that should be considered for subsequent planning, and the assumptions associated with those scenarios. **Questions to ask**:

- Does the directive consider how and why belligerents have targeted civilians (during the past and currently)? Do these questions inform the political-military strategy?

- How is protection prioritized among other operational or strategic objectives?

- Do planning assumptions conservatively estimate the commitment and ability of belligerents to cease attacking civilians?

- Does the directive include contingency planning for systematic or widespread abuse against civilians?

The Operational Estimate:

During the operational estimate, planners review the situation, conduct mission analysis, and develop and refine courses of action. **Questions to ask**:

- Does the Operational Estimate include the identity of attackers, patterns of violence, and likelihood of future attacks?

- In developing these courses of action, did planners analyze and assess the motivations and capacities of armed actors who are currently, or are likely to become, involved in systematic and widespread violence against civilians?

- Have planners considered unintended consequences of the chosen courses of action?

The Development of the Concept of Operations (CONOPS):

The CONOPS is a critical document, describing how each element of the courses of action will contribute to achieving the mission's end state.[4] POC must be

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[4] It includes a summary of the situation; a statement of the mission and intended end state; the commander's intent; a description of the actual concept (e.g. how the mission is to be achieved; intended

integrated into the CONOPS to ensure it shapes the force generation process, and is implemented in the field. **Questions to ask**:

- Is the CONOPS being developed to integrate and reflect emerging/new guidance on POC?

- Does the CONOPS convey how the security of civilians relates to the mission's end-state and to other operational objectives?

- Does the CONOPS describe how deterrence and coercion, and military force will be used to achieve operational objectives and the overall end-state? Addressing POC in this section involves explaining how forces will be used to enhance the security of civilians through direct (explicitly focused on POC, such as framework patrols or targeted raids against perpetrators) and indirect (likely to enhance civilian security through broader effects, such as mentoring of local security forces) means?

The Technical Assessment Mission (TAM):

A TAM gathers information about the conflict first-hand and is an opportunity to correct the course of planning, if the planning process has missed issues and/ or the conflict is evolving quickly. It heavily influences the Secretary-General's report to the UNSC. **Questions to ask**:

- Does the TAM include protection experts with different backgrounds?

- Does the TAM plan to investigate and report on past, existing, or potential violence against civilians?

The Secretary-General's Report to the UNSC

The UNSG's report to the UNSC serves as the foundation for the resolution and mandate development. **Questions to ask**:

- Does the report accurately reflect the history and drivers of the conflict, the current state of the conflict, and provide potential scenarios for future conflict? Does this include or emphasize violence used against civilians in the past, and existing and/or potential violence against civilians?

UN Security Council Resolution and Mission Mandate

Questions to ask:

- Does the content of the resolution reflect current and potential conflict on the ground, and existing or potential attacks against civilians?

- Is the resolution clear about whether the operation is authorized to use force to protect civilians under imminent threat of violence?

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force posture; scheme of maneuver; main effort; directed and implied tasks; force composition and disposition; etc.); organization of forces; and instructions for command, coordination, and logistics.

- Does the mandate call for the prioritization of mission resources to protect civilians? Are adequate resources, troops and assets available to enable the mission to meet the mandate?

- Is the mandate language broad/flexible enough to allow the mission leadership to redirect resources to changing or evolving threats against civilians?

Post-Mandate Planning

The Refinement of the CONOPS

Draft plans — including the CONOPS — are modified to reflect the UNSC resolution. Additional detail is fleshed out regarding the formed units to be deployed, including their strength, tasks, equipment, capabilities, deployment, and organization. Sometimes the UNSC resolution does not adequately reflect threats to civilians or give direction on how the mission should address protection. **Questions to ask**:

How do the CONOPS:

- Prepare operations to protect civilians within the mandate/resources;

- Direct the mission to manage the expectations of communities on the ground that expect protection regardless of the mandate;

- Prepare operations to manage the risks of inaction;

- Prepare operations to manage the risks of adverse engagements/outcomes; and

- Prepare the operation to advocate for external resources, and actions to address the threat?

The Production of Mission Documents and the Start of Force Generation

The finalized CONOPS provides a basis for the preparation of the Rules of Engagement and the Guidelines for Troop Contributing Countries. The Force Generation Service (FGS) sets about securing formal commitments of forces from UN Member States for the peacekeeping operations. **Questions to ask**:

- How do the rules of engagement address imminent threats against civilians? Do they give the force commander flexibility to take quick action on the ground to prevent, pre-empt, and respond to threats against civilians?

- Were the T/PCCs consulted early enough in the planning process to understand what will be expected of them in protecting civilians?

- How is the FGS securing commitments with T/PCCs? Are there any restrictions or concerns related to protection of civilians and the use of force?

Assets and Resource Considerations

Horrific violence against civilians in the Democratic Republic of Congo and Sudan highlights the importance of putting appropriate resources in the hands of peacekeepers. This brief outlines seven critical areas of assets and resources needed by today's peacekeeping missions that are deployed into complex environments and mandated to protect civilians. **In areas where UN peacekeeping operations are mandated to protect civilians, how has the need to provide security for the population shaped the appraisal and deployment of required assets and resources?[1]**

Integrating Assets and Resources into Planning

Questions to ask:

- Have the critical issues of assets and resources been incorporated into the planning process from start to finish?

- How has the issue been framed for Troop and Police Contributing Countries (T/PCCs) in briefings from the Secretariat?

Force Generation

Questions to ask:

- If operations are mandated to protect civilians, are there scenarios that may require:

  a) Flexible force structures (adaptable contingents from which subsidiary units can be detached and operate independently for extended periods);

  b) Force reserves and rapid-response capabilities;

  c) Strike elements/special forces; and

  d) Capable commanders and chiefs of staff?

- Has the Secretariat tried and secured commitments from T/PCCs that include these elements and personnel? Do the Memorandums of Understanding (MOUs)[2] allow for flexibility, agility, and adaptability in force structure and deployments?

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[1] Many of the following issues were raised in the publication: Victoria Holt and Glyn Taylor with Max Kelly. *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges,* Independent study jointly commissioned by the DPKO and the UN Office for the Coordination of Humanitarian Affairs (OCHA), 17 November 2009; and from Max Kelly and Alison Giffen. "Military Planning to Protect Civilians: Considerations for United Nations Peacekeeping Operations," forthcoming publication of the Stimson Center.

[2] MOUs are negotiated administrative documents detailing reimbursement for TCCs, and have sometimes constrained how and whether TCCs can deploy within the theatre of operations.

Logistics (mobility) in-theatre

Questions to ask:

- Did planners and the mission acquire enough in-theatre tactical mobility to protect civilians from mass and systematic violence? (Namely fixed- and rotary-wing aircraft and the ability to conduct long-range patrols and deploy mobile operating bases (MOBs), if appropriate).

Intelligence and Analysis

To effectively protect civilians, peacekeeping operations must be able to collect and analyze intelligence related to the vulnerabilities of and threats to civilians. Operations and planning should be intelligence-led. **Questions to ask**:

- Has the mission planners/leadership set-up a fully resourced, staffed, and integrated Joint Mission Analysis Cell (JMAC) and Joint Operations Center (JOC)?[3] If possible, similar structures should be setup at sector and tactical levels.

- Has the mission defined and implemented a policy for all-source information collection, analysis, and sharing?

- Do intelligence-analysis capabilities exist at mission, brigade, and battalion levels?

Unit Capabilities

Questions to ask:

- Do the deployed military and police contingents have adequate language capabilities, auxiliary equipment (communications), and medical support?

- Do mission insurance and other policies allow units to operate 24 hours a day?

- Are there assets to operate 24 hours a day (e.g. night vision or thermals)?

Deployment Timelines and Vacancies

Questions to ask:

- Is the mission able to deploy in-line with the proposed phasing of deployment?

- Has the mission maintained a low-percentage vacancy rate once in theatre?

Securing the Safety of UN Personnel and External NGO Civilian Partners

The Department of Safety and Security (UNDSS) provides leadership and oversight of the security management system, and ensures the maximum security for UN staff and eligible dependants. Where there is a threat to civilian NGO

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[3]   Since 2006, all missions have been required to establish JMACs and JOCs, which are integrated structures at the mission HQ used to support decision-making by the head of mission. The JOC generally ensures mission-wide day to day situational awareness, while the JMAC typically collects and synthesizes all-sources intelligence to produce medium to long-term analysis.

partners, UNDSS, UN OCHA, and NGOs may implement the Saving Lives Together program to share security information, procedures, and protections. **Questions to ask**:

- Are UNDSS and UN OCHA fully staffed with qualified personnel?
- Is UNDSS sharing and receiving updated information from the mission JMAC, JOC, and OCHA on a daily basis and more frequently in crisis situations?
- Are UNDSS and/or the UN NGO security focal points communicating and coordinating security procedures with UN OCHA and NGOs, especially where the Saving Lives Together project is in operation?

Additional Resources

Dr. William J. Durch and Ms. Alison C. Giffen. "Challenges of Strengthening the Protection of Civilians in Multidimensional Peace Operations," Challenges Forum Report 2010, International Forum for the Challenges of Peace Operations.

Alison Giffen. "Addressing the Doctrinal Deficit," The Stimson Center, Spring 2010.

Victoria Holt and Glyn Taylor, with Max Kelly. Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges, Independent study jointly commissioned by the UN Department of Peacekeeping Operations (DPKO) and the UN Office for the Coordination of Humanitarian Affairs (OCHA), 17 November 2009.

Max Kelly and Alison Giffen. "Military Planning to Protect Civilians: Considerations for United Nations Peacekeeping Operations," forthcoming publication of the Stimson Center.

United Nations General Assembly (UNGA) Special Committee on Peacekeeping Operations. "Report of the Special Committee on Peacekeeping Operations," A/64/19, 10 May 2010.

United Nations Security Council. S/Res/1894, 11 November 2009.

Erin Weir. "Greater Expectations: UN Peacekeeping and Civilian Protection," Refugees International, 9 July 2009.

Erin Weir. "Last Line of Defense: How Peacekeepers Can Better Protect Civilians," Refugees International, 24 February 2010.