SPECIAL REPORT

Evolution of the protection of civilians in UN peacekeeping

Edited by Lisa Sharland

July 2019

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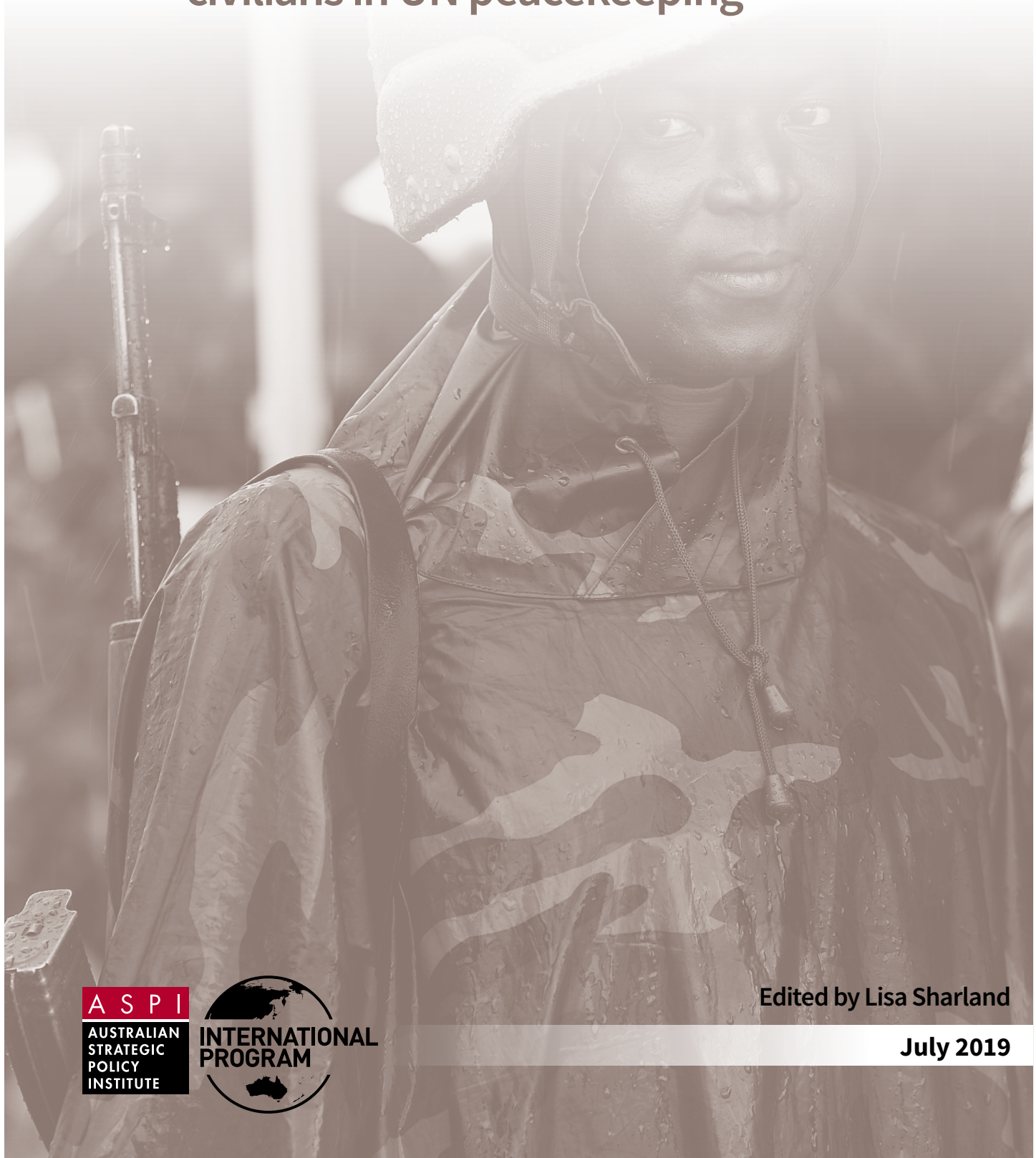
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Cover image: A female member of the Nigerian battalion of the United Nations Mission in Liberia (UNMIL) standing in the rain, 7 August 2008: UN Photo/Christopher Herwig.

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FOREWORD

This year marks 20 years since the UN Security Council added the protection of civilians in armed conflict to its agenda. Since then, the issue has become a central part of the council's work in building awareness among UN member states and the international community about the plight of civilians in conflicts and the need to prevent and respond to violations against them. Considerable progress has been made in the past two decades to strengthen many of the normative understandings we now have of protection, yet, as a recent Secretary-General's report notes, 'the state of protection of civilians is tragically similar to that of 20 years ago'. Impunity and a lack of respect for international humanitarian law and international human rights law remain ongoing challenges that need to be addressed.

The role of UN peace operations in protecting civilians over the past two decades has been significant. Since October 1999, most peacekeeping missions have included a mandate in some form or another to protect civilians. However, there's no doubt that it's been a challenging mandate. In those early years, member states, troop and police contributors, the Security Council and the UN Secretariat grappled with how to put the concept into operation. Views also differed significantly on what it meant for peacekeepers to protect civilians. By 2009, there was a need for more dialogue, discussion and debate among stakeholders to move forward, resulting in Australia and Uruguay's partnership to host a series of workshops on the protection of civilians.

The Australia–Uruguay workshop series has mirrored the discussions and evolution that have taken place in efforts to strengthen the ability of UN peacekeeping missions to protect civilians. Progress since that first workshop has been evident. The Secretariat has developed a policy, training and guidance for peacekeepers on the protection of civilians and is exploring further ways to enhance accountability in future. Similarly, the Security Council has engaged substantively in those discussions, including when Australia and Uruguay served their non-permanent terms on the council. And the Special Committee on Peacekeeping Operations (C-34), took up discussion of the issue, identifying where there was consensus and what work needed to be done. On the protection of civilians, we've very much moved from the 'Why?' to the 'How?' and to a discussion on what we expect of peacekeepers. And this is where our challenge remains.

As many contributors in this report note, we need to continue that debate and engagement among member states, to ensure that we offer clarity to peacekeepers on the ground about what the international community expects. The Action for Peacekeeping initiative and the Kigali Principles offer good models, but now is the time for us to deliver on those commitments.

The Secretary-General has called on member states 'to find consensus around the language and implication of peacekeeping tasks' on the protection of civilians. This report by ASPI offers some important considerations to inform those discussions. We remain committed to continuing to work with member states, the Secretariat, field missions and other peacekeeping stakeholders to ensure that UN peacekeeping missions are prepared, equipped and able to better protect civilians in the decades ahead and, importantly, meet the expectations of those civilians who need their protection.

H.E. Ms Gillian Bird,
Ambassador and Permanent Representative
of Australia to the United Nations

H.E. Mr Luis Bermúdez Álvarez,
Ambassador and Chargé d'affaires of Uruguay
to the United Nations

INTRODUCTION

Lisa Sharland

Since October 1999, the UN Security Council has been mandating UN peacekeeping missions to protect civilians. Yet, over the past two decades, those efforts have been mixed, reflecting the scope and challenge of the task. This has also been compounded by differing views among the various peacekeeping stakeholders—members of the Security Council, troop- and police-contributing countries, the UN Secretariat, mission personnel, regional organisations and host governments—about the circumstances in which peacekeeping missions should protect civilians, and how they should do so.

Those differences reached a critical juncture just over a decade ago, when member states and the UN Secretariat, through the then Department of Peacekeeping Operations and Office for the Coordination of Humanitarian Affairs, started to get more engaged in what the protection of civilians (PoC) meant in the context of UN peacekeeping missions. The UN commissioned an independent study to look into the issue. This resulted in the seminal publication *Protecting civilians in the context of UN peacekeeping operations: successes, setbacks and remaining challenges*, which was released in November 2009.[1]

Recognising that PoC remained a contentious issue in the context of peacekeeping, the permanent missions of Australia and Uruguay to the UN in New York co-hosted their first workshop on PoC in UN peacekeeping earlier that year. The partnership was born out of a need to provide a forum for the various stakeholders involved in UN peacekeeping—troop and police contributors, member states, and the UN Secretariat—to exchange views and hear directly from field representatives on the challenges of implementing PoC. Another nine workshops would take place in the decade that followed, including partnerships with the International Peace Institute, the Stimson Center and ASPI think tanks, providing a useful platform for an exchange of views in a more informal setting, with an aim of supporting greater consensus in formal UN discussions.[2] This was one of several different initiatives in the past decade attempting to understand what reforms were needed to strengthen peacekeeping in the field and ensure that peacekeepers could fulfil their mandate to protect civilians.

This Special Report draws together some analysis reflecting on developments in PoC in the context of UN peacekeeping over the last decade, with a particular focus on the role that member states have in shaping the future of PoC.

Richard Gowan, Director of the UN Office for International Crisis Group, offers a sober assessment of the role of the Security Council 20 years later. Although the Security Council showed initial leadership in mandating peacekeeping missions to protect civilians, he notes that the council was never designed as an 'operational headquarters', meaning that its efforts to effect change in PoC, particularly in the context of peacekeeping operations, will continue to be somewhat limited.

Aditi Gorur, Director of the Protecting Civilians in Conflict Program at the Stimson Center, offers thoughts on some of the challenges presented by the lack of host-state consent that exists in a number of UN peacekeeping missions at present and what this means for efforts to implement PoC mandates.

Victoria K Holt, Managing Director of the Stimson Center and former Deputy Assistant Secretary for the US Department of State, reflects on the developments that have taken place over the last decade and on the state of PoC when she co-wrote *Protecting civilians in the context of UN peacekeeping operations* in 2009, and what reforms member states need to coalesce around now to improve PoC.

The report's concluding article examines some of the challenges in engagement between member states to strengthen PoC over the past decade. In that analysis, I argue that, while the language negotiated by various UN bodies is important and worthy of further analysis, there also needs to be greater attention to fostering debate, understanding and agreement on the issues in contention.

The most recent *Report of the Secretary-General on the Protection of Civilians in Armed Conflict* calls upon the Security Council and member states to 'more broadly reflect on how to build on the progress to date and move the protection of civilians agenda forward in the years to come'.[3] This Special Report offers some important recommendations on how to move forward. While any efforts to strengthen the implementation of PoC mandates relies on the initiative, skill and willingness of personnel on the ground, there also needs to be consensus on the scope, expectations and limits of protection that can be provided. Although there has been considerable normative progress on PoC over the last two decades, the gaps in consensus among members states are widening in some areas. Furthermore, the nature of the challenges and threats have evolved in the last decade, with missions deployed in environments where there is no peace to keep and where peacekeepers are actively targeted by spoilers to the conflict. Consequently, there is a need for consensus on how to address some of the challenges that peacekeeping missions face in these environments, particularly when it comes to PoC. This is essential to ensure that UN peacekeeping meets the expectations of those that authorise their deployment, those that send personnel, and most importantly, those civilians that they are there to protect in the decades ahead.

Notes

1   Victoria Holt, Glyn Taylor, Max Kelly, *Protecting civilians in the context of UN peace operations: successes, setbacks and remaining challenges*, UN, 2009.

2   See 'Appendix: Workshops hosted by Australia and Uruguay on PoC in UN peacekeeping' at the end of this report for a table detailing the workshops and key points emerging from the discussions.

3   UN Security Council, *Report of the Secretary-General on the protection of civilians in armed conflict*, S/2019/373, UN, New York, 7 May 2019, online.

THE SECURITY COUNCIL AND THE PROTECTION OF CIVILIANS

Richard Gowan

The UN Security Council has been a persistent but imperfect driver of the PoC agenda. The council has played a decisive role in establishing and expanding the norm over the two decades since it directed the UN Mission in Sierra Leone 'to afford protection to civilians under threat of imminent physical violence' in 1999.[1] It has given the vast majority of UN peacekeepers serving today versions of this mandate, and inserted related language into resolutions approving non-UN-led operations, ranging from the 2011 intervention in Libya to the African Union Mission in Somalia (AMISOM). The council regularly reminds governments of their inherent responsibility to protect their own citizens. Yet its role in shaping the implementation of PoC mandates on the ground is uncertain, and sometimes self-defeating.

This article highlights three reasons for this weakness. First, and most importantly, the council is a diplomatic clearing-house rather than a mechanism designed to give strong, real-time guidance to the forces that it mandates. Second, major political rifts in the council are complicating (although not yet totally wrecking) discussions of PoC. Third, force contributors to both UN-led and non-UN-led operations have good reasons to distrust the council's views.

Meaningless mandates?

The basic limitations to the council's promotion of PoC lie in its institutional nature. It's a political body with international legal authority, but it isn't an operational headquarters.[2] Council negotiators (who are generally diplomats with little or no military experience) can hammer out language on PoC, but are not well qualified to say how this should be put into action. In the first decade of PoC mandates after 1999, the council's statements on the topic were frequently opaque, reaffirming the importance of protection without going into further detail.[3] This opacity complicated the UN system's early efforts to deliver on its new PoC obligations. As a 2009 study cautioned, 'despite consistency in mandate language regarding the physical protection of civilians, there is no consistent perception of council intent amongst senior UN mission staff, either within the UN Secretariat or UN peacekeeping missions.'[4]

Over time, the council started to be a little more specific, but more often on a reactive basis rather than out of strategic logic. It responded to specific crises confronting peace operations to either emphasise PoC as their primary task or to highlight specific protection tasks. In 2011, for instance, the council directed the UN Mission in Côte d'Ivoire (UNOCI) to protect civilians against attacks by heavy weapons during fighting between backers of presidential rivals Laurent Gbagbo and Alassane Ouattara. This was urgent, but some council members noted that it only added a little extra specificity to the mission's existing mandate.[5]

The council took even more dramatic decisions over the mandate of the UN Mission in South Sudan (UNMISS) during that country's collapse in 2013 and 2014, reorienting the operation from prioritising support to the nascent national authorities to highlighting PoC and humanitarian assistance. Yet this was again a largely reactive choice.

UNMISS staff, citing the PoC-focused elements of their original mandate, had already opened the gates of its bases to endangered civilians. Different units within the mission were interpreting their PoC duties in very different ways. Some, including a significant Indian contingent, believed that there was no requirement to extend protection outside their compounds. Others, such as a widely praised Mongolian unit, actively patrolled to safeguard a larger part of the population. The council's emphasis on PoC was, at best, an effort to clarify the mission's changing functions.

Even when the Security Council tries to focus its mandates on PoC-related tasks, the resulting diplomatic language can be hard to follow. The latest mandate for UN forces in the Democratic Republic of the Congo (DRC) devotes over 750 words to PoC, for example, compared to fewer than 300 to security sector reform,[6] but that text covers everything from public information campaigns and the UN's good offices to robust operations to 'neutralize' armed groups, buttressed with platitudinous appeals for comprehensive planning, respect for human rights and other good things. While the council may be trying to make its 'intent' on PoC plain, it still struggles to do so clearly.

P5 politics

The council's opaque and/or reactive attitude to PoC has contributed to both mistrust among council members, including the Permanent Five, and tensions between the council and the wider UN membership. Chinese and Russian officials were furious when UNOCI took the council's direction to double down on PoC in Côte d'Ivoire as licence to support a French-led effort to detain and depose former president Laurent Gbagbo.[7] They were even more upset by NATO's interpretation of Security Council Resolution 1973's authorisation of 'all necessary measures to protect civilians' in the Libyan civil war as a remit for an extended campaign to overthrow Muammar Gadaffi. This episode still echoes in council debates.

While China and Russia continue to sign off on PoC mandates for peacekeeping forces as routine business, both flag limits to the concept. In a 2019 council open debate on PoC (an annual event in the forum's calendar), the Chinese representative underlined that 'governments have the primary responsibility to protect.'[8] The Russian ambassador was considerably more assertive, first accusing Western powers of using the 'humanitarian pretext to support terrorist motives' in Syria, and then cautioning against the 'development of new international concepts and endless categories of people who require protection'.

These complaints reflected how PoC debates have become ever more sensitive in New York over the past decade. While Russia has accused NATO of abusing the notion of PoC in Libya, Western diplomats have attacked the Russians and their allies for ignoring PoC in Syria. The Russian ambassador was correct to note that his Western opponents have tried to expand the concept of PoC to back up their arguments. In May 2016, the council passed Resolution 2286 condemning attacks on health workers and hospitals; this was in considerable part an effort to embarrass Russian and Syrian Government forces for targeting health facilities. Moscow's critics have also brought up its involvement in the Ukrainian conflict as another breach of the norms of PoC. During this year's thematic debate on the topic in the council, both the Ukrainian and Lithuanian ambassadors raised the situation in Donbas.

These interventions were indicative of the overall worsening of UN diplomacy in an era of great-power competition. There's no doubt that PoC has become a political football in some of these discussions. But there's a glimmer of optimism too. Despite their differences, the permanent members of the council continue to claim that they still believe in the basic idea of PoC, especially in the context of UN peacekeeping deployments. Russian officials argue that they oppose innovations in the concept because those innovations could distract from its original idea of saving lives.[9] Chinese diplomats insist that they embrace the notion and have promised to deploy more peacekeepers on blue-helmet missions, almost inevitably following PoC mandates.[10] What these promises mean in practice is debatable—Chinese soldiers received bad publicity for failing to protect aid workers under attack in South Sudan in 2016, for example—but PoC retains some buy-in as a normative point of consensus. It's certainly more robust than the parallel notion of a 'responsibility to protect', potentially justifying humanitarian interventions, which has been utterly toxic in the council since the Libyan war.

Unhappy troop contributors

The most serious contentions over PoC in New York may lie not *within* the council but *between* the council and states involved in UN-led and non-UN-led peace operations. The latter regularly argue that the council's approach to putting PoC in mandates is irresponsible, as it places significant demands on international forces without the operational or financial back-up necessary to achieve them. CSR Murthy, an Indian expert, notes that New Delhi believes that its troops in UN operations are expected 'to protect everyone from everything' and that the Security Council should 'be held accountable if unachievable mandates are generated out of political expediency, or if adequate resources are not made available.'[11] While the Indians and other major troop contributors have been making such accountability arguments for some time, they have gained traction in New York in recent years. The need to tie mandates to resources was a major theme of the 2018 Action for Peacekeeping (A4P) initiative launched by Secretary-General Antonio Guterres. Three-quarters of UN members signed on to a declaration in September calling for 'clear, focused, sequenced, prioritized and achievable mandates by the Security Council matched by appropriate resources'.[12]

While all five permanent members of the council supported this declaration (despite Russia registering reservations about its references to human rights), they proved unwilling to give it too much weight. In December 2018, the Netherlands and Côte d'Ivoire tabled a resolution endorsing A4P's points on mandates. The Russians refused to engage substantively, while the US rejected the text as placing unacceptable limits on the council's prerogatives to craft mandates. Britain and France at least partially shared the American position.[13] The Dutch–Ivorien push sputtered out inconclusively at the end of last year. Although the main source of contention was the division of power in council decision-making, this episode indicated that the major powers at the UN are unlikely to agree to reforms to mandate-making that would offer greater operational clarity about how missions should deliver PoC on the ground. There's always likely to be a divide between the broad language of UN resolutions on PoC and the realities of safeguarding civilians in the field, exacerbating tensions with troop contributors.

The Security Council also faces the challenge of how to address PoC in the mandates it agrees for non-UN-led peace operations such as AMISOM and the G5 Sahel Joint Force to tackle terrorist threats. Those operations often use force far more extensively than blue-helmet operations do, but lack even the limited resources that the UN enjoys. Security Council resolutions authorising these operations include regular references to PoC, but those references are largely confined to demands on the forces involved to respect international humanitarian law and avoid endangering civilians themselves. The council has required AMISOM to cooperate with the UN on ensuring human rights compliance by its troops, and called upon the G5 to set up a 'robust compliance framework to prevent, investigate, address and publicly report violations and abuses' related to the mission.[14] But those injunctions are far briefer and less ambitious than the directions on PoC that the council gives to UN missions.

Many observers suspect that the geopolitical tensions now plaguing the UN mean that non-UN-led forces will increasingly supplant blue-helmet missions as the Security Council's tool of choice. It's conceivable that the council could start to insert more expansive PoC-related language into resolutions concerning those operations as a condition for blessing other actors' security efforts. While this optimistic image of the council as a 'norm entrepreneur' advancing PoC is attractive, it's necessary to note that the advocates of some non-UN missions now question what council support is worth.[15] Despite endorsing the G5 Sahel Joint Force, the council has refused calls from the region to fund the operation, mainly due to American concerns over costs. In December 2018, the US also threatened to veto a resolution tabled by African members of the council proposing a new system for UN funding for African-Union-led operations. If the council isn't willing to offer more concrete support to missions of this type, it's probable that regional groups and *ad hoc* coalitions will increasingly disregard the UN in future. That, in turn, would restrict the council's ability to influence others actors' approaches to PoC.

Conclusions: Accepting the limits of the Security Council

In sum, the Security Council's ability to continue to shape debates about PoC through its resolutions and diplomatic initiatives is in doubt for at least three reasons: tensions inside the council, friction with major actors in UN-led operations, and uncertainty over the council's relevance to non-UN-led crisis management missions. If the council were an 'operational headquarters' with a systematic focus on promoting PoC, it would respond to those threats by addressing its internal splits and resolving its political and financial differences with the force contributors to UN- and non-UN-led missions.

But, to return to this article's main argument, the Security Council is simply not designed to take such systematic action. It's fundamentally a diplomatic and political mechanism, and as such it will continue to be opaque and reactive in many of its decisions. It's remarkable that such an imperfect body has played an important role in supporting the evolution of PoC over the past 20 years, but it's fanciful to imagine that it can do very much better in future. The future of PoC is more likely to be decided by the actions of peacekeepers and other international forces on the ground than by the ruminations of diplomats in Manhattan.

Notes

1   UN Security Council Resolution 1270, 22 October 1999.

2   For a fuller version of this argument about the weakness of the council, see Richard Gowan, 'The Security Council and peacekeeping', in Sebastian von Einsidel, David M Malone, Bruno Stagno Ugarte, *The Security Council in the 21st century*, Lynne Rienner Publishers, Boulder, 2016.

3   Haidi Willmot, Scott Sheerhan, 'The protection of civilians mandate in UN peacekeeping operations: reconciling protection concepts and practices', *International Review of the Red Cross*, 2013, 95:521.

4   Victoria Holt, Glyn Taylor, Max Kelly, *Protecting civilians in the context of UN peace operations: successes, setbacks and remaining challenges*, UN, 2009, 7.

5   Alex J Bellamy, Paul D Williams, 'The new politics of protection? Côte d'Ivoire, Libya and the responsibility to protect', *International Affairs*, 2011, 87(4):834–835.

6   UN Security Council Resolution 2463, 29 March 2019.

7   UN Security Council Resolution 2463, and Bellamy and Williams, 835–836.

8   All quotations in this paragraph are from UN press release SC/13822, 23 May 2019.

9   UN Security Council Resolution 2463.

10   See, for example, 'China supports UN efforts in protecting civilians in conflict', *Xinhua*, 13 February 2013.

11   CSR Murthy, *India's approach to the protection of civilians in armed conflicts*, policy brief, NOREF, Oslo, November 2013, 3.

12   The 'Declaration of Shared Commitments on UN Peacekeeping Operations' (issued for endorsement on 16 August 2018) and details of those supporting it are available online.

13   *Is Christmas really over? Improving the mandating of peace operations*, research report, UN Security Council, New York, February 2019, 10.

14   See UN Security Council Resolution 2431 on Somalia, 30 July 2018, and Resolution 2391 on the Sahel, 8 December 2017.

15   Cf. Ian Johnstone, 'The Secretary-General as norm entrepreneur', in Simon Chesterman, *Secretary or general? The UN Secretary-General in world politics*, Cambridge University Press, Cambridge, UK, 2007).

MANAGING HOST-STATE CONSENT AND THE PROTECTION OF CIVILIANS

Aditi Gorur

One of the three core principles of UN peacekeeping is that missions deploy only with the consent of the major parties to the conflict.[1] Because the state has the legal authority to permit or refuse the mission's entry into its sovereign territory, the UN Security Council has primarily concerned itself with obtaining the consent of the host-state government before authorising a new peacekeeping mission—only sometimes consulting with other parties to the conflict.[2] The requirement to obtain host-state consent is one important way of distinguishing peacekeeping from war-fighting, and helps imbue UN peacekeeping missions with a special legitimacy.

Yet, in practice, many peacekeeping missions have faced resistance, hostility or even violence from the same host-state governments that on paper had provided their consent. Such resistance by host-state governments can undermine many aspects of a peacekeeping mission's mandate, but none more so than PoC. Without active support and buy-in from the host-state government, it's much more challenging for missions to reach vulnerable civilians, intervene in violence or establish sustainable protective environments. An even greater challenge comes when host-state governments are one of the main perpetrators of violence against civilians, and peacekeepers are put in the position of protecting civilians from the government.

The challenges posed by host-state consent for PoC aren't new, but they've taken on a particular urgency in recent years. As PoC has become established as a central obligation of UN peacekeeping, and as policies, guidance and training have been developed to support PoC in the field, member states' expectations about what peacekeeping missions should achieve with respect to PoC have grown. Yet member states have also authorised and reauthorised missions in environments in which host-state consent wasn't strong to begin with, or in which they knew that host-state consent had severely deteriorated over time, without fully appreciating how challenging PoC would be in those environments. In the past few years in particular, the UN's struggles to protect civilians in the DRC, Darfur and South Sudan despite active hostility from all three host-state governments simultaneously have brought this issue to the fore.

This paper argues that member states must engage more strongly and substantively with the issue of host-state consent to enable missions to implement their PoC mandates. It begins by exploring the fraught histories of PoC and host-state consent at the UN, defining what host-state consent means, and elaborating the nuanced and dynamic nature of consent. It then explores strategic and operational challenges of implementing PoC in areas without strong host-state consent, while arguing that it's nevertheless critical for missions to pursue PoC even in non-permissive environments. It closes by offering recommendations on how member states can better protect consent at the outset of a new mission, stay informed about the state of host-state consent, respond firmly to early signs of weakening consent, and engage decisively when host-state consent has begun to seriously deteriorate.

This paper is based on analysis by Sofía Sebastián and Aditi Gorur in *UN peacekeeping and host-state consent*, Stimson Center, 2018.

PoC and host-state consent as fraught topics

From the earliest development of the PoC agenda, some UN member states have expressed concern that it might infringe on the principle of consent. For example, Charles T Hunt and Lisa Sharland note that there was no reference to PoC in reports by the General Assembly's Special Committee on Peacekeeping (also referred to as the C-34) in the decade that followed the authorisation of the first PoC mandate in a UN peacekeeping mission in 1999.[3] They argue that this was in part due to concerns that including references to PoC would undermine the importance of host-state consent.[4] Peacekeeping missions with a PoC mandate are required to protect civilians impartially—that is, to protect them regardless of who they are or who the perpetrator of violence is.[5] What would happen if the host-state government did not want peacekeepers to take actions to protect civilians in a particular situation? Which would prevail—the mandate to protect civilians impartially, or the principle of respecting host-state consent?

The 2008 Capstone Doctrine, produced by the UN departments of Peacekeeping Operations and Field Support, tried to address this concern by drawing a distinction between different levels of consent. It clarified that missions needed to secure the consent of the main parties to the conflict in order to deploy, but did not need to obtain further consent by those or other parties to undertake activities at the local level pursuant to their mandates.[6] Despite this clarification, some member states remain concerned by the possible tension between PoC and host-state consent. Today, in negotiated UN documents on peacekeeping, such as C-34 reports or Security Council resolutions authorising peacekeeping missions, member states often reiterate the application of the principles of peacekeeping or the primary responsibility of the state to protect civilians alongside PoC language, in recognition of these concerns.

While PoC is now discussed openly, regularly and in depth at the UN, host-state consent remains an underdiscussed subject. Despite being a core principle of peacekeeping, host-state consent has received surprisingly little attention from scholars and practitioners.[7] Member states and other UN peacekeeping stakeholders have engaged only superficially with the topic, perhaps out of a desire to avoid provoking sensitivities related to host-state sovereignty.

The recent Cruz Report on how to improve UN peacekeepers' safety and security during deployments offers a good illustration of the tendency away from discussing matters related to consent.[8] UN peacekeepers have suffered many attacks in recent years from state or state-affiliated forces, as detailed later in this paper in the section on operational challenges for PoC in poor consent environments. Attacks against peacekeepers by government forces constitute a clear indication of weakening host-state consent, a violation of the status of forces agreement (SOFA) between host-state governments and missions, and in some cases a violation of international humanitarian law. Yet the Cruz Report discusses only the risks to peacekeepers posed by non-state armed groups, and its recommendations are largely inapplicable to situations in which government actors pose a threat to peacekeepers.

Yet there have been a few recent developments indicating a new willingness by UN member states to engage with the issue of host-state consent, albeit cautiously:

- The 2018 report of the General Assembly's Special Committee on Peacekeeping Operations included language identifying SOFA violations as 'grave risks to the safety and security of peacekeepers' and requesting documentation by all missions of such violations.[9] SOFA violations are often an indication of deteriorating consent.
- The Declaration of Shared Commitments on UN Peacekeeping Operations, shared by the UN Secretary-General in August 2018 under the A4P agenda and endorsed by 151 countries,[10] included a commitment by host-state governments to 'cooperate with peacekeeping operations in the pursuit of Security Council mandates, including facilitating access, and [to] recognize national responsibilities related to the safety and security of peacekeepers.'[11]

These are encouraging developments, and much more frank treatment of this issue by UN stakeholders is urgently needed. Unless UN member states grapple honestly with this topic, they won't be able to provide the kind of support required for missions to effectively protect civilians when host-state governments are unwilling to cooperate with peacekeepers on the PoC agenda.

Defining host-state consent

The lack of a common vocabulary for host-state consent presents an important obstacle to effectively addressing the challenges associated with it. Different UN peacekeeping stakeholders often have very different understandings of what it means for a host state to give its consent. This means that there can be real confusion about how missions and member states should respond if a host-state government takes an action that seems to call into question its support for the mission's presence or activities.

In our 2018 report, *UN peacekeeping and host-state consent*, Sofía Sebastián and I present a framework for understanding host-state consent.[12] We propose that host-state consent in its fullest form encompasses three elements:

• acquiescence to the mission's presence on the ground

• acceptance of the mission's mandate

• commitment to the political process that the mission is intended to support (if there's one in place).

Missions can have *strong consent*, where all three elements are present; *weak consent*, where the first element is present but the second and third are called into question; or *compromised consent*, where all three elements are called into question.

Table 1: The elements of host-state consent

	Acquiescence to the mission's presence	Acceptance of the mission's mandate	Commitment to the political process that the mission is deployed to support
Strong consent	✓	✓	✓
Weak consent	✓	?	?
Compromised consent	?	?	?

Source: Sofía Sebastián, Aditi Gorur, *UN peacekeeping and host-state consent*, Stimson Center, 2018.

The dynamic and nuanced nature of host-state consent

UN member states often treat host-state consent as a one-off action—it's given before the UN Security Council authorises a new mission's mandate, and it's assumed to remain in full force until the host-state revokes it. In practice, host-state governments' consent for peacekeeping missions is dynamic and nuanced.

The fact that a host-state government has given its consent doesn't necessarily mean that a host-state government's vision for the country aligns with the Security Council's, or that it actually wants to receive a peacekeeping mission. Governments may consent reluctantly to the presence of a mission because they believe they can't secure their territory without the mission, or because they don't have enough political standing domestically or internationally to resist the will of the Security Council, or because they believe they can benefit from some parts of the mission's mandate while restricting the mission from implementing less convenient parts of the mandate.

The government's consent can change over the course of a mission's deployment depending on its position in both domestic and international politics. For example, host-state consent can shift in the lead-up to an election, as the government can use the mission as a scapegoat for problems that the population is concerned about. Similarly, consent can shift in the aftermath of an election, as the government may feel bolstered and legitimised by winning the trust of the population and may feel less inclined to receive advice from an international presence.

Host-state consent can also vary based on the government's perceptions of and relationship with the mission. This can include:

- *Actions by the mission that the government perceives as infringing on its interests or sovereignty.* For example, one representative of the UN peacekeeping mission in the DRC (MONUSCO) contended that the mission started having problems precisely when the agenda of President Joseph Kabila began to diverge from the UN's, 'when the focus of the mission turned to … key sovereignty areas where he and his regime did not want the internationals to have a role.''[13] Another UN representative noted that SOFA violations by the Sudanese Government, such as access restrictions, visa denials and blocked supplies, tended to increase shortly after the UN – African Union Mission in Darfur (UNAMID) took actions that the government perceived as critical, such as releasing a human rights report.[14] PoC and human rights activities that implicate the government in abuses against civilians are obvious examples of actions pursuant to a mission's mandate that the government may perceive as contrary to its interests.

- *The discovery of mismatched expectations between the government and the mission about the mission's priorities, authorities and limitations.* For example, President Déby of Chad expected the UN mission in Chad and the Central African Republic (MINURCAT) to fend off rebel attacks in the border area, while the mission believed its mandate gave it very different priorities.[15] This misunderstanding contributed to poor relations between the mission and the government and the Chadian Government's eventual decision to request the UN Secretary-General to withdraw the mission.[16]

Because host-state consent is dynamic, mission leaders and member states must continuously monitor it, work to maintain it and actively engage to bolster it if it begins to deteriorate. The next section explores how changes in host-state consent interact with the mission's PoC efforts.

The importance of host-state consent to PoC

Missions with weak or compromised consent can face severe challenges in implementing any part of their mandates to which host-state governments are resistant—for example, supporting the implementation of a peace agreement, supporting security sector reform or promoting the rule of law. This section explores the particular challenges for missions' ability to protect civilians when they don't enjoy strong host-state consent. It's important to remember that, in the context of UN peacekeeping, PoC can involve a wide range of activities undertaken by military, police and civilian personnel within a mission. The 2015 policy on PoC in peacekeeping defines PoC as constituting three tiers:

1. *Protection through dialogue and engagement* (for example, engaging diplomatically with actors in civil society and at different levels of government to encourage greater responsiveness to the needs of vulnerable civilians; supporting local reconciliation initiatives to discourage intercommunal violence)

2. *Physical protection* (such as using patrolling to deter violence; using force or the threat of force to disrupt armed groups that have engaged in a pattern of violence)

3. *Building a protective environment* (for example, supporting reforms to strengthen the criminal justice system to discourage vigilante violence; supporting reforms to make the security sector more effective and accountable, so that it can deter and respond to violence).[17]

When the government is one of the main perpetrators of violence against civilians, it becomes particularly challenging for peacekeepers to use the second tier—physical protection—and missions may become more reliant on the first and third tiers.

Strategic challenges for PoC in weak or compromised consent environments

Host-state consent and PoC have a close relationship. PoC activities that the host-state government perceives as contrary to its interests (such as the release of a human rights report that catalogues government abuses) can be a factor in triggering a deterioration of host-state consent.[18] In turn, the deterioration of host-state consent can affect missions' PoC outcomes and strategies, making it important for missions to reassess and if necessary revise their PoC strategies as and when the strength of the government's consent changes.

Protecting civilians from the government

Peacekeeping mandates are often, to varying extents, embedded with an assumption that the state will act to protect civilians rather than to perpetrate violence against them. This can be in the form of mandates to extend or restore state authority, on the assumption that state actors will extend protection to the areas where they are newly deployed. It can also be in the form of more explicit language linking PoC and support to the state. For example, the resolution authorising the creation of UNMISS in 2011 did not give the mission a stand-alone mandate to protect civilians. Instead, the resolution mandated UNMISS to '[s]upport the Government of the Republic of South Sudan in exercising its responsibilities for conflict prevention, mitigation, and resolution and protect [*sic*] civilians', with more specific PoC activities elaborated under this heading.[19] As we have seen, however, it isn't rare for host-state governments to be among the main perpetrators of violence against civilians in peacekeeping settings.

At the strategic level, host-state consent interacts with PoC against government-perpetrated violence in two ways. First, the very fact that the government is perpetrating violence against civilians shows that its support for the mission's mandate is questionable. Depending on the government's motivations for perpetrating violence against civilians, the mission's attempts to protect those civilians may also cause the government to question its support for the mission's presence on the ground. Second, a mission's efforts to protect civilians from government-perpetrated violence are complicated by the need to maintain the government's consent to remain in place to continue extending that protection.

Peacekeeping missions are required to implement their mandates impartially.[20] In the case of PoC, this means that peacekeepers are expected to protect civilians based on their need for protection, regardless of the identities of either the civilians or the perpetrators of violence. In other words, we should *prima facie* expect peacekeeping missions to protect civilians from government violence just as we expect them to protect civilians from non-state violence.

In practice, however, PoC from government violence may look very different from PoC from non-state violence. In particular, physical protection (through the threat or use of force) is less likely to be effective at protecting civilians from host-state government violence compared to non-state armed group violence.[21] This is because:

- peacekeepers will be concerned that the government might revoke host-state consent altogether if they use force against the state, forcing the mission to end its deployment
- government forces are likely have superior firepower to missions
- engaging the government with force could put civilians at greater risk in some circumstances (such as in densely populated urban environments).

Conversely, some governments may be more receptive to protection through dialogue and engagement (for example, coordinated diplomatic outreach by mission leadership and influential regional or international governments attempting to dissuade government leaders from perpetrating violence) than some non-state armed groups, because they're likely to want to maintain regular diplomatic relations with other governments.

Cases of peacekeepers using force against government forces are not unheard of. One of the most striking examples involved the use of force by the UN peacekeeping mission in Côte d'Ivoire, UNOCI, against the forces of former President Gbagbo.[22] However, such examples are rare; for the reasons listed above, peacekeepers will almost always be very reluctant to use physical protection when the state is a perpetrator. Missions' PoC strategies may therefore be much more reliant on protection through dialogue and engagement, and on diplomatic support from member states, where host-state consent is weak or compromised and the government is a major perpetrator of violence.

A particular risk in compromised consent scenarios, however, is that missions might not push firmly for protection through dialogue and engagement. If the mission believes that there's a real risk that it may be expelled from the country altogether, it may become more cautious about criticising that government publicly or pushing back against government demands—as has happened, for example, in the DRC.[23] The result, if the mission continues to pursue non-state armed actors as usual but takes a soft approach when it comes to government-perpetrated violence, is that the mission can end up unintentionally bolstering an abusive regime.

Protecting civilians from non-state armed groups

Peacekeeping missions naturally face greater challenges in protecting civilians from non-state armed groups when the host-state government is either unable or unwilling to support those operations. This can happen in weak or compromised consent environments such as the DRC, where the government led by Joseph Kabila may have preferred to keep some armed groups active to serve its financial or security interests.[24] The contrast between MONUSCO's success in defeating the March 23 rebels through joint operations with the Congolese armed forces, and its limited progress against other armed groups such as the Democratic Forces for the Liberation of Rwanda or the Allied Democratic Forces without full cooperation from the government, offers an illustration of this point.[25] (Peacekeepers can also encounter this challenge in strong consent environments such as the Central African Republic (CAR), where the extremely limited capacity of the country's armed forces has been a major impediment to the mission's operations against militia groups.)[26]

But in weak and compromised consent environments, even protecting civilians from non-state armed groups *with* the cooperation of the government can produce challenges. In those environments, a host-state government may wish to cooperate with a mission (for example, through joint or coordinated military operations) against specific non-state armed groups perceived to be working against the government's interests. At the same time, the government may be working to undermine the mission's ability to conduct operations against other armed groups that are working in the government's interests—for example, by restricting the mission's freedom of movement or access to equipment, as the next section explores. To cooperate with the host-state government in these situations can mean in essence turning the mission into a tool of government violence. Missions need to be conscious of the risk that their PoC activities against armed groups could be manipulated to serve the interests of an abusive state.

Moreover, whether the mission is trying to protect civilians from government-affiliated forces or non-state armed groups, a lack of cooperation from the government can seriously undermine the mission's efforts to implement the third tier of protection: building a protective environment. Without strong host-state consent and buy-in, it's very difficult to make sustained progress on agendas such as supporting security sector reform, the rule of law, and effective and responsive local government, which are needed to deter and protect civilians from future violence. Not only does this leave civilians without sustainable protection, but it also leaves missions without an effective exit strategy. The UN peacekeeping mission in the DRC, MONUSCO, faced this challenge for many years. For example, under President Kabila, the Congolese Government was largely unwilling to cooperate with the mission on security sector reform—without which the Congolese armed forces would neither be able to stop perpetrating violence against civilians themselves, nor effectively protect civilians from violence perpetrated by non-state armed groups.[27]

Operational challenges for PoC in weak and compromised consent environments

The 2015 policy on PoC produced by the UN departments of Peacekeeping Operations and Field Support states that:

> Where the state is unable or unwilling to protect civilians, or where government forces themselves pose such a threat to civilians, peacekeepers have the authority and the responsibility to provide such protection within their capabilities and areas of deployment … irrespective of the source of the threat.[28]

The policy in this way attempts to make clear peacekeepers' responsibility to protect civilians in environments with poor host-state consent, including protecting civilians from government actors when necessary. However, host-state governments can take a range of actions that pose serious operational challenges for missions' physical protection efforts.

- **Attacks on UN personnel or property:** For example, an independent investigation into the crisis in Juba, South Sudan, from 8 to 11 July 2016 found that 'Government and Opposition forces fired indiscriminately, striking UN facilities and PoC sites,' killing two peacekeepers and injuring several others.[29] On 15 September 2018, a member of the South Sudanese armed forces shot directly at a UN peacekeeper convoy, injuring one peacekeeper.[30]

- **Restrictions on entry of UN personnel, supplies or equipment:** For example, in 2017, the Government of South Sudan was able to delay the deployment of new troops constituting a 'regional protection force', intended to boost UNMISS's PoC capacity, by delaying their visas and the allocation of land for bases.[31] In 2015, the Sudanese Government blocked more than 200 shipping containers of food rations and other supplies such as communications equipment, undermining the mission's operations.[32]

- **Restrictions on freedom of movement:** For example, the governments of Sudan and South Sudan have heavily restricted the movements of UNAMID and UNMISS through the use of checkpoints to prevent them from accessing vulnerable populations.[33] A study by Allard Duursma finds that restrictions by the Sudanese Government (as well as other armed actors) on UNAMID's access to specific areas correlates with areas with high levels of violence against civilians.[34] In March 2017, as government-affiliated actors targeted civilians in the Kasai region of the DRC, MONUSCO reported that security forces had restricted the mission's freedom of movement in the area, impeding its ability to implement its mandate.[35]

All of these actions pose obvious operational challenges for physical protection by a peacekeeping mission. Attacks on UN personnel or bases, as well as restrictions on the entry of uniformed personnel, supplies or equipment, can limit the mission's operational readiness to access vulnerable populations or respond to threats of violence against civilians. Restrictions on freedom of movement can prevent peacekeepers from physically reaching populations in need of protection, from conducting reconnaissance to understand perpetrators' locations, intents or capabilities, and so on.

A further operational challenge is the ambiguity surrounding such actions by the host-state government. Peacekeeping missions often operate in areas with weak command and control within the state security sector. As a result, it's often difficult for missions to assess whether, for example, restrictions on freedom of movement are directed by senior levels of government and constitute a strategic decision to impede the missions' work, or whether they're imposed by local-level actors pursuing their own interests (for example, to try to demand a bribe or to prevent mission personnel from observing or intervening in local activities). Host-state governments may take advantage of that ambiguity and attribute access restrictions to command and control problems, even when they're strategic decisions. This makes it difficult for peacekeeping missions to effectively track hostile actions by the government and advocate for them to respect the SOFA.

In addition to posing challenges for physical protection, actions such as those listed above can also limit the mission's ability to protect civilians through dialogue and engagement. Restricting the entry of individual civilian personnel (such as human rights officers) or expelling them in retaliation for activities pursuant to their mandates can reduce the mission's capacity to provide protection using its civilian capacities—such as monitoring, investigating and recording information about violence against civilians—and therefore its ability to respond to

the violence or deter future violence. The Sudanese Government did this, for example, in 2016, when it denied the visas of UNAMID's principal humanitarian affairs officer and senior women's protection adviser, along with 37 other personnel.[36] Governments can also use these actions as retaliatory responses against missions to keep them in line. For example, in 2017, UN Secretary-General Ban Ki-moon referred to Morocco's annexation of the Western Sahara as an 'occupation'; in retaliation, the Moroccan Government expelled dozens of staff members of the UN peacekeeping mission, MINURSO.[37]

The mission's capacity for protection through dialogue and engagement may be particularly undermined in compromised consent environments, where the host-state government's support even for the mission's continued deployment on the ground is questionable. In those situations, mission leaders may become very cautious about public or private advocacy for or criticism of the government, putting their focus instead on improving relations with the government to reduce the chances that the mission will be expelled from the country.

The importance of PoC in weak or compromised consent environments

Given the strategic implications and operational challenges outlined above, the question naturally arises about whether peacekeeping missions should be deployed at all or, given PoC mandates, unless the mission enjoys strong host-state consent. Despite the immense difficulty of protecting civilians in weak or compromised consent environments, it would be a grave mistake for UN member states to say that they'll deploy peacekeeping missions to protect civilians only in environments of strong consent. To do so would create a moral hazard—host-state governments wishing to perpetrate violence against their populations would be incentivised to indicate their less-than-strong consent for a peacekeeping mission (either to prevent a new mission from being deployed or to end the deployment of a current mission) in order to clear the path for their own abuses against civilians.

Moreover, in situations in which there are atrocity risks, it's particularly important for missions to implement their PoC mandates despite a lack of cooperation from the host-state government. For example, although UNMISS's actions to protect civilians in 'PoC sites' inside or adjacent to mission bases have been the subject of much criticism and controversy, and although the mission's capacity to protect civilians outside the PoC sites is very limited, many in South Sudan believe that the mission's actions have prevented atrocities despite active hostility from the host-state government.[38]

But UN stakeholders must understand that PoC will look different in weak or compromised consent environments and that the burden on member states to support the mission politically will be much greater. Authorising a peacekeeping mission to protect civilians despite the resistance of an unwilling government is akin to authorising an intervention under Pillar 3 of the 'responsibility to protect' (R2P) principle (international intervention to protect against certain types of mass atrocities where a government is unable or unwilling to intervene). Other than some differences in scope of application (for example, PoC applies to any type of physical violence, whereas R2P applies to specific types of atrocity crimes), there's very little to distinguish between the two types of intervention.[39] The Security Council would not expect a Pillar 3 R2P intervention to succeed without strong and sustained political backing from member states, including concerted diplomatic pressure on the host-state government. Similarly, member states should modify their expectations about what a peacekeeping mission can achieve with respect to PoC in weak or compromised consent conditions and plan for sustained diplomatic engagement to support the mission through its inevitable conflicts with the government.

In extreme situations, in which mass atrocities are being committed or there's a high risk of atrocities, and in which a peacekeeping mission is so restricted by the need to maintain host-state consent that it can't protect civilians beyond a very limited extent, the Security Council should consider whether a regional or coalition intervention deployed explicitly pursuant to Pillar 3 of R2P is more appropriate. Such an intervention wouldn't be bound by the need to maintain host-state consent. The council could also consider endorsing a non-consensual intervention authorised by a regional organisation; for example, the African Union Charter permits interventions in its member states without host-state consent in some atrocity situations.[40]

The need for greater member state engagement on consent

As this paper has argued, consent isn't a one-off action—it takes persistent work to maintain. Past and current experience makes it clear that missions can't do this work on their own. This section offers recommendations to member states on how they could offer greater support to missions in the field to strengthen their ability to protect civilians by preventing or mitigating challenges in host-state consent.

Protect host-state consent from the outset

Before authorising a new peacekeeping mission, the Security Council should conduct a visit to the host country and meet with representatives of the major parties to the conflict, including the host-state government. It should use that visit to better understand the parties' interests and how closely they align to the interests of the council and the potential mission. This would include information about the parties' political sensitivities and potential triggers of deteriorating consent. In particular, it should include information about whether and how impartial PoC activities by a peacekeeping mission might be received poorly by the government. This information would help the council understand how much and what type of political support it will need to give the mission to ensure that it can carry out its PoC mandate as well as other mandated tasks. If it isn't possible for the Security Council to visit the host country, it should at minimum host a briefing by the major parties on these issues in New York.

The council could also consider signing a compact with the host-state government after it has received the government's consent but before the new mission is deployed. The objective of the compact would be to reduce the chances of a misalignment between the government's and the council's expectations of the mission's role, authorities and limitations, which could lead to a later deterioration of consent. The compact could include a statement of shared PoC priorities and desired outcomes, detail the division of labour between the government and the mission with respect to PoC, and make clear that impartiality requires the mission to protect civilians regardless of the source of the threat.

Request regular analysis and briefings on host-state consent

As discussed above, host-state consent can improve or deteriorate depending on a variety of factors that affect the government's political standing, popularity, capacity and perceptions of the peacekeeping mission. Member states should request regular analysis and briefings about the status of host-state consent in each mission, so that they can monitor those changes. For missions with a PoC mandate, member states should request analysis on how any challenges related to host-state consent may be affecting the mission's ability to protect civilians.

Requesting regular analysis and briefings on host-state consent serves two purposes. First, it ensures that member states have the information they need to take effective action to provide political back-up to missions. Second, it ensures that mission personnel are monitoring consent. Mission personnel, including the highest levels of leadership, might not be aware of the warning signs of deteriorating host-state consent, the actions that may trigger such a deterioration or the measures they can take to try to protect or repair consent. The peacekeeping missions in Darfur and South Sudan, for example, did not begin recording or reporting on SOFA violations until long after those violations were used by host-state governments to impede the missions' PoC activities. If mission leaders know that they're expected to track this information and share analysis with member states on a regular basis, it could help them spot warning signs and enable both mission leaders and member states to take action earlier. This could help to prevent a severe deterioration of consent with serious consequences for the mission's PoC ability.

Respond firmly to early indications of deteriorating consent

As detailed above, SOFA violations such as attacks on UN bases and personnel, restrictions on freedom of movement and restrictions on the entry of UN personnel, supplies and equipment can greatly limit missions' ability to implement their PoC mandates. Even in strong consent environments, host-state governments may take actions that violate the SOFA. Those might be innocent mistakes or deliberate attempts to test the mission's boundaries

and see how much latitude the government has. In either case, it's important for the mission to respond firmly—to establish that the UN system takes SOFA violations very seriously and to deter more serious violations down the road.

Missions are often capable of responding to minor SOFA violations on their own. It may even be counterproductive for member states to involve themselves in these situations if consent is otherwise strong, as it could publicly embarrass the host-state government and complicate its relationship with the mission or send the message that the mission isn't strong or influential enough to manage issues on its own. However, if consent is weak or compromised, it may be useful for member states to offer the mission support in responding to SOFA violations as soon as they happen.

That support could include the Security Council requesting briefings by the Secretary-General or Undersecretary-General for Peace Operations on whether and how the government and the mission have resolved SOFA violations. It could also include private diplomacy by influential member states (such as key regional powers or major donors) through their embassies with the host-state government, in coordination with the mission leadership.

By responding firmly to SOFA violations from the start, member states could also signal to mission leaders—who might not otherwise realise how important it is to set appropriate boundaries with host-state governments early on—that they too should take those violations seriously.

Engage when host-state consent begins to deteriorate

If a host-state government decides that the mission's presence, its mandate or the political process that the mission is deployed to support are incompatible with its own interests, host-state consent will become weak or compromised. At that point, the mission has only a very limited ability to regain political influence on its own, and member states must play a leading role in putting pressure on the host-state government to protect the mission's political and physical operational ability to implement its PoC mandate.

Members of the Security Council can exert this pressure through in-country meetings with the mission and the parties to the conflict, open debates in the Security Council, diplomatic *démarches* and other political tools. Influential member states that are not council members can also impose diplomatic pressure by using the tools available through regional organisations, conducting country visits, imposing sanctions, instituting travel bans, imposing restrictions on aid and so on.

Finally, one of the most important things member states can do at this stage is to provide mission leadership with clarity about when and how to use physical force against the state—to create a credible deterrent against government abuses both against the civilian population and against the mission itself. The Secretariat should present any likely scenarios involving mass atrocities and violence against civilians by the host-state government to the Security Council and ensure that mission leaders have clear guidance from the council about how they should respond in those scenarios, particularly with respect to the use of force. Without clearly defined expectations from the Security Council, and the assurance of political support from member states, it's unlikely that a mission will take the risk of using force against host-state forces, even if such force is necessary to protect civilians.

Conclusion

Host-state consent can have a critical effect at the strategic and operational levels on peacekeepers' ability to implement their PoC mandates. Yet, too often, member states (particularly members of the Security Council) discuss consent at only two points in a mission's lifecycle: before it deploys and after consent has severely deteriorated,

causing a crisis. Mission leaders often understand (and sometimes learn the hard way) that it takes persistent work to manage and maintain host-state consent—but even the most skilled mission leaders can't do this work on their own. By taking steps at the outset to protect consent before a mission deploys, staying actively informed about the status of host-state consent, responding firmly to early indications of weakening consent and acting decisively to back up the mission when host-state consent begins to seriously deteriorate, member states can give mission leaders the support they need to navigate the tensions between PoC and host-state consent.

Notes

1   UN Department of Peacekeeping Operations and UN Department of Field Support, *United Nations peacekeeping operations: principles and guidelines* (hereafter 'Capstone Doctrine'), 2008. The other two principles are that missions execute their mandates impartially and that they use the minimum force necessary to execute their mandates.

2   On the Security Council's process of securing consent before the deployment of a peacekeeping operation, see Sebastián & Gorur, *UN peacekeeping and host-state consent*, Stimson Center, 2018, p. 15.

3   Charles T Hunt, Lisa Sharland, 'Implementing R2P through United Nations peacekeeping operations: opportunities and challenges' in Cecilia Jacob, Martin Mennecke (eds), *Implementing the Responsibility to Protect – A Future Agenda*, Routledge, 2019 (forthcoming publication).

4   Hunt & Sharland, *Implementing R2P through United Nations peacekeeping operations*.

5   Capstone Doctrine, 2008, pp. 33–34.

6   Capstone Doctrine, 2008, p. 32.

7   The few scholarly works on host-state consent for UN peacekeeping missions other than Sebastián & Gorur (2018) include Ian Johnstone, 'Managing consent in contemporary peacekeeping operations', *International Peacekeeping*, 2011, 18(2):168–182; Giulia Piccolino, John Karlsrud, 'Withering consent, but mutual dependency: UN peace operations and African assertiveness', *Conflict, Security, and Development*, 2011, 11(4):447–471; and Adam Day, 'To build consent in peace operations, turn mandates upside down', UN University Centre for Policy Research, March 2017, online. On the specific issue of the obstruction of peacekeepers by the host-state government, see Allard Duursma, 'Obstruction and intimidation of peacekeepers: how armed actors undermine civilian protection efforts', *Journal of Peace Research*, 2019, 56(2):234–248. For an analysis of the conditions under which African governments or rebel groups are willing to cooperate with UN peacekeepers (defined as remaining engaged with a peace process), see Andrea Ruggeri, Theodora-Ismene Gizelis, Han Dorussen, 'Managing mistrust: an analysis of cooperation with UN peacekeeping in Africa', *Journal of Conflict Resolution*, 2012, 57(3):387–409.

8   Carlos Alberto dos Santos Cruz, *Improving security of United Nations peacekeepers* (hereafter the Cruz Report), independent report commissioned by the UN Secretary-General, 2017, online.

9   UN General Assembly, *Report of the Special Committee on Peacekeeping Operations*, A/72/19, 15 March 2018, para. 44.

10 UN, 'Action for Peacekeeping (A4P)', online.

11 UN, 'Action for Peacekeeping: declaration of shared commitments on UN peacekeeping operations', para. 19, online.

12 Sebastián & Gorur, *UN peacekeeping and host-state consent*, 19–21.

13 Sebastián & Gorur, *UN peacekeeping and host-state consent*, 25, citing an interview conducted by Sebastián and Gorur with a UN representative in New York in March 2017.

14 Sebastián & Gorur, *UN peacekeeping and host-state consent*, 36, citing an interview conducted by Sebastián and Gorur with a UN representative in New York in March 2017.

15 Sebastián & Gorur, *UN peacekeeping and host-state consent*, 27; John Karlsrud & Diana Felix da Costa, 'Invitation withdrawn: humanitarian action, United Nations peacekeeping, and state sovereignty in Chad', *Disasters*, 2013, 37(2):171–187.

16 Karlsrud & da Costa, 'Invitation withdrawn: humanitarian action, United Nations peacekeeping, and state sovereignty in Chad'.

17 UN departments of Peacekeeping Operations and Field Support, *Policy on the protection of civilians in United Nations peacekeeping*, 2015.

18 Sebastián & Gorur, *UN peacekeeping and host-state consent*, 26–27.

19 UN Security Council Resolution 1996, 8 July 2011, para. 3(b).

20 *Capstone doctrine*, 33–34.

21 See Hanne Fjelde, Lisa Hultman, Desirée Nilsson, 'Protection through presence: UN peacekeeping and the costs of targeting civilians', *International Organization*, 2019, 73(1):103–131, arguing that peacekeeper troop presence increases civilian protection against non-state armed group violence, but not against government violence.

22 Despite losing the 2010 presidential election, Gbagbo refused to cede power and instead launched violent attacks, including the use of heavy weaponry, against the newly elected president, civilians perceived as supporters of the new president, and UNOCI. UNOCI and a French military force dubbed Operation Licorne launched a coordinated operation to destroy Gbagbo's forces' heavy weapons capabilities. This included attacks by two UN helicopters, along with French forces, on 'Gbagbo strongholds used to store heavy artillery and munitions. Also hit were Gbagbo's presidential residence in the Cocody district, his personal home, the Abgan and Akouédo military bases and at

least one major munitions dump.' Bruce Crumley, 'Anatomy of an intervention: why France joined the UN action in Abidjan', *Time*, 6 April 2011, online.

23 Sarah von Billerbeck, Oisín Tansey, 'Enabling autocracy? Peacebuilding and post-conflict authoritarianism in the Democratic Republic of Congo', *European Journal of International Relations*, 7 January 2019; Sebastián & Gorur, *UN peacekeeping and host-state consent*, p. 33, citing an interview with a UN representative in New York in March 2017; Stimson Center and Better World Campaign, 'Challenges and the path forward for MONUSCO', 2016, 8, online.

24 See, for example, Paul Nantulya, *A medley of armed groups play on Congo's crisis*, Africa Center for Strategy Studies, 25 September 2017, online; Judith Verweijen, *Stable instability: political settlements and armed groups in the Congo*, Rift Valley Institute, 2016; Sasha Lezhnev, *A criminal state: understanding and countering institutionalized corruption and violence in the Democratic Republic of Congo*, Enough Project, 2016.

25 Dennis M Tull, *United Nations peacekeeping and the use of force: the intervention brigade in Congo is no model for success*, German Institute for International and Security Affairs, 2016, 2; Adam Day, *The best defence is no offence: why cuts to UN troops in Congo could be a good thing*, UN University, 15 May 2017, online.

26 Stimson Center, 'Shifting the political strategy of the UN Peacekeeping Mission in the Central African Republic', 12 October 2016, online; International Peace Institute, Security Council Report, and Stimson Center, *Prioritizing and sequencing peacekeeping mandates: the case of MINUSCA*, 2018, online.

27 Stimson Center and Better World Campaign, 2016.

28 UN departments of Peacekeeping Operations and Field Support, *Policy on the protection of civilians in United Nations peacekeeping*, 2015, 6.

29 *Executive summary of the independent special investigation into the violence which occurred in Juba in 2016 and UNMISS response*, UN, 2016, 3, online.

30 'UNMISS condemns attack on peacekeeping convoy in South Sudan', UN, 15 September 2018, online.

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MANDATES ARE ONLY THE START: DELIVERING ON THE AUTHORISATION TO PROTECT CIVILIANS

Victoria K Holt

Worldwide, civilians are deeply affected by modern conflicts, put in harm's way, displaced and forced to migrate. In many crises, civilians are intentionally targeted as part of a strategy to injure, terrorise or humiliate a group, seize property or diminish political opponents. Often, this happens in war, but such violence also occurs concurrently with international peace operations, mediation and humanitarian efforts.

In May 2019, UN Secretary-General Antonio Guterres grimly reported to the UN Security Council that 'the state of the protection of civilians today is tragically similar to that of 20 years ago.' He noted the past 'outrage' of the Security Council members at civilian casualties in conflict, denial of humanitarian access, forced displacement and sexual violence—just as it is today. 'Such acts have been inflicted upon millions of conflict-affected civilians every day throughout, and prior to, the past 20 years. They will continue for another 20 years,' he warned, without needed changes and respect for international humanitarian and human rights law.[1]

That tough assessment highlights the current nature of conflict and the challenge for international efforts to protect civilians. One area, however, has delivered progress over the last 20 years: the ambition of UN peacekeeping missions to protect civilians. The Secretary-General recognised the tools and systems developed to make PoC in peacekeeping more effective and lauded an 'operational approach to protecting civilians'. He called for more pre-deployment training, capacities and capable contingents.

This year is the 20th anniversary of the first Security Council mandate explicitly directing peacekeepers to protect civilians under threat, and marks 10 years since the kick-off of major efforts to meet that goal. In today's environment, with the role of non-state actors, massive civilian displacement, attacks on humanitarian workers and their efforts, and questioning of international and multinational tools to prevent conflict, it is an important time to recognise how far PoC has come and what more should be done. As both a researcher and as a government official, I saw firsthand the need—and efforts—to protect civilians. People shared with me their experiences from the field and within the Secretariat, in national ministries and in being caught in conflicts. This article is a short reflection on the progress, challenges and considerations for the future implementation of mandates to protect civilians.[2]

Background: Where the UN was in 2009

A decade ago, I was part of a small study team commissioned by the UN Department of Peacekeeping Operations (DPKO) and the Office on the Coordination of Humanitarian Affairs (OCHA) to look at how peacekeepers carried out their PoC mandates.[3] We were tasked to provide analysis and recommendations to enhance the ability of peacekeeping missions to protect civilians. In 2009, the UN published our independent study, *Protecting civilians in the context of UN peacekeeping operations.*[4] At the time, there were few structures in place to translate UN mandates to protect civilians into practice in the field. PoC was a well-known legal, humanitarian and human rights concept, but the role of peacekeepers in preventing harm to and physically protecting civilians from violence was less understood.

It was clear a gap in conceptual thinking and guidance affected how UN peacekeeping missions operated, even as they worked to secure the peace alongside other protection actors (such as humanitarian and human rights organisations). In short, missions weren't able to deliver on the goal of protecting civilians:

> This study found that the presumed 'chain' of events to support protection of civilians—from the earliest planning, to Security Council mandates to the implementation of mandates by peacekeeping missions in the field—is broken.[5]

To their credit, OCHA Under-Secretary-General John Holmes and DPKO Under-Secretary-General Alain Le Roy embraced the study, citing PoC as a 'central priority for missions mandated to do so' and recognising the gaps in 'systematic and consistent protection of civilians on the ground'. They pledged to move key recommendations forward, including better planning, coherence and improvements in guidance to missions.[6] With that, the UN leaders kicked off public and private efforts to address those gaps and disseminate the report widely.

As our independent study went to print, I joined the US Government as part of the Obama administration to serve as a Deputy Assistant Secretary of State, responsible for US policies before the Security Council, including peace operations. I soon found myself in discussions about why peacekeepers were struggling to offer physical protection, such as in Darfur (UNAMID) and elsewhere.[7]

During his first trip to the UN in September 2009, US President Obama met privately with the leaders of about a dozen top UN troop-contributing countries. I heard him ask about their experience and emphasise the need to strengthen peacekeeping missions, including for PoC and more effective performance:

> Today I met with top troop and police contributing countries to UN missions to express appreciation for their sacrifice, and to exchange views on how to strengthen our efforts to meet common challenges. UN peacekeeping can deliver important results by protecting civilians, helping to rebuild security, and advancing peace around the world. From Sudan to Liberia to Haiti, peacekeeping operations are a cost-effective means for the United States and all nations to share the burden of promoting peace and security. Over the last ten years, the demands on peacekeeping have grown, and operations have become more complex. It is in all of our interests to improve the efficiency and effectiveness of these efforts. To succeed, UN missions and contributors need to be better equipped and supported to fulfill ambitious mandates, be it securing territory or protecting civilians from violence, including sexual and gender-based violence.[8]

That ambition—to improve peacekeeping and its PoC role—energised guidance to US diplomats and policymakers, on and off the Security Council. PoC was integrated into US peacekeeping training programs, raised in bilateral meetings with other governments and discussed with UN leadership and those in the field.

A decade ago, many governments and citizens already believed that protecting civilians was the goal of UN operations, whether through humanitarian efforts to provide food and shelter; by peacekeepers who deploy to support peace agreements and reconciliation; or through political missions that aim to negotiate and guide an end to war. The tough question was how to offer protection from extreme harm.

Since the early 1990s, attacks against civilians devastated communities and regions from Bosnia to Timor-Leste, from Kosovo to Sierra Leone, from Cambodia to the DRC, and especially in Rwanda and Srebrenica—where peacekeepers were present. Those atrocities deeply shook the international community and undercut the legitimacy and credibility of the UN and its missions. That era affected diplomats, journalists, peacekeepers and humanitarian workers, as well as national and local leaders; many moved into leadership positions deeply mindful of the need to protect civilians in conflicts. Those crises also took a toll on the military and civilian leaders of peacekeeping missions and coalition operations who faced widespread civilian harm—few had prior training and guidance on how to anticipate and respond to mass atrocities or extreme violence against civilians. Tools to anticipate organised violence against civilians, to deter it, and if needed, to defend the civilians or halt the perpetrators, weren't part of standard preparation for peacekeeping.

In 1999, after tough UN reports on the failures of its actions in Rwanda and Srebrenica were published,[9] members of the UN Security Council adopted a Presidential Statement (S/PRST/1999/6) and Resolution 1265 (1999). The council also revised the mandate for the UN peacekeeping mission in Sierra Leone to protect civilians under imminent threat of physical violence.[10] With that action, the council shifted to make PoC an explicit goal of UN peace operations, including physical protection. At first, the council gave little direction about implementing this mandate. It would take another decade for the UN and member states to address what it meant to deliver in the field; to press for PoC to be a role for the whole mission, including military, police and civilians; to recognise that the humanitarians and peacekeepers needed clarity on their respective roles; and for the UN system to kick off the effort to operationalise it.

The PoC challenge: identifying the problems

By 2008, 10 peacekeeping missions had been explicitly mandated to protect civilians.[11] As those missions deployed, the UN and member states recognised the growing need to animate what protection of civilians meant, especially for missions expected to halt extreme violence, such as the UN – African Union Mission in Darfur (UNAMID), which deployed in 2007.

The independent study group's first job was figuring out the difference between the promise to protect and the reality in the field. During mission visits in 2008 and 2009, my colleague and I were a bit of a pleasant curiosity. Even with strong support from DPKO and OCHA, peacekeeping staff and leaders weren't clear about with whom we should speak. Few missions designated those in charge of PoC.[12] So we talked to everyone, which helpfully gave us an understanding of the missions' functions—and the gaps in aligning mandates and delivery on mandate elements.

In the field, we asked civilian, police and military personnel about a subject that few understood or had considered.[13] The reactions to our inquiry varied widely, from disbelief that PoC was in the mandate or upheld by the existing rules of engagement (it was); ignorance that the mandate had an operational component as opposed to just being an aspiration (few could identify an operational side); and surprise that the mission needed to address violence even from the forces of the host nation (it did). Few people understood the roles for the military and for the civilian personnel or could point to any guidance beyond international humanitarian law or the role of humanitarian and human rights actors on protection. Some felt PoC didn't apply to peacekeeping, since the protection of civilians was about reducing harm during warfare, and they weren't at war. Others thought it was the domain of non-government organisations (NGOs), and that they already coordinated with NGOs. Likewise, some NGO leaders were worried about peacekeepers protecting civilians with force and becoming a party to the conflict. A few mission personnel were relieved that we were explaining the mandate and felt it was long overdue. I remember one sincere but exasperated rule of law expert, however, telling us that the idea that missions could protect civilians suggested that the Security Council must live on Mars. (That quote got edited out of the study.)

In one aspect, the PoC conversation just needed to get started. For UNMIS in Sudan, a PoC office was set up to coordinate with humanitarian actors, for example, but hadn't met either the UNMIS Force Commander or his Chief of Staff—and asked to join our meeting with them.[14] The mission in Côte d'Ivoire, UNOCI, however, had experience with civilians fleeing conflict and seeking protection at its compounds, and they later rebuilt their compound entrance to accommodate future protection needs. Yet the mission had no guidance on how to handle such a fraught situation in the future and asked us what they should do. In the DRC, MONUC leaders were deeply engaged in PoC issues, as the humanitarian needs were so large and violent militia so active. Yet just before our field visit, the MONUC Force Commander resigned after only three weeks, privately urging the UN to address the mismatch between MONUC's role in pressuring armed groups and protecting civilians with the capacity and authorities available to the mission. He reportedly told the UN that he could only protect civilians in major towns and cities, not elsewhere, and that could spur attacks both on them and the UN without serious capacities, which the mission did not have—a situation akin to that in the Balkans.[15] That point wasn't addressed, however, even as MONUC went on to pioneer creative operational strategies later adopted by others.[16]

Conceptually, our study benefited from a very strong advisory group, whose members urged candour. They recognised the risk to the credibility and legitimacy of the UN from a failure to protect civilians:

> In an era of complex conflicts in which civilians continue to be targeted, the organization can neither avoid its duty to protect civilians, nor afford to be discredited by failing to live up to its own ambitions.[17]

Broadly, the report validated the rationale behind mandates to protect, including to support the legitimacy and credibility of the missions, to meet the political ambitions and goals of missions, and to help the success of the UN overall. The limits were clear, too: weak political agreements, the inability to protect everyone from everything, and the need to base responsibility for PoC with the host nation. The study recognised that harming civilians could be a deliberate strategy and that peacekeeping missions weren't war-fighting or peace enforcement operations.

Through multiple case studies, we found systematic gaps. Most planners, civilians and military personnel lacked clear guidance on how to address the mandate.[18] On a practical level, there was 'no specific DPKO guidance on how to plan or resource peacekeeping missions with mandates to protect civilians' and 'no generalized internal guidance support planning for that aspect of mandates'.[19] To link mandates with delivery in the field, the chain of actions included not only the *authority* to protect, but also the *willingness* to act, the *capacity* to do so, the *knowledge* of how to carry out the mandate, and the *leadership and strategy* to put it all together:

> In many respects, UN peacekeeping protection strategies have not failed—yet they have not been tried. The majority of peacekeeping missions do not have explicit plans for the protection of civilians at the mission-wide level. This gap should be viewed as an opportunity for the talent and ingenuity of the UN family to address breaks in the 'chain' identified in this study—starting with the policy, planning, and preparedness; it is a call to consider how to develop effective strategies and anticipate potential crises where civilian insecurity may have grown or grow beyond that which missions can address. Applying additional elements of leadership, authority, willingness, capacity, knowledge and strategy to the pre-existing talent and resources within the UN will strengthen the work that is already underway in many missions.[20]

The study pointed at central issues as a baseline against which to measure progress. With more than 90% of peacekeepers serving in missions mandated to protect civilians—eight missions at the time of the study's publication—those in the field knew the challenge. Those in New York and capitals were less clear.

A decade of progress and challenges

Since 2009, member state, UN and NGO efforts accelerated recognition of PoC mandates for peacekeepers and pressed for implementation. In November 2009, Austria led the adoption of UN Security Council Resolution 1894, which was a binding resolution to establish PoC as a priority for missions, to call for mission-wide strategies, and to prioritise resources for PoC. Member states, including the Security Council's elected members, promoted PoC during their time on the council and used the regular 18-month PoC report from OCHA to highlight issues, including peacekeeping. Other member states focused on sexual and gender-based violence, for example, and created a new UN office to address it.

Member states pushed PoC into the mainstream as an explicit role for peace operations, including in Liberia, Haiti, Darfur, the DRC and Côte d'Ivoire, and for new operations in Mali, Abyei, the CAR and South Sudan. Between 2010–2014, the Security Council also authorised regional forces to protect civilians, including the African Union intervention forces in Mali and the CAR; the French-led operations in Mali and the CAR; and the coalition operation against the Lord's Resistance Army force. The council authorised intervention by a multinational coalition in Libya (2011) with a mandate to protect civilians.

Outside the Security Council, Australia and Uruguay teamed up to host annual workshops focused on PoC, which brought together a mixed audience of political, budget, military and humanitarian officers in New York and helped illuminate complicated issues and progress with a diversity of voices.[21]

The UN lived up to its pledge to address policy, planning and preparedness. The DPKO developed its first operational concept of PoC in peacekeeping and designed training guidance for troop- and police-contributing countries.[22] In 2015, DPKO and DFS published its comprehensive policy, *The Protection of Civilians in United Nations Peacekeeping.[23]* Peacekeeping missions were directed to have mission-wide PoC strategies, backed by subsequent C-34 reports starting in 2009 (A/63/19) onwards. In the field, UN missions worked on PoC strategies and got protection advisers. The UN began to offer tabletop exercises, issued guidance for uniformed personnel, and included PoC in courses and, later, in induction training for senior leaders. The DPKO built a team to identify and address gaps, to lead on institutional reform and to support operational tools for peacekeeping, such as by developing a handbook to support PoC in the field.[24] Overall, there was progress in building on the Security Council's authority to protect, and attention turned to support the more difficult parts—willingness, capacity, knowledge, leadership and strategy:[25]

- *Willingness*. The willingness of uniformed peacekeepers to act to protect was not automatic with mandates. Some contingents deployed with national restrictions that undercut them implementing the mandate and the rules of engagement (such as national caveats, guidance not to employ force except in self-defence, or overrides on field-based command and control). Some nations negotiated agreements (such as memorandums of understanding or terms of reference) about where or how they would deploy—and where they would not—in a mission area. Some came without the full operational capacity required of them.

  Mission leaders also needed to demonstrate willingness to use their authority from the Secretary-General and the Security Council and overcome obstacles imposed by the government or local groups (such as roadblocks, no-go zones, limits on freedom of movement and threats to withdraw support for the operation or offices). While the use of force to protect civilians was authorised, the willingness to do so wasn't tested when contingents were static and didn't respond to threats to civilians in the first place—or were blocked from responding rapidly.

- *Knowledge*. The knowledge of what to do got needed attention. National training for uniformed contingents didn't usually include tactics or strategies to protect civilians, for example, before deployment to the mission (including for preventing sexual violence). Pre-deployment training expanded to include guidelines on PoC and the UN policy, military and police guidance, training on rules of engagement and standard operating procedures and the use of protection scenarios. Missions still needed a common picture of who was threatening civilians, and why, to support an understanding across the mission components and make use of the whole-of-mission strategy to employ tools to prevent and mitigate such threats (for example, through presence, local mediation, police training, military patrols, containment or disarmament). Missions with that common understanding, however, could avoid being only reactive when threats to civilians arise.

- *Capacity*. The lack of capacity became severe as new peacekeeping missions were established in South Sudan, the CAR and Mali. Ambitious UN mandates needed personnel and enabling capacity to deliver on resolutions in a timely manner. Force generation came up short in key enabling capacities, such as helicopters, mobility assets, medical, engineers and logistics, which affected mobility, rapid response and sustainment, as well as engagement with the local population. Other missions needed female police officers and specialised civilian skills. Some host countries slowed or blocked mission equipment (for example, helicopters for UNAMID). The lack of available personnel and enablers greatly delayed the reinforcements for South Sudan approved by the Security Council in late December 2013 to help stabilise the situation and protect civilians.

- *Leadership and strategy*. In a PoC environment, leadership and strategy matter to what missions do. Operations were affected by what the initial mission design presumed (if at all) about where and why civilians were most vulnerable or threatened, and by whom. Mission-wide strategies are useful—when embraced by mission leaders. Some operations improved analysis and planning around threats to civilians, but others did not.

  Even with progress, new missions for Mali and the CAR weren't initially designed around PoC goals.[26] When asked to describe their planning to operationalise protection, UN leaders often talked broadly about the political, environment-shaping and physical protection goals, but were less clear how that would apply in a specific operation. Instead, for those and other missions, PoC experts would be sent to write the PoC plan for the mission on short-term assignments *after* the deployment. That approach helped UN personnel think through their options, but it hazarded plans being underutilised or ignored. In at least one case, the mission-wide plan was shelved after the expert's return to New York.[27]

The strategy and tactics of PoC are an urgent question for leaders when well-armed forces and militias threaten the population. The orientation for the mission in South Sudan in 2011 (UNMISS), for example, was on peacebuilding and the development of the state, even as violence against civilians remained widespread in the newly formed country and state security forces posed a serious threat to civilians. Better consideration of the PoC challenge could have helped the mission prepare for the crisis it faced in 2013. When UNMISS was revised in 2014 to focus on PoC, the mission had already lost much freedom of movement. With too few engineers, it struggled to deploy new personnel but managed to redesign its protection strategy with roughly 200,000 civilians sheltered in UN compounds. It also continued to operate in the change environment where UN civilian and military personnel would be held up by government forces.[28]

Mission authority, willingness and capacity can work with strong leadership, knowledge and a strategy to protect civilians. The UN can help protect civilians and get armed groups to back down, if the UN has political support backing it up, the potential for reinforcements, and carries itself with confidence. Most challenging, however, is when missions lack political support, when host nations are complicit or explicit in harming civilians, or when peacekeepers face perpetrators with a long-term strategy that can outlast or outgun the UN.

PoC in future

For the US, the accumulative lack of capabilities for missions to deploy effectively and willingness to protect civilians in crises propelled the Obama administration to organise a high-level meeting on peacekeeping at the UN in 2014, hosted by Vice-President Biden. That led to a larger Peacekeeping Summit in 2015, led by President Obama, to get UN member states to pledge new capacity to be available for UN peacekeeping missions to align mandates and delivery—including PoC. Co-hosts of the Peacekeeping Summit held regional and thematic conferences in advance (Uruguay, the Netherlands, Indonesia, Rwanda and Ethiopia), often emphasising PoC.[29]

Rwanda announced the 'Kigali Principles', which laid out an affirmative set of commitments for peacekeepers from signatory countries to protect civilians, and if necessary, to use force to accomplish that goal—an aspect seen as lacking in implementing the three-tiered UN concept on PoC.[30] Indeed, an internal 2014 UN inspection report had reviewed peacekeeping missions and found that force was 'almost never' used to protect civilians.[31] The Kigali Principles, agreed to by nearly 50 countries, countered that reluctance with willingness—and a commitment to protect.

In the field, the application of those principles remained inconsistent. In South Sudan in 2016, UNMISS failed to protect its own compounds and UN and other humanitarian workers who were attacked by South Sudanese forces. Some victims spoke up afterwards about their brutal attacks. Diplomatic outrage followed, and the Secretary-General called for an internal investigation, which found multiple problems in both the UN response and the government's actions.[32] This crisis pointed to a central problem: how to address state forces when they were complicit or inflicting the harm?

Answering this question requires interconnected reforms. One area is strengthening national-level guidance for military and police on how to protect civilians from harmed caused by other actors in the field, including armed groups and government forces.[33] Most nations use UN training modules and guidance, which explain PoC goals, but that's not the same as countries training their own uniformed personnel on PoC tactics and strategies: using presence, deterrence and coercion on behalf of civilians and including that in national doctrine, training, guidance and preparation. Thus, uniformed peacekeepers are often introduced to the UN concept of PoC as part of training for a UN mission. The tasks are familiar, but the strategic concepts and operational requirements are new, including how to assess risks and make the best choices about actions in the field. When that lack of knowledge is added to national caveats and other restrictions on contingents, you have a willingness and knowledge gap.

The UN Secretariat is dealing with this challenge and increasing its in-house ability to establish performance metrics and evaluate contingents' ability to deliver on protection tasks.[34] That's a good start and should be supported by member states, along with the strengthening of leadership training. More capabilities are needed to help anticipate and prevent violence effectively.

Linked to training is assessing the likely or gravest threats to civilians in its missions' areas of operation, the ability of the missions to address them, and how longer term environment shaping will succeed. The Department of Peace Operations[35] should design future deployments around a clearer assessment of the threats and vulnerabilities of civilians and the mission strategy if it has a PoC mandate. This approach will enhance the political team's ability to assess whether protection is a small or major challenge to their goals. For some missions, that puts PoC at the centre of gravity for figuring out how to move forward to a stable peace.

Achieving the impossible: what should be prioritised?

Today, PoC is widely established as a central goal or key task for UN peacekeeping missions, authorised explicitly in mandates and recognised by leaders in the field.[36] All current peacekeeping missions deployed since 2009 have had PoC as an objective in their mandates; roughly 95% of peacekeepers serve under PoC mandates with authority to use force when necessary.[37] In presentations to the Security Council and member states, UN leaders in the field recognise this role, and the Secretary-General has made it a standard part of his reporting to the council. There's a recognition that protection is here to stay, given the landscape of conflicts.[38]

With the embrace of PoC and the development of tools to support a comprehensive approach, there is much to praise and much to still address.

First, some within the UN Secretariat have remained sceptical that peacekeepers can or should protect civilians.[39] Such scepticism should strengthen the analysis of likely threats to civilians and what missions should anticipate and prioritise. Some officials, however, have argued to me and others during consultations that PoC is a misreading of the real aim of peacekeeping, which has the fundamental goal of supporting a political process and peace agreements, and that the parties to the peace and emerging government had responsibility for protection.

Peacekeeping certainly requires a political agreement for success, as emphasised by recent reform initiatives. Further, the responsibility is with the sovereign state to protect its citizens—and to prevent illegal attacks on or harm to them. Yet civilian protection is part of the political peace as well. Our independent study made the point that:

> … the protection of civilians is a critical component for a sustainable peace. A peace agreement that does not bring a halt to armed violence, widespread human rights abuses and violations of international humanitarian law—or that tolerates continued violence against sectors of the population—cannot lead to legitimate governance. Where civilians remain at risk, efforts to establish governance, security, and the rule of law may flounder and be unsustainable. Neither a legitimate state nor efforts for a stable peace can be founded on a political settlement or government that leaves a population at risk of systemic or extreme violence.[40]

Second, others argue that PoC is a laudable goal, but that it's hard to plan for, train for and execute, given limits on missions and capacities. Peacekeeping is overstretched, they argue, and the physical protection of civilians is too taxing to be practical. This argument seems to blur the fact that not all civilians can be protected with the idea that peacekeepers have no ability to protect anyone. Smart mission leaders can design a strategy to mitigate capacity shortfalls and prioritise where they can have an impact on civilian security. The Summit process succeeded in bringing in new capacities and created options for UN force generation and strategic planning, enabling the UN to be much pickier on matching mandates with capacity. Improved planning can further support smart decision-making in the field.

Third, as sceptics remain within the UN and elsewhere, a better understanding of the successes of peace operations and protection of civilians is needed. Peacekeeping missions have protected civilians, as seen on a large scale in Côte d'Ivoire and the DRC, and from South Sudan to the CAR. Recording the positive record—not just the failures— needs to be done more systematically. From providing patrols to medical care, from giving early warning to pressuring governments, and from offering physical protection to demanding accountability, the UN's missions have made a major difference for those threatened by violence and war. UN peacekeepers have saved thousands of lives, and often risked their own to do so.[41] How that was done well is as important as how it has failed.

Fourth, peacekeepers face challenges not fully imagined in 2009—or in 1999. Looking back at our independent study, and the progress made since then, the goal to protect civilians left open some questions that deserved greater attention. How dedicated are those who threaten civilians to carry out that violence to achieve their goals? The dilemma of preventing threats or attacks on civilians from purposeful, well-armed belligerents has grown beyond Darfur and militias in the DRC. Mob violence is a different challenge than genocide, and thus, should help determine what it will take for a peacekeeping mission to protect – if it can. These questions are not theoretical, but what peacekeepers have faced in South Sudan, the CAR, the DRC, Cote d'Ivoire, Mali and Darfur, to name a few.

Where civilians face purposeful violence from a state's forces—as seen in South Sudan—missions struggle to partner with the government *and* defend against its actions. In some missions, the state has had very weak capacity to protect civilians, such as in the CAR, where MINUSCA has little support from government partners to implement its PoC mandate. In Mali, civilian harm wasn't initially the main concern of MINUSMA, but that has begun to shift with increased violence against civilians in the centre of the country. Attacks on the mission itself diminished MINUSMA's ability to act forcefully, enjoy freedom of movement and connect with the local population, undermining its ability to protect civilians.

At a time when civilian harm can be a purposeful strategy, missions need to be best equipped to anticipate and address such violence, maximize their impact, and know when such violence is beyond what a peacekeeping operation can address. That distinction requires foresight and planning. The UN needs a better framework for assessing perpetrator threats, their severity and intent, and the likely courses of action needed to prevent or mitigate that harm. Without that analysis in the initial (and on-going) mission design, as part of the political strategy, and as the basis for preparing the leadership, missions will lack understanding of the choices they may face or the political and materiel support they need. Useful research by Norwegian experts[42] and others into this question is a great start to assist DPO and missions in such analysis and planning. Where operations face harm to civilians that is organised, purposeful and supported in part or whole by the government or caused by those wanting to discredit a mission aligned with the government, they will need added capacity to back them up – support of the state, neighbours, or other governments – in the form of political or physical reinforcements. They also need to decide if its beyond what peacekeeping can do.

Finally, as members states and UN missions shift to deal with modern conflicts, they will face the strengths and limits of UN peacekeeping. UN-led peace operations with Chapter VII authority are not designed to take on government-backed armies or organised militias by themselves for extended periods. Our independent study noted these limitations as it argued that peacekeeping missions could do much better. Peacekeeping missions have strategic consent – agreement from the host nation and the parties to the peace – to deploy and partner with them in support of a political peace. Opposition to the mission's implementation, therefore, is assumed to be localised and opportunistic. But where it is not, the problem is both political and one of protection.

Concluding thoughts: Looking forward

In 2006, a conference in Ghana brought together roughly a dozen former mission leaders who had served in military operations—both coalition and UN missions—that had faced atrocities, including in Kosovo, Sierra Leone, Rwanda, Bosnia, Timor-Leste and the DRC. None of them, they said, had had any guidance on how to protect civilians from physical violence, or a mandate to do so.[43] Today, that answer should be wonderfully different, as they would have clearer mandates, guidance, plans and preparedness, as well as clear recognition of PoC as an overt goal.

But we see new challenges in the operating environment. Extremists and terrorists have complicated the ability to protect by targeting civilians and undermining work in support of peace agreements. Violence against civilians has grown, as has the impact on civilians displaced by war, such as in Syria, Libya, Iraq and Afghanistan, as well as South Sudan, Somalia, the CAR and elsewhere. Humanitarian relief efforts are often imperilled by conflicts in which humanitarian workers are under attack. Non-state actors and extremists further threaten civilians as well as UN missions, as has heightened disregard for international humanitarian law.[44] That challenge is amplified by conflicts where the state does not control its own security forces or where itself does harm to the population, and where

fragile peace agreements may not be upheld or implemented. Furthermore, peacekeeping missions may operate alongside counter-terrorism or peace enforcement missions, which can confuse their role.

The remaining challenges and weaknesses that need to be addressed are immense. But the last decade shows that progress can be made when there is concerted interest among stakeholders—as there has been to strengthen UN peace operations and its role in PoC. Further efforts where PoC is built into mission design, leadership preparation and force generation, will enable missions to start out able to implement their mandates better and measure their own success (or failure). Linked to that goal is having the capacity to get support when PoC challenges either go beyond a mission's resources or when the political agreement that is the basis of the deployment degrades. The mission's defence of civilians by deterrence, and as needed, by actions to defend, requires no longer having UN missions with unwilling troops, inadequate resources or tolerating a lack of access for missions. The harder aspects of PoC remain the need to distinguish the limits of missions and determine how to back them up when either the political framework or their security partners fail. This is worthy of further examination.

From my own experience, the greatest inspiration is in seeing the creativity and bravery of those who try to protect, despite the odds. A decade ago, the progress made to date in support of PoC was unimaginable. Taking this year to identify and review what has been implemented, what gaps remain, and how to address new challenges can help chart a way forward for the next decade. That story is worth telling.

Notes

1   Report of the Secretary-General, S/2019/373, 7 May 2019, online.

2   A full review of progress would be very instructive; assessments are reportedly underway by member states, the UN and NGOs, including OCHA, DPO and others. For example, this event on *Twenty Years of Protecting Civilians through UN Peacekeeping Operations: Successes, Challenges, and New Frontiers* hosted by the Center for Civilians in Conflict, the International Peace Institute, and the governments of the Netherlands and Uruguay in May 2019, online

3   I co-led the study with Glyn Taylor, with support from Max Kelly and the Stimson Center. This article reflects my personal observations.

4   Victoria Holt, Glyn Taylor, Max Kelly, *Protecting civilians in the context of UN peace operations: successes, setbacks and remaining challenges*, UN, 2009, 4.

5   Holt et al., *Protecting civilians in the context of UN peacekeeping operations*, 5. The study found that most missions were designed without considering the protection of civilians in the assessment, recruitment, force generation or mission planning of peacekeeping operations.

6   Alain Le Roy, Under-Secretary-General for Peacekeeping Operations, and John Holmes, Under-Secretary-General for Humanitarian Affairs, 'Foreword', in Holt et al., *Protecting civilians in the context of UN peacekeeping operations*.

7   Few US diplomats initially knew about how severe the restrictions on UNAMID's movements were, its lack of capacity, the slow delivery of supplies through Sudanese ports and the blockage of UN rapid response capacity that prevented the mission from being more present where civilians were threatened.

8   Office of the Press Secretary, 'Strengthening UN peacekeeping to meet 21st century challenges: President Obama's meeting with leaders of top troop-contributing countries', The White House, 23 September 2009, online.

9   Report of the Secretary-General pursuant to General Assembly Resolution 53/35: The Fall of Srebrenica, A/54/549, 15 November 1999, online; Report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda, S/1999/1257, 16 December 1999; attached to Letter from the Secretary-General to the President of the United Nations Security Council dated 15 December 1999, online.

10   Humanitarian language on protecting civilians was already in mandates, in line with respect for international humanitarian law and practice, but this was the first call for peacekeepers to offer physical protection to civilians under threat.

11   Those UN-led missions were UNAMSIL (Sierra Leone), MONUC (Democratic Republic of Congo), UNMIL (Liberia), ONUB (Burundi), MINUSTAH (Haiti), UNOCI (Côte d'Ivoire), UNMIS (Sudan), UNIFIL (Lebanon), UNAMID (Darfur, Sudan) and MINURCAT (Central African Republic / Chad). Holt et al., *Protecting civilians in the context of UN peacekeeping operations*, 3, footnote 3.

12   At the time, the UN Mission in Sudan (UNMIS) had the first protection of civilians office for a peacekeeping mission, based in its headquarters in Khartoum and with an initial focus on Darfur. The mission in Darfur (UNAMID) housed its protection of civilians work in an office on humanitarian recovery, development and liaison; others in the mission had a better grasp of conflict dynamics, however. In the DRC (MONUC), the UN leadership was very engaged and focused on PoC with the civil affairs team. In UNOCI, there was no one office taking the lead. Today, missions have offices with this responsibility, as well as responsibility vested in mission leaders and protection advisers.

13   We visited four peacekeeping missions and conducted desktop reviews of other missions.

14   Perhaps most striking and acute was the mission in Darfur, where an international campaign had pressed for UNAMID's deployment to halt atrocities, yet the mission lacked core capacities and access, freedom of movement and a strategy to offer physical protection. Peacekeepers were hijacked near their compounds; we stayed nearby and were told that because a rebel leader lived on our street we should be fine.

15 Holt et al., *Protecting civilians in the context of UN peacekeeping operations*, 281–282.

16 MONUC piloted community liaison officers, joint protection teams and combined efforts with humanitarians to prioritise patrols and presence, and created a strong Joint Mission Analysis Cell that tracked armed groups, among other approaches.

17 Holt et al., *Protecting civilians in the context of UN peacekeeping operations*, 'Executive summary', 4.

18 'Military planning for protection of civilians is hampered by the absence of a clear definition in military doctrine in guidance and training for peacekeeping operations. Within military literature and preparation, "protection" may refer to self-protection or force protection as a goal of deployment … The commander of a company or a battalion, for example, does not know what "protect civilians" means at the unit level or what specific action it entails.' Holt et al., *Protecting civilians in the context of UN peacekeeping operations*, 98.

19 Holt et al., *Protecting civilians in the context of UN peacekeeping operations*, 97.

20 Holt et al., *Protecting civilians in the context of UN peacekeeping operations*, 238.

21 Australia's deep engagement helped move PoC forward with the Secretariat and other member states, which it emphasised during its Security Council term in 2013 and 2014. Uruguay's role reflected experience in peacekeeping in the DRC, its hosting a regional conference in Montevideo in advance of co-hosting the 2015 Peacekeeping Summit, and its championing these issues during its term on the Security Council in 2016 and 2017.

22 The *Department of Peacekeeping Operations (DPKO)/Department of Field Support (DFS) Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations* was the first such concept for peacekeeping. Additional DPKO/DFS products included: Protection of Civilians Resources and Capabilities Matrix, the Framework for Drafting Comprehensive Protection of Civilians Strategies, the Comparative Study on Protection of Civilians Coordination Mechanisms, the DPKO/DFS-OHCHR Lessons Learned Report on the Joint Protection Team Mechanism in MONUSCO, and the Lessons Learned Note on Civilians Seeking Protection at UN Compounds. See, for example, 'United Nations Peacekeeping', on the protection of civilians, online.

23 DPKO/DFS, *The Protection of Civilians in United Nations Peacekeeping*, ref. 2015/07, 1 April 2015, online.

24 The UN Department of Policy, Evaluation and Training in the DPKO (now the Department of Peace Operations) has led this work.

25 See, for example: Haidi Willmot, Ralph Mamiya, Scott Sheeran, Marc Weller (eds), *Protection of Civilians*, Oxford University Press, 2016; Aditi Gorur and Lisa Sharland, *Prioritizing the Protection of Civilians in UN Peace Operations, Analyzing the Recommendations of the HIPPO Report*, February 2016, The Stimson Center; Alison Giffen, *The Declaration of Shared Commitments on UN Peacekeeping*, 25 September 2018, Center for Civilians in Conflict, online.

26 Initial UN briefings on the operational planning and force generation for the CAR mission, for example, revealed that the mandate to protect civilians was not driving the operational plan.

27 For example, only a few senior UN leaders in peace operations with mandates to protect could explain their PoC strategies during visits to Washington or when receiving us at missions.

28 Government forces attacked UN personnel, including senior personnel. One senior aid worker was attacked in their house. A state coordinator's life was threatened after he barred hostile armed forces entrance to a PoC site. A military officer described being detained and hauled out of his UN vehicle, then beaten up and thrown back in his car. When I asked what the mission PoC strategy was in 2014, one officer told me that peacekeepers were focused on first, staying alive, and, second, on finding enough food to eat.

29 The 2015 summit co-hosts with the US were Uruguay, Japan, Pakistan, Bangladesh, the Netherlands, Indonesia, Rwanda and Ethiopia.

30 Kigali Principles on the Protection of Civilians, online.

31 'Peacekeeping missions with protection of civilians mandates focus on prevention and mitigation activities and force is almost never used to protect civilians under attack', *Evaluation of the implementation and results of protection of civilians mandates in United Nations peacekeeping operations,* report of the Office of Internal Oversight Services, A/68/787, General Assembly report, 7 March 2014, online.

32 'Executive summary of the independent special investigation into the violence which occurred in Juba in 2016 and UNMISS', report from the special investigation led by Major General (ret.) Patrick Cammaert, online.

33 A survey of national training on PoC and its variations, including international humanitarian law, human rights law, protection as part of environment shaping and protection as physical protection, would help to identify where additional understanding and training on tactics and strategies could assist mission preparation.

34 Discussion, UN Department of Peace Operations, June 2019.

35 Formerly the Department of Peacekeeping Operations (DPKO).

36 Office for the Coordination of Humanitarian Affairs (OCHA), *Building a culture of protection: 20 years of Security Council engagement on the protection of civilians*, UN, 2019, online.

37 Since 2009, five of the eight missions with PoC mandates have closed: UNAMSIL (Sierra Leone), ONUB (Burundi), UNOCI (Côte d'Ivoire), MINURCAT (Central African Republic / Chad) and UNMIL (Liberia). Three new UN peacekeeping missions have been established with a PoC mandate: MINUSMA (Mali), MINUSCA (Central African Republic) and UNIFSA (Abyei). Three missions have been redesigned with PoC mandates: MONUC was renamed MONUSCO and strengthened in 2010 and 2013; UNMIS transitioned to UNMISS in 2011 and was strengthened in 2014; MINUSTAH in Haiti transitioned to MINUJSTAH in 2017, with reduced numbers. A short-lived observer mission in Syria, UNSMIS, in 2012, did not have a PoC mandate.

38 Over the past 10 years, the Security Council has tried to address violence against civilians in areas without peacekeeping missions, including in Syria, Iraq, Afghanistan, Yemen, North Korea and Burundi.

39   This observation comes from discussions and consultations while serving in the US Government.

40   Holt et al., *Protecting civilians in the context of UN peacekeeping operations*, 'Executive summary', 4.

41   'South Sudan—in their own words: Ken Payumo's story', *UN Web TV*, March 2014, online.

42   Stian Kjeksrud, Alexander W. Beadle, Petter H.F. Lindqvist, *Protecting Civilians from Violence, A Threat-Based Approach to the Protection of Civilians in UN Peace Operations*, 2016, The Norwegian Defence Research Establishment (FFI) and the Norwegian Defence International Center (NODEFIC), online.

43   From discussions with senior mission leaders in Sierra Leone, Kosovo, the DRC, Rwanda, Timor-Leste and the Balkans. See *Halting Widespread or Systematic Attacks on Civilians: Military Strategies & Operational Concepts*, Stimson Center, Spring 2008, online.

44   United Nations, World Bank. Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict, 2018, online.

PROTECTION OF CIVILIANS IN UN PEACEKEEPING: A DECADE OF SEEKING CONSENSUS

Lisa Sharland

Protection of civilians is integral to the work of UN peacekeeping missions today, but that hasn't always been the case. UN peacekeeping originally emerged over seventy years ago as a mechanism to monitor ceasefires and implement peace agreements. But, in a world where civilians are increasingly targets, the Security Council has often called upon UN peacekeepers to protect them. Since 1999, the Security Council has been mandating peacekeeping missions to protect civilians. And while there's been agreement among member states over the last two decades that peacekeeping missions have a role in protecting civilians, this is sometimes where the consensus has ended. There are disagreements among member states about how far peacekeepers should go to protect civilians. There are disagreements about the level of expected performance among peacekeepers, or the accountability that should attach to different individuals. There are disagreements about the priority that should be attached to PoC. And even now, there remain different views on the limits and expectations of peacekeepers when it comes to PoC.

Peacekeeping relies on a partnership with UN member states to deliver on the ground. Consequently, each of the different stakeholders engaged in that partnership has a role in supporting the ability of peacekeeping missions to protect civilians, whether as a troop or police contributing country (T/PCC), a permanent member of the Security Council, a major financial contributor, a deployed peacekeeping mission or a host country. Yet despite the need for this partnership, the importance of wider member state engagement and dialogue on the complexities of PoC in the context of UN peacekeeping has sometimes been ignored and was largely overlooked as part of broader intergovernmental processes up until a decade ago.[1] Even when it was considered, such as in the UN General Assembly's Special Committee on Peacekeeping Operations (C-34), PoC was frequently a battleground issue due to differing views and perspectives among the various stakeholders. While there has been laudable progress over the last two decades to strengthen efforts by peacekeeping missions to protect civilians, these efforts have also faced resistance.

As the UN continues to struggle to effectively implement PoC in many mission contexts, it's imperative that there's clarity about expectations for PoC. This was echoed most recently by the Secretary-General in his 2019 report on the protection of civilians in armed conflict. In relation to peacekeeping, he noted that the:

> … protection of civilians requires the commitment of Member States to find consensus around the language and implications of peacekeeping tasks, including clarity on the expectations of peacekeepers and recognition of those situations that may be beyond their capacity to respond.[2]

This paper sets out to analyse some of the lessons that can be learned from efforts by member states to reach consensus on what PoC in UN peacekeeping has meant on the ground over the past decade in order to offer some lessons for future initiatives to strengthen it.

The early days: lacking operational clarity

The UN Security Council has had a fundamental role in shaping the strategic parameters of PoC in the context of UN peacekeeping missions, given the council's primary role in mandating peacekeeping missions but also in considering situations that may give rise to threats to international peace and security under the UN Charter. Despite decades of international effort to strengthen PoC, guided by international humanitarian law and international human rights law, by the late 1990s there were still significant challenges requiring attention. This reality was highlighted tragically in the context of UN peacekeeping missions through the failures of the international community to respond to the genocide in Rwanda and to protect civilians in Srebrenica, in particular.[3] Those failures also brought into question the primary purpose of peacekeeping missions, which were now being called upon to operate in intrastate conflicts in which civilians were targets for violence.

Several significant developments that took place in 1999 within the Security Council shaped its influential role in efforts to protect civilians.

First, the council held its first briefing and open debate on 'protection of civilians in armed conflict' in February 1999. That same month, it also adopted its first Presidential Statement on the issue.[4] That statement requested the Secretary-General to report with recommendations on how the council 'could improve physical and legal protection of civilians in situations of armed conflict', although it made no explicit reference to peacekeeping.

Second, the Secretary-General delivered his first report on PoC in armed conflict in September 1999 and the council adopted its first resolution on the issue. While the report covered a range of broad issues, its consideration of peacekeeping remained somewhat limited when compared to the detail of discussion today.[5] However, it did reflect on some of the broader areas where peacekeeping missions had contributed to the protection of civilians in the past,[6] stressed the need for more clarity where there might be enforcement aspects to a mission's mandate, and recognised the importance of rapid deployment of the necessary resources and capabilities in the early stages of a mission for the mission's political viability and to avoid it being tested. The first council resolution drew on the findings in the Secretary-General's report, giving further consideration to the types of tasks that peacekeeping missions might undertake in support of PoC. It also expressed its 'willingness to consider how peacekeeping missions might better address the negative impact of armed conflict on civilians'.[7]

While there was general agreement that peacekeeping missions had some sort of role in protecting civilians, there were differing views as to whether the Security Council needed to be more engaged and active in explicitly authorising missions to protect civilians, or whether there was already an implied expectation with the deployment of a UN peacekeeping mission. When considering deployment of a UN peacekeeping mission in Sierra Leone, some council members (such as Canada, Malaysia and the Netherlands) were very vocal about the need for a robust mandate to protect civilians, reflecting some of the lessons that had emerged from the failures in Rwanda and Srebrenica, whereas others (the US and the UK) suggested that this was already allowed under the rules of engagement and Chapter VII of the UN Charter.[8] The issue of language and the extent to which explicit requests need to be made have remained an ongoing source of contention not only in the Security Council, but also in the General Assembly over the past two decades.

Nonetheless, this influenced the third significant action by the Security Council in 1999, which was to include language that explicitly authorised a peacekeeping mission 'to afford protection to civilians under imminent threat of physical violence' when it authorised the deployment of the UN peacekeeping mission to Sierra Leone (UNAMSIL) in October 1999.[9] That resolution marked the first time the council explicitly directed a peacekeeping mission to protect civilians from harm, marking a shift in the direction of future peacekeeping mandates.

Discussions regarding PoC in peacekeeping largely took place in the Security Council in the decade that followed. The Council engaged in briefings and debates on PoC in armed conflict, adopted presidential statements and resolutions,[10] and increasingly, started to include PoC in mandates for peacekeeping missions.[11] The council slowly started to offer some detail on the normative scope of PoC in peacekeeping, with council products indicating

where there was consensus among council members. Resolution 1674, adopted by the council in 2006, expressed the council's intention to ensure that missions had clear guidelines on what they could and couldn't achieve in physical PoC, that they were given priority in the use of capacities and resources, and their PoC mandates were implemented.[12] Yet this was only the beginning. As Victoria Holt has noted earlier in this report, many were sceptical about what could be achieved and whether it was an 'impossible mandate'[13]—a point that some member states were getting more concerned about. This was also acknowledged by the Secretariat, with DPKO and OCHA commissioning a joint study to look at the 'integration of such mandates into peacekeeping missions and their impact on the ground, to draw lessons for future mandates and deployments'.[14]

Despite these discussions and developments in the Security Council, in that first decade there was limited engagement with the wider UN membership beyond open debates within the council (which were wide in scope, focused on the wider agenda item of 'protection of civilians in armed conflict'). In particular, troop- and police-contributing countries, which were largely expected to carry out these mandates, still lacked guidance and training materials, and had no clarity on their roles and responsibilities when it came to PoC. While there had been normative progress in the council by 2009, broader discussions were still needed, as not all views were the same. That would become increasingly apparent in the decade that followed.

Engaging different views on PoC

By 2009, the implementation of protection mandates by peacekeeping missions had been identified by the Secretary-General as one of five core challenges on PoC.[15] Yet the issue had received little attention in some of the deliberative peacekeeping bodies within the General Assembly. Even though the C-34 was considered by many major T/PCCs as the primary body for the consideration of 'the whole question of peacekeeping in all their aspects', there had been little engagement on the PoC issue within the C-34 prior to 2008, and no recognition that there was a need for guidance for peacekeepers to implement that aspect of the mandate. While some statements delivered by member states recognised the issue, the committee had yet to give serious consideration to including the relevant language in its annual reports. In other words, while the council had been consistently considering the inclusion of explicit PoC provisions in its peacekeeping mandates, those member states that were tasked with delivering those mandates through their troops and police in the field not been engaged substantively on the issue. Furthermore, the Secretariat had yet to elaborate guidance on PoC to support peacekeeping missions in the field.[16]

In 2008, several member states decided to push for the inclusion of a reference to PoC in the C-34's annual report. Yet, despite widespread support for the inclusion of PoC as part of the mandates of UN peacekeeping missions, there was considerable resistance to the issue from other parts of the membership, including from members of the Non-Aligned Movement (which include the majority of major troop and police contributors), as well as China and Russia. Language on PoC, which had been proposed and was under negotiation in 2008, was eventually let go in the interests of reaching consensus on the report.[17] Although the committee eventually agreed to include references to PoC in 2009, that was after concerted debate and dialogue in New York and with representatives from the field. Rationales for the opposition to the inclusion of PoC in the body of the report were varied, which made efforts to reach consensus a challenge.

First, there were concerns about how the mandate complied with the principles of peacekeeping. In particular, 'there was a partly mistaken belief that inclusion of PoC would diminish the importance of host-state consent and diminish the impartiality of peacekeepers.'[18] For that reason, mandates for and subsequent guidance to peacekeepers have been careful to emphasis the primary responsibility of the host government to protect civilians, using wording such as 'without prejudice to the responsibility of the host government to protect civilians'.[19] Such language was initially included in the C-34 report, when it introduced an 'Other mandated tasks, including the protection of civilians' subheading into its report along with four paragraphs on the issue for the first time in 2009.[20] Part of this concern was driven by parallel discussions on the notion of the 'responsibility to protect', which enabled action in instances where the government wasn't fulfilling its responsibility to protect the population against certain mass atrocity crimes.

These reservations among member states haven't been entirely unwarranted. As Aditi Gorur explores in her article in this report, managing host-state consent continues to present an ongoing challenge for UN peacekeeping in particular mission contexts, in which some authorities interfere with efforts by peacekeeping missions to monitor human rights abuses, fail to approve visas or limit movement throughout the country. This presents an acute challenge for peacekeepers, particularly at the operational and tactical levels, where they're required to engage to protect civilians regardless of the source of the threat, even if it's coming from the government.[21]

Second, some troop and police contributors took it as an affront that there was discussion on the need for guidance when their personnel were already putting their lives at risk under a mandate, and where they argued that they were carrying out protection activities.[22] These divisions were made even more stark by the reality that over the past decade most contributors to UN peacekeeping have come from the global South and developing countries, whereas those countries that have generally been the most vocal in pushing for stronger mechanisms to implement PoC have often been Western countries, many of which were the larger 'financial contributors' but had few troops deployed on the ground. This made it important to recognise that there were good practices in PoC that were emanating from the field. Notably, when the C-34 did agree to language on PoC for the first time, it included a request for analysis of the lessons learned.[23] Such studies were then drawn upon to inform the development of a 'policy on protection of civilians' years later, ensuring that those lessons were captured from the field. But there's still an ongoing need to better capture the success stories, as the most recent Secretary-General's report on the issue acknowledges.

Third, resources and capabilities for peacekeeping missions were limited. This challenge was foreshadowed in the Brahimi Report in 2000, which cautioned against mandates that raised expectations about 'blanket protection', noting that '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.'[24] This concern played out in detail over the ability of peacekeepers to meet expectations of protection. Many missions were and remain overstretched, sometimes taking over six months to reach their authorised ceilings of troop and police numbers (if not longer). And, while many council mandates included the caveat 'within resources and capabilities' for PoC, that offered limited guidance to those in the field. Consequently, in response to these concerns, the Secretariat developed a resources and capabilities matrix intended to foster a better understanding of the requirements, along with a strategic framework for the development of mission specific strategies. Yet the issue of resources and capabilities remains an ongoing challenge for peacekeeping missions, as demonstrated by the commitments in the recent Action for Peacekeeping Agenda[25] and the statements made by the Secretary-General about the scourge of 'Christmas Tree mandates' expecting too much of peacekeeping missions.[26] It's even more challenging in an austere budgetary environment were peacekeeping dues are not being paid on time and there are ongoing efforts to expand mandates while reducing the financial support for resources.[27] Efforts to match mandates with resources, particularly in the context of protecting civilians, requires improved planning, considered mandates and capable troop contributors, all of which are often in short supply.

Fourth, there was also a sense that the uniformed components of missions were burdened with more responsibility than the civilian components, even though protection was a whole-of-mission responsibility. This was partly a consequence of the focus on 'physical protection', which was generally assumed to require an intervention by uniformed components through deterrence or the use of force. Yet PoC in peacekeeping is considered a much broader concept, as outlined in the policy that was later developed, which identified three tiers for protection: protecting through political processes, providing protection from physical violence, and establishing a protective environment.[28] Furthermore, the HIPPO report in 2015 emphasised the importance of unarmed civilian protection and civilian tools part of mission-wide approaches to PoC.[29] While uniformed components would continue to have unique responsibilities to intervene and use force, this ensured that the debate also focused on what the different components of the mission contributed to the PoC mandate, including the role of civil affairs offices, PoC advisers and, importantly, the leadership team.

Finally, there were concerns that improved guidance and training on PoC would unreasonably hold certain components of the mission accountable for their performance in the field. The issue of performance remains particularly sensitive, and some troop and police contributors argue that they're deploying to missions with unreasonable expectations about what they can achieve, given the operating environment and the resources available. By contrast, however, even when there are resources available, there have been several high-profile instances of failure to protect civilians, such as in Malakal and Juba in South Sudan in 2016.[30] This has led many member states to push for improved performance, both in the council and the C-34.

The emerging discussion on the issue of caveats and their application by some peacekeeping contributors, for instance, is symptomatic of a growing concern among major T/PCCs that there might different standards.[31] For some, caveats are viewed as being in the purview of the most capable contributors, who limit their engagement with the mission, giving the impression that only some contingents will be held accountable. The manner in which the UNMISS Force Commander was fired in 2016, following the crisis in Juba, created considerable concern about the lack of transparency around accountability mechanisms.[32] This has subsequently prompted work on an accountability matrix within the Secretariat, along with integrating PoC into its Comprehensive Performance Management System, but it's clear that there are still reservations and more effort needs to be invested in reaching agreement on the way forward.

While many of these differences were more pronounced a decade ago, they remain sources of tensions in current debates about the future of PoC in peacekeeping. It's also increasingly less clear in some complex operational contexts how to balance protection civilians with other aspects of the mandate which may diminish those efforts (for example, in contexts marked by violent extremism, such as in Mali).[33] Furthermore, as the UN continues to operate alongside a range of partners and parallel forces, there's a need to clarify where UN peacekeeping can offer comparative advantages, particularly in PoC. That requires consensus and clarity among stakeholders, particularly member states. And there are some lessons that can be learned from the past decade.

Reaching consensus and making progress

Over the past decade, there's been considerable progress in developing more clarity about what's meant by PoC. These initiatives have been driven by events on the ground (for example, when there have been failures to protect), lessons that have emerged from peacekeeping missions and reform initiatives that have been pursued by the UN Secretariat and member states in New York. Despite not including any reference to PoC in C-34 reports prior to 2009, the committee has subsequently engaged quite substantively on the issue over the past decade.[34] In doing so, it has made several requests of the Secretariat to support the development of guidance and training. Similarly, the Security Council has made a range of requests, driven in part by the adoption of further thematic resolutions on PoC in armed conflict (such as resolution 1894), which have included substantive measures in the context of peacekeeping.[35] The Secretariat has subsequently developed a range of guidance materials that have informed the development of training packages and policies and will soon offer further guidance on accountability and performance for troop and police contributors and mission personnel.

Yet, despite reaching consensus on a range of issues, the C-34 has often been a battleground for debate over the issue, holding up the conclusion of the report for several consecutive years.[36] Part of the challenge, particularly in bodies such as the C-34 which only meet periodically throughout the year, is that discussions focus on language rather than substance, and the outcome is often prioritised over the process.[37] That's not to suggest that reaching agreement in these bodies isn't important—quite the contrary. The language agreed to in the reports has enabled a greater degree of transparency and wider engagement with the Secretariat on efforts underway to ensure that succeeding peacekeeping missions are better equipped to protect civilians. It has ensured that the Secretariat has been held accountable for reporting back on activities being undertaken to strengthen protection efforts. It has also been an indispensable part of negotiations over budgets for peacekeeping in the Fifth Committee, which often require consideration of policy matters, including the support of positions at headquarters and in the field that can drive the implementation of PoC.[38] But often the formal environments for negotiating text weren't always the best for reaching consensus on the contentious issues, such as PoC.

The disagreements and resistance to exploring the PoC issue in the C-34 a decade ago prompted further action by a range of member states since then. The Australia–Uruguay initiative, which held its first workshop in January 2009, was one of the first of many initiatives that took place, continuing over the next decade (see the appendix to this report for a table detailing the Australia–Uruguay workshops). Those initiatives were complemented by a range of different measures, including engagement by the Group of Friends on Protection of Civilians (established in 2007 and chaired by the Swiss), the work of civil society organisations (including the recent PoC Week in New York to coincide with the PoC debate in the council) and think tanks (providing research and analysis from the field).

Importantly, these initiatives enabled member states, through their diplomatic representatives, to step away from the discussions as part of intergovernmental processes and consider the issues. They enabled more comprehensive engagement with representatives from the field who could offer insights into some of the challenges specific missions were facing and the support that was needed from member states and headquarters in New York to address those challenges. Such initiatives also offered a platform to inform diplomats (who were often new to the issue) and enable a more genuine discussion, cutting across committee structures and stovepipes.[39]

The flexibility offered by external forums is also reflected in some of the key developments that have taken place to garner political support for PoC. The Kigali Principles, which were spearheaded by Rwanda, the Netherlands and the US, emerged from a series of regional conferences that took place in 2015 to support the high-level peacekeeping summits hosted by the US. And, while results of follow-through on those commitments remain somewhat mixed, they did force a more substantive consideration by governments regarding what they expect of peacekeepers—and what they themselves as contributors are willing to commit to. This initiative, like many of those organised on PoC, also demonstrated the value in having member states champion the issues, particularly those that require stronger political support and commitment to implement reforms. The Action for Peacekeeping initiative, which was launched in 2018, has contributed to similar momentum, but the key to those commitments, particularly as they relate to PoC, will be ensuring that improvements are implemented in the field for those affected by conflict.

Conclusions: Challenges and lessons for the future

As the peacekeeping partnership considers the progress that has been made on PoC over the past two decades—and the challenges that remain—it's important to reflect on some of the processes that have assisted efforts to reach consensus on this particularly contentious issue over the last decade. While there's inherent agreement that peacekeepers have a role in protecting civilians, there remain differing views among UN member states about how they should carry out their responsibility, and when it might be beyond the capacity of peacekeeping missions to respond. Two decades on from those first Security Council resolutions on PoC, there's a need for more engagement among member states to clarify expectations of peacekeeping missions when it comes to PoC, particularly in terms of mandates, managing host state consent, performance and accountability measures, and tackling the difficult questions around the limits of what peacekeepers can achieve.

As Richard Gowan argues earlier in this report, the future of PoC in peacekeeping will be written largely by those serving in the field rather than diplomats in New York. But that doesn't mean that the intergovernmental processes that member states engage in are without value. Rather, as developments on PoC in the council and across the UN in recent years have shown us, such processes must continue to be linked to what is happening in the field, to understand not only the failures, but what is working on the ground to protect civilians. Ignoring field realities in New York or the rationale for different perspectives on the issue among various stakeholders means that the discussions and debates in various intergovernmental committees are less likely to be relevant, and that the peacekeeping partnership will remain at odds about what can be expected of peacekeeping missions in the future when it comes to protecting civilians. Bridging those divides is essential if peacekeeping missions are to be effectively positioned protect civilians in the decades to come.

Notes

1   Although the Security Council was engaged in discussions on PoC, it was not considered in depth by the C-34 in the General Assembly.

2   UN Security Council, *Report of the Secretary-General on the Protection of Civilians in Armed Conflict*, S/2019/373, 7 May 2019, 5.

3   UN Security Council, *Report of the Secretary-General pursuant to General Assembly Resolution 53/35: The Fall of Srebrenica*, A/54/549, 15 November 1999; *Report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda,* S/1999/1257, 16 December 1999*; attached to Letter from the Secretary-General to the President of the United Nations Security Council dated 15 December 1999*.

4   See UN Security Council, *Protection of civilians in armed conflict*, 3977th meeting, UN doc. S/PV.3977, 12 February 1999, and UN Security Council, *Protection of civilians in armed conflict*, 3980th meeting, UN doc. S/PV.3980, 22 February 1999.

5   UN Security Council, *Report of the Secretary-General on the protection of civilians in armed conflict*, S/1999/957, 8 September 1999.

6   UN Security Council, *Report of the Secretary-General on the protection of civilians in armed conflict*, S/1999/957, 17–18.

7   UN Security Council resolution 1265, S/RES/1265 (1999).

8   Victoria Holt, Glyn Taylor, Max Kelly, *Protecting civilians in the context of UN peace operations: successes, setbacks and remaining challenges*, UN, 2009, 37–38. See also *Report of the Panel on United Nations Peace Operations,* A/55/305-S/2000/809, 1 August 2000 (the 'Brahimi Report') which made clear that 'peacekeepers, troops or police who witness violence against civilians should be presumed authorized to stop it, within their means, in support of basic United Nations principles.'

9   UN Security Council resolution 1270, S/RES/1270 (1999), Op 14, which stated 'Acting under Chapter VII of the Charter of the United Nations, decides that in the discharge of its mandate UNAMSIL may take the necessary action to ensure the security and freedom of movement of its personnel and, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence, taking into account the responsibilities of the Government of Sierra Leone and ECOMOG.'

10 For example, UN Security Council resolution 1674, S/RES/1674 (2006).

11 In addition to Sierra Leone, this included peacekeeping missions deployed in the DRC, Liberia, Cote d'Ivoire, Haiti, Burundi, Sudan, Darfur and Lebanon.

12 UN Security Council resolution 1674, S/RES/1674 (2006), Op 16.

13 See, for instance, Victoria K. Holt and Tobias C. Berkam, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations,* 2006, Stimson Center, online. Also see the article by Victoria K. Holt on 'Mandates are only the start: Delivering on the authorisation to protect civilians' earlier in this report.

14 Holt et al., *Protecting civilians in the context of UN peacekeeping operations*.

15 See UN Security Council, *Report of the Secretary-General on the Protection of Civilians in Armed Conflict*, S/2009/277, 29 May 2009, 2.

16 Holt et al., *Protecting civilians in the context of UN peacekeeping operations*, 10. See also Department of Peacekeeping Operations and Department of Field Support, *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*, New York, July 2009, online.

17 Haidi Willmot, Remarks delivered to 2017 UNAA National Conference 'Enhancing Australia's Support to Global Peace and Security, 16 September 2017, online.

18 Charles T Hunt, Lisa Sharland, 'Implementing R2P through United Nations peacekeeping operations: opportunities and challenges' in Cecilia Jacob, Martin Mennecke (eds), *Implementing the Responsibility to Protect – A Future Agenda*, Routledge, 2019 (forthcoming publication). This section draws on discussions that took place during the author's participation in negotiations in the UN Special Committee on Peacekeeping Operations from 2010 to 2013. See also statement by Amr Aljowaily, 'Challenges of Protecting Civilians in Multidimensional Peace Operations', Challenges Forum Report 2010, pp.137-145; and UN General Assembly, *Letter dated 9 February 2009 from the Permanent Representatives of Australia and Uruguay to the United Nations addressed to the President of the General Assembly*, A/63/722, 3.

19 See, for example, UN Department of Peacekeeping Operations and Department of Field Support (DPKO/DFS), *DPKO/DFS policy on protection of civilians,* April 2015, 5.

20 UN General Assembly, *Report of the Special Committee on Peacekeeping Operations,* A/63/19, para. 125–128.

21 See *DPKO/DFS policy on protection of civilians*, which states 'until state security forces are able and willing to protect civilians, the mission must be prepared to intervene unilaterally to prevent, pre-empt or put an end to threats of physical violence. Weighing circumstances on the ground, missions must bear in mind that they are mandated to protect civilians irrespective of the source of threat, including when elements of the host government are themselves responsible for threatening civilians with physical violence.'

22 See, for example, statement by India to the Security Council debate on protection of civilians in armed conflict, UN Security Council, *Protection of civilians in armed conflict*, 6216th meeting, UN doc. S/PV.6216 (Resumption 1), 11 November 2009, 40.

23 UN General Assembly, *Report of the Special Committee on Peacekeeping Operations,* A/63/19, para. 125–128.

24 Brahimi Report, 11. See also Jean Marie Guehenno, 'The United Nations and PoC' in Haidi Willmot, Ralph Mamiya, Scott Sheeran, and Marc Weller (eds), *Protection of Civilians,* Oxford University Press, 2016, 263.

25 The 'Declaration of Shared Commitments on UN Peacekeeping Operations' (issued for endorsement on 16 August 2018), para. 5, online.

26 Remarks by UN Secretary-General António Guterres to Security Council High-Level Debate on Collective Action to Improve UN Peacekeeping Operations, 28 March 2018, online.

27 See Samuli Harju, 'Data on performance needed to make UN peacekeeping budgets right on the money', 11 June 2019, Center for Civilians in Conflict, online.

28 UN DPKO/DFS, *DPKO/DFS policy on protection of civilians*.

29 UN General Assembly and Security Council, *Report of the High-level Independent Panel on Peace Operations on uniting our strengthens for peace: politics, partnership and people*, A/70/95-S/2015/446, 37.

30 *Executive Summary of the Independent Special Investigation into the violence which occurred in Juba in 2016 and UNMISS response,* November 2016, online. Prior to this, the UN had found there was a reluctance among T/PCCs to use force when required, with views differing on its use, see UN General Assembly, *Evaluation of the implementation and results of protection of civilians mandates in United Nations peacekeeping operations; Report of the Office of Internal Oversight Services,* A/68/787.

31 As Morocco's representative stated in the opening debate of the 2019 C-34 "caveats are also a series impediment for a fair assessment of performance", see Statement by the Permanent Mission of the Kingdom of Morocco to the Special Committee on Peacekeeping Operations, February 2019, online.

32 Workshop Report on the Ninth Workshop on the Protection of Civilians, *The Protection of Civilians and Accountability,* Hosted by the Permanent Mission of Australia and Uruguay to the United Nations and ASPI, 18 November 2016, online.

33 See, for example, Namie Di Razza, *Protecting Civilians in the Context of Violent Extremism: The Dilemmas of UN Peacekeeping in Mali*, New York, International Peace Institute, October 2018, online.

34 The C-34 has expanded the number of paragraphs discussing PoC from 4 paragraphs in 2009 to 29 paragraphs in 2018 (see UN General Assembly, *Report of the Special Committee on Peacekeeping Operations,* A/72/19, para. 293–321). Note that the committee didn't consider the issue of PoC as part of negotiations due to stabilising text in 2014 and 2017, see Lisa Sharland, *How Peacekeeping Policy Gets Made: Navigating Intergovernmental Processes at the UN,* New York, International Peace Institute, May 2018, 15, online.

35 Security Council resolution 1894, for example, at op 22 recognised the need for 'comprehensive operational guidance' and requested the Secretariat 'to develop in close consultation with Member States including troop and police contributing countries and other relevant actors, an operational concept for the protection of civilians'.

36 One of the reasons the C-34 failed to conclude a report on time in 2011 and 2012, for example, was over the issue of agreed language on PoC.

37 Sharland, *How Peacekeeping Policy Gets Made: Navigating Intergovernmental Processes at the UN,* 24.

38 In some cases, the Secretariat has relied on extra-budgetary support from member states to support the work of the PoC unit in DPO.

39 See Sharland, *How Peacekeeping Policy Gets Made: Navigating Intergovernmental Processes at the UN,* 34.

APPENDIX: WORKSHOPS HOSTED BY AUSTRALIA AND URUGUAY ON POC IN UN PEACEKEEPING

	Date	Topic/theme	Highlights from the workshop discussions	UN doc.	Hosts
1	27 January 2009	Implementation of PoC mandates in UN peacekeeping operations *This workshop started a dialogue on PoC in peacekeeping to try to move debate forward and work towards creating a common understanding of protection tasks, identify challenges to their implementation and consider ways to improve the situation.*	• The Security Council should develop clear, credible and achievable mandates for peacekeeping missions, matched with the necessary resources. • The council should strive for greater inclusiveness among decision-makers, the Secretariat, troop- and police-contributing countries (T/PCCs) and General Assembly committees. • There's a need for rapid responses to developing situations on the ground, and to coordinate quickly with UN agencies. • PoC tasks do not derive from the responsibility to protect, but from principles of international humanitarian law. • There's a requirement to develop and implement training programs for peacekeepers regarding PoC mandates, as well as guidance or doctrine. • Credibility is a key requirement for success; if missions don't protect civilians in the early stages of deployment, then civilians will lose confidence.	A/63/722	Australia, Uruguay
2	19 January 2010	Findings and recommendations of the independent study titled Protection of civilians in the context of United Nations peacekeeping operations: successes, setbacks and remaining challenges *This workshop examined the findings of the independent study and the next steps to be taken by the Secretariat.*	• Peacekeeping missions require a mission-wide strategy that will ensure that the mission's resources are channelled to better protect civilians. • The Secretariat is well positioned to develop guidance, based on lessons learned from the field, in closer consultation with T/PCCs. • There's a need for better communication between T/PCCs and the Security Council, so that T/PCCs can understand what they're contributing to. • Some view the Special Committee on Peacekeeping Operations (C-34) as the main body for discussion, but there's a need for delegates to be more sensitised to what's occurring in the field. • Missions must have improved capacity to collect information and develop threat assessments; communication with the local population is critical. • Missions have developed several innovative practices in the field, including anticipating protection incidents through threat analysis and early warning and employing joint and integrated approaches to protection, which are being captured as lessons learned.	A/64/721	Australia, Uruguay

	Date	Topic/theme	Highlights from the workshop discussions	UN doc.	Hosts
3	6 December 2010	Strategic Framework for Comprehensive Mission-specific Strategies on PoC *This workshop focused on the development of the Strategic Framework for Comprehensive Mission-specific Strategies on PoC and the additional steps the Secretariat is taking to improve the implementation of PoC mandates in the field.*	• The C-34 asked the Secretariat to develop a strategic framework for mission-specific strategies. That request was echoed by the Security Council in S/PRST/2010/25. • The Strategic Framework for Mission-specific Strategies will offer guidance on early warning and crisis response, mission resources and capabilities, coordination mechanisms, and managing issues of consent, among other things. • Better expectation management is required in peacekeeping missions to articulate what the missions can do with the resources they have available. • The host government and local population need to be engaged in planning and strategies to implement PoC mandates. • Different actors need a clear understanding of their roles and responsibilities on the ground; this is particularly important to distinguish between the humanitarian community and peacekeeping missions. • PoC remains unfamiliar territory for many troops, and many peacekeeping training centres are unsure about how to teach protection. • Limited discussion of robust peacekeeping within the C-34 has meant there's still a lack of clarity about what it means to use force to protect civilians.	A/65/698	Australia, Uruguay
4	9 February 2012	Operationalising PoC in the field *This workshop examined how PoC efforts are being operationalised in order to determine what further steps could be taken to support peacekeeping missions in carrying out their PoC mandates.*	• PoC has shifted from development to operationalisation, with the development of scenario-based training materials and a resources and capabilities matrix. • Limitations on the movement of personnel can have a direct impact not only on the military component's ability to protect, but also on other protection actors. • Civilian components can assist in building confidence and managing expectations among the local population. • Mission-specific strategies for PoC informed information sharing, developing a common picture of the threats, and joint protection teams are useful and innovative tools. • Local communities can also support their own protection, and it's important that peacekeepers don't overlook the resilience tools that people have already developed. • Peacekeeping missions need to ensure that PoC efforts focus not only on immediate risks and vulnerabilities but also on longer term peacebuilding tasks that can support the host government in its primary responsibility to protect civilians.	A/66/789	Australia, Uruguay

	Date	Topic/theme	Highlights from the workshop discussions	UN doc.	Hosts
5	13 June 2012	PoC in peacekeeping operations: capacity-building and transitions *This workshop examined some of the issues related to efforts to strengthen the long-term capacity of host countries to protect civilians.*	• Peacekeeping missions can help bridge the gap between protecting civilians against immediate threats and contributing to building national institutions. • In post-conflict contexts, the problem with the national security sector isn't a lack of capacity to employ force, but often a lack of oversight mechanisms. Therefore, better governance and oversight are needed to instil trust and confidence in the sector. • Missions require the right kinds of skills to support capacity building, such as experts who can transfer skills as trainers. • Women's participation is also essential in peacekeeping missions and in the security sector to bring diverse perspectives, to provide role models and to engage directly with parts of the community, particularly those requiring protection. • A change of mindset is needed in some policing institutions to develop a culture of protection in which all officers will take sexual and gender-based violence seriously. • Effective PoC is still hampered by lack of access to justice and low confidence in security institutions. • Planning for a full handover of PoC responsibilities needs to begin very early, and more analysis of how to measure the readiness of institutions to assume full responsibility is needed.	Annex to A/68/972	Australia, Uruguay, International Peace Institute
6	8 November 2013	Policy, planning and preparedness in protecting civilians *This workshop examined the policy, planning and preparedness issues in PoC, as well as the additional steps that the Secretariat was continuing to take in order to improve the implementation of POC mandates.*	• Effective and inclusive mission coordination mechanisms are crucial, and the most difficult ongoing challenge faced by missions is translating early warning into early response. • Senior mission leadership is essential, as mission leaders are best placed to mobilise resources and spearhead innovative approaches to protection. • Civilian PoC advisers are effective, which has been demonstrated in UNMISS, for example, where they're working to mainstream protection throughout the mission. • Context is everything: what's effective in one mission might not be as effective in another. Context-specific PoC training is preferred (although gaps still remain in training support, funding and sponsorship). • The use of technology will help to improve overall situational awareness and missions' ability to identify threats to civilians and respond quicker. • The use of force through offensive actions, such as by MONUSCO's Force Intervention Brigade, presents opportunities (in terms of seizing the initiative) but also risks (including potential civilian harm through operations and perceptions about the mission). • The deployment of the new peacekeeping mission in Mali (MINUSMA) has raised concerns about PoC in asymmetric threat environments involving terrorist activities and small arms.	A/68/972	Australia, Uruguay

	Date	Topic/theme	Highlights from the workshop discussions	UN doc.	Hosts
7	10 February 2015	Institutionalising PoC in peacekeeping *This workshop examined developments and remaining gaps to enable more effective planning, preparation and support for military, police and civilian peacekeepers in implementing PoC mandates.*	• Effective PoC implementation is contingent on a triangular partnership among the Security Council, the Secretariat and T/PCCs. • The PoC policy and associated guidance will constitute the foundation for institutionalising and professionalising PoC in peacekeeping. • Tensions arise between peacekeeping missions' mandated tasks to protect civilians from violence, and tasks of extending state authority or capacity and reporting on human rights abuses, particularly when those abuses involve elements of the host state. • Effective and inclusive mission coordination mechanisms are crucial for protection, including in mission planning and reporting processes. • Missions with PoC mandates are continuously faced with the need to adapt to quickly changing circumstances. • Proactive postures as well as preventive and pre-emptive action can neutralise threats to civilians. • The most difficult ongoing challenge faced by missions is effective intelligence gathering and analysis to ensure that early warning is translated into early response. • For civilians, sustainable peace is the ultimate form of protection against physical violence.	--	Australia, Uruguay
8	6 November 2015	Political solutions and PoC *This workshop examined the relationship between PoC and political solutions following the recommendations offered by the report of the High-level Independent Panel on Peace Operations (HIPPO).*	• The HIPPO opened the space for discussion about the role of special political missions in supporting PoC efforts (as opposed to just peacekeeping operations) and the role of unarmed strategies as part of PoC. • Political solutions ideally support a more sustainable protective environment for civilians by building conditions to support the host government to fulfil its responsibility to protect civilians. • Immediate physical PoC can create conditions for political processes to succeed, as demonstrated, for example, by the restriction of the UNMISS mandate. • There can be tensions between immediate protection concerns and longer term political solutions; for example, in MINUSCA, the mission found that pursuing security operations could create complications and delays in the political process. • Building on the Kigali Principles, the Secretariat should continue to engage with member states on normative frameworks for protection. • Member states should support the strengthening of unarmed capacities for protection, including senior PoC advisers and community liaison assistants. • The Security Council should use its political leverage to complement activities by missions to engage with host governments and parties to conflicts in support of protection efforts.	--	Australia, Uruguay, Stimson Center

	Date	Topic/theme	Highlights from the workshop discussions	UN doc.	Hosts
9	18 November 2016	The protection of civilians and accountability *This workshop examined efforts to strengthen accountability among stakeholders with responsibility for the implementation of POC mandates, drawing on the findings of the Secretary-General's Independent Special Investigation into violence in Juba and the UNMISS response.*	• High-level commitments by member states (such as the Kigali Principles) aren't being matched by a willingness to translate those words into action on the ground. • While there's often an accountability expectation of military personnel, frameworks to hold civilian components of the mission accountable are often less clear. • There need to be clear guidance and direction to incoming force commanders setting out expectations about the mandate, rules of engagement and use of force. • At the tactical level, there's a need for guidance on what to do in certain situations, with much more specificity. • Responsibility for the implementation of PoC mandates extends beyond the field. UN Headquarters is responsible for ensuring that there's clear guidance and direction, and the Security Council can offer political leverage and support. • Many host governments are unable or unwilling to fulfil their responsibility to protect, and the issue of eroding consent is becoming a challenge for protection efforts. • More thorough consideration of the 'outer limits' of peacekeeping and what the mission can realistically achieve are needed, as there are circumstances in which a peacekeeping mission might not be the right tool to protect civilians.	--	Australia, Uruguay, ASPI
10	15 December 2017	The protection of civilians in peacekeeping: challenges, partnerships and reaching consensus *This workshop examined challenges facing peacekeeping missions in implementing PoC mandates in order to identify areas requiring further consensus amongkeeping stakeholders.*	• The complexity of the threats in some missions is increasing, making it a challenge to develop effective strategies to implement PoC mandates. • There's an ongoing need to balance national ownership with UN assistance, particularly through the capacity-building activities of police. • It's a challenge to provide protection when peacekeepers are increasingly a target and unable to protect themselves in some missions. • Peacekeeping budget cuts aren't necessarily linked to threat assessments and mission needs, which may undermine a mission's flexibility and mobility in the field. • It's important to frame the mission mandate and identify what PoC means in that context. A lack of clearly defined parameters can stretch resources, undermining the mission's mandate and purpose.	--	Australia, Uruguay, ASPI

ACRONYMS AND ABBREVIATIONS

|	
A4P	Action for Peacekeeping
AMISOM	African Union Mission to Somalia
C-34	Special Committee on Peacekeeping Operations (UN)
CAR	Central African Republic
DPKO	Department of Peacekeeping Operations (UN)
DRC	Democratic Republic of the Congo
HIPPO	High-level Independent Panel on Peace Operations (UN)
MINURCAT	UN Mission in the Central African Republic and Chad
MINURSO	UN Mission for the Referendum in Western Sahara
MINUSCA	UN Multidimensional Integrated Stabilization Mission in the Central African Republic
MINUSMA	UN Multidimensional Integrated Stabilization Mission in Mali
MONUSCO	UN Stabilization Mission in the Democratic Republic of the Congo
NATO	North Atlantic Treaty Organization
OCHA	Office for the Coordination of Humanitarian Affairs (UN)
PoC	protection of civilians
R2P	responsibility to protect
SOFA	status of forces agreement
T/PCC	troop- or police-contributing country
UK	United Kingdom
UN	United Nations
UNAMID	UN – African Union Mission in Darfur
UNAMSIL	UN Mission in Sierra Leone
UNMIS	UN Mission in Sudan
UNMISS	UN Mission in South Sudan
UNOCI	UN Operation in Côte d'Ivoire

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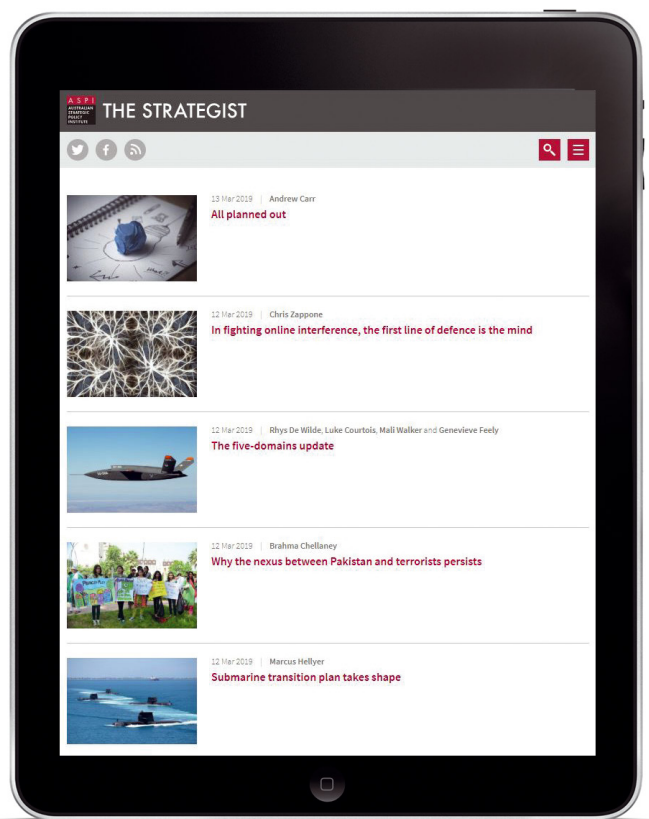
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