

Protection of Civilians: Shared Goals, Different Visions?

5 October 2017
Conference Report



PAX

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Event introduction

Threats to civilians worldwide cannot be resolved by simplistic solutions. 'Comprehensive' approaches that make use of the insights and capacities of civilian populations can have a measurable, positive impact if and when Protection of Civilians actors would be inspired by and held to account by those civilians whose security is at stake.

This meeting brought together experts with experience in MINUSMA, MONUSCO and UNMISS, the Netherlands Ministry of Foreign Affairs, the Netherlands Ministry of Defence, Forsvarets Forsknings Institutt (FFI), the Center for Civilians in Conflict (CIVIC) and PAX to discuss current challenges to protection of civilians (PoC) and to find pathways and opportunities to improving PoC in practice. Under the title "Protection of Civilians. Shared goals, different visions?", three main themes guided this day:

- I. International PoC policy developments and national implementation
- II. Integrated training and preparation for PoC missions
- III. Security analysis and community engagement in PoC missions

The event was initiated by the Protection of Civilians department of PAX as part of its Strategic Partnership with the Netherlands Ministry of Foreign Affairs.

Programme	
09:00 – 09:30	Arrival and coffee
09:30 – 10.00	Word of welcome
10.00 – 10:30	Keynote speech on PoC
10:30 – 11:00	Q&A
11.00 – 11:30	Coffee break
11:30 – 13:00	Breakout sessions 1 <ul style="list-style-type: none"> 1. Integrated approaches to PoC in the field 2. International policies and structures needed for PoC 3. Security Analysis and community engagement for PoC
13.00 – 14:00	Lunch
14.00 – 15:30	Breakout sessions 2
15:30 – 16:00	Coffee break
16:00 – 16:45	Report back to plenary, panel discussion
16:45 – 17.00	Closing remarks
17.00 – 18:30	Drinks

Word of Welcome

There have been many developments in the field of PoC since its inception. However, PoC is still cause for confusion and friction, between military and civilians but also among civilian components of peacekeeping missions. PAX uses a narrow interpretation of human security, focusing on protecting civilians from physical harm, and urges the inclusion of human security perspectives into PoC.

Key takeaways on the expert session on the 4th of October include:

- ◆ Definitions of PoC are frequently self-referential and include the word 'protection' without specifying what actions protection consists of, which causes confusion and frustration
- ◆ There is a need for an accountability framework specifying how and to what troops will be held accountable whilst working on PoC
- ◆ An integrated approach is needed in which military, civilian, and police work together constructively during every stage – from analysis to training to evaluation

Keynote speech

WHERE WE COME FROM

In the 1990s civilians increasingly became targets of violence. The conflicts in Rwanda and Bosnia demonstrated the inability of the international community to protect civilians when it matters most.

Experiences from interventions in Afghanistan, Iraq and elsewhere show us that the failure to protect civilians, either from own actions or from other's actions, undermines the strategic objective, credibility and impact of a mission.

A review of ten years of UN peacekeeping operations found that there is no common understanding among UN stakeholders on what PoC means, who is responsible for PoC, or how to implement it effectively. The review concluded that there is a general absence of policy, training and guidance on PoC, all the way from mandate to implementation. Moreover, there is limited understanding about the interaction between PoC mandates of peacekeeping operations and communities' own protection strategies.

Progress is made on PoC in the past decade. Since 2010, 12 out of 14 UN peacekeeping operations have some form of protection mandate. And now that the High-Level Independent Panel on Peace Operations (HIPPO) provides a blueprint for reform, the next step is implementation.

WHERE WE'RE GOING

No actor can protect civilians alone. An integrated approach to PoC, in which military and civilian mission components analyse, plan, train, monitor, and evaluate together is vital. Context-based information should be the foundation of decision-making, in New York as well as in the field.

Adherence to International Human Rights Law and International Humanitarian Law as well as clear guidelines for conduct & discipline at every level of peacekeeping operations is required. Clear and joint understanding of what is good PoC is needed to be able to hold peacekeeping personnel accountable for PoC. Currently, there are too few rewards for acting on threats to civilians and limited consequences for inaction. High-level leadership is critical in this regard. In the absence of mature PoC doctrines, decentralized decision-making is needed. Concerns about accountability must be addressed in missions, and all the way up to the governments of UN member states, as there is still a disconnect between what member states say in New York and what they do in the field.

Without high level political engagement these issues will not move forward. It is crucial to keep political momentum by continuing to stress current challenges and opportunities for effective PoC. Support from UN member states is needed for the Secretary General in his initiatives on PoC. Moreover, better understanding and recognition of PoC partnerships is required between UN and regional organisations such as the African Union.

Breakout sessions on integrated approaches to PoC in the field

INTRODUCTORY PITCHES

What are we referring to when we talk about the integrated approach? Is it the same as a comprehensive, a 3D or even a 'Dutch' approach? Despite a lot of talk on the importance of an integrated approach, it seems difficult to translate the concept in practice. Ideally, an integrated approach commences with a joint analysis of threats: What threatens **human security** in a community. When a clear understanding of the threats is achieved, realistic goals can be set, and the *means* and *approach* needed to reach these goals can be distinguished.

Security is essentially everyone's business. Diplomats, civilians and military need to work constructively to achieve mission goals. This integration is needed from start to finish: inviting each other to training is one thing; designing a training together brings shared insights and experiences from an early stage. Training together and switching roles during the exercise can open siloed minds. Integrated training should be a prerequisite for general preparation training, for mission-specific training, as well as for in-mission training.

Analysis of the impact of peacekeeping missions on the **civilian population** needs to be done integrated as well. Launching a military operation in an area where civilians have just initiated a security dialogue may have unintended negative effects. Different actors may have differing conceptions of the purpose and intent of PoC. Some may perceive protection as a goal in itself, while others may conceptualise protection as a means, for example to guarantee access to a certain area in the case of Counter Insurgency (COIN) operations.

Peacekeeping missions instructed to have a **PoC strategy** are sometimes ineffective due to capacity issues. The existence of a strategy on paper is not enough. The strategy needs to be disseminated, the peacekeeping personnel must be educated and trained to know how to operate according to the strategy and it the strategy must be integrated in the decision-making process.

Regarding joint civil-military planning, the existence of **information silos** poses a challenge. Frequently, emails are the main source of information for decision-making, with recipients largely dependent on personal relationships. Different opinions between civil and military components on what information can be acted upon poses a challenge to prevention and rapid deployment. Information from the "other" component is often mistrusted or different standards for information reliability are applied. Additionally, prevention and rapid deployment are obstructed by administrative hurdles and lengthy procedures for getting material and civilian staff ready.

FACILITATED DISCUSSION

The following topics were discussed:

Rotations

Participants mention frequent **rotations** of military personnel as a major obstacle to organize an integrated or "whole of mission" approach. As it takes time to acquire a comprehensive understanding of the mission context, relatively short deployments weaken situational awareness and limit the opportunity for civilian and military mission personnel to train together.

Measuring progress

Regarding measuring progress of PoC activities, participants agree that it is important to look at what was achieved during patrol, rather than how often patrols were initiated. Moreover, the importance of a **people-centred** approach was highlighted, in which experiences from local populations serve as an indicator to measure progress.

Setting targets

Participants agree that despite the many challenges, it is first and foremost important to look at the steps that *can* be taken. **Bi-monthly targets** or plans for PoC are mentioned as a potential starting point. Good example in this regard is the case of MINUSMA, where priority protection concerns are formulated and an end goal is set to be achieved within a two month period. Nevertheless, in practice, there are still challenges in the communication of such goals to other parts in the mission and buy-in from other components besides the PoC unit can be problematic.

Positioning PoC

Participants also discussed where to position PoC. Responsibility for PoC is often shifted between units and not yet clearly embedded within organizations and institutions. Participants highlight the importance of integrating PoC and taking it further than one training module. Finally, participants highlighted the differences and similarities between PoC and other protection cluster concepts, such as gender and children in armed conflict. They advised against the broadening or merging of these concepts, because by doing so relevant concepts may be rendered meaningless.

Breakout sessions on international policies and structures needed for PoC

INTRODUCTORY PITCHES

Both the UN and NATO are in the process of developing and reviewing their PoC policies and implementation structures. NATO adopted a PoC policy in June 2016 and progress has been made on the Action Plan, which was adopted in January 2017. NATO recognises three pillars in its PoC policy:

- 1) Civilian harm mitigation
- 2) Contributing to a safe and secure environment
- 3) Facilitation of access to basic needs

The new policy broadens the NATO conceptualisation of PoC in several ways. First of all, NATO recognises that the strategic importance of mitigating harm does not only apply to harm caused to civilians by its own actions. It includes keeping people safe from the harm of other actors as well. Second, by ascribing a role for NATO in contributing to a safe and secure environment and to the facilitation of basic needs, NATO adds protection from indirect harm and non-physical harm to the conceptualisation of PoC.

The broadening of the PoC concept to include other actors actions and indirect harm reflects an acceptance by NATO of the strategic importance of PoC to secure the legitimacy and support of the population for missions. But there are concerns as well. The policy risks being ambiguous, may lack political buy-in from key nations and it avoids the contentious topic of civilian casualties and civilian harm.

UN PoC policy was drafted in 2013 and adopted in 2015. It includes three tiers:

- 1) Political engagement (adherence to peace agreements)
- 2) Physical protection from violence by the use of robust and pro-active force
- 3) Building a safe and secure environment

The main problem with UN PoC policy is the weak incorporation into operational planning, strategies and planning in the field. In addition, there is a structural lack of accountability throughout the levels of the UN system.

FACILITATED DISCUSSION

The following topics were discussed:

The strategic importance of PoC

Failure to protect civilians harms the strategic objective of missions. Even if legal accountability is fully realised; even if the highest moral standards are applied successfully; and even if most of civilian deaths are the consequence of other actors actions. Failure to protect civilians has meant in the past and will mean in the future that a mission may 'win the war but lose the peace.'

Implementation

Policy and doctrine shape the accountability structures forces in mission must relate to. Clear doctrine is only meaningful when specific mandates and capabilities are clear, robust and can count on a shared understanding among civilian and military components of a mission. The implementation of new PoC policy by a militarily advanced organisation like NATO, may have positive spill-over effects on UN troop

preparation and training in the future, for example by offering more opportunities for TCCs to train with NATO member states and NATO partnership countries.

Context and conflict data sharing

PoC policy must address the lack of sharing of context and conflict data. Both in preparation and during missions, knowledge of local context as well as conflict data are compartmentalised – often not shared between civilians and military, and often not even among civilian actors and among military actors themselves. War is no longer the black box it once was now that we all have access to satellite imagery, instant reports through partners, social media and new ways of probing and measuring effects in the local context and subsequent consequences for the international community. Opportunities are lost to synchronise kinetic, diplomatic and humanitarian assessments and find the integrated, context specific pathways to effective PoC.

Accountability

Military leaders often refrain from addressing human rights abuses of the host nation's military. PoC policies need to address mechanisms or frameworks to keep host nations accountable for failing to provide safe and secure environments. Regional organisations can have an important role in this respect by applying pressure on the host nation.

PoC conceptually

Communities have a wide variety of abilities to be active agents for change. Any PoC policy must recognise it is essential to ask civilians themselves what they need in terms of security and how they feel they can contribute to their own security. When UN and NATO forces deploy, clear expectation management is needed as people may abandon self-protection strategies when they expect to be protected by the force. It is important to have a shared methodology for identifying vulnerable groups.– The analysis of vulnerable groups must be done context specific, and not necessarily refer only to women, children and the elderly.

Breakout sessions on security analysis and community engagement needed for PoC

INTRODUCTORY PITCHES

Two methods are discussed: protection of civilians through a **threat-based approach**, and the **Human Security Survey (HSS)**.

FFI argues that different types of threats to civilians require different military responses. A threat-based approach analyses the motivation, strategies, tactics and capabilities of the armed actors. Eight generic scenarios are distinguished which help answer key questions such as: “how imminent is the threat to civilians?”, “where is the threat to civilians greatest?”, and “how can military force be used to protect civilians most effectively?”.

The Human Security Survey is developed by PAX and carried out in Iraq and South Sudan. The survey is created in close collaboration with local partners and the survey is conducted by trained enumerators from the local context. The ultimate goal of the HSS is to improve security for civilians in survey areas. Three key phases can be distinguished. First, the survey aims to learn from local populations themselves about their security situation. Secondly, the collected survey data is used to engage people at the local level and bring together community members, local leaders, government officials and security providers to discuss survey findings. Finally, the data is used to inform national and international stakeholders on the perceptions, experiences, and capacities of civilians in survey areas.

FACILITATED DISCUSSION

The following topics were discussed:

Varying security needs and concerns

Key findings of the HSS show that people are not predominantly concerned about physical insecurity, but are also very much aware of the complex political, social and economic systems impacting on the security situation. Security can mean many things besides freedom from physical harm. Moreover, needs for physical security can vary between women and men, ethnic minorities or other demographic groups, and it is important to stay attentive to changing security needs when the frontline shifts. The coalition against ISIS argues that the most important thing for protection of civilians is the defeat of ISIS. However, in HSS data only 2% of civilians mentioned this as a key factor for lasting peace.

Military actors often rely heavily on intelligence sections that are biased towards problems and finding an enemy to fight. An approach is needed in which military, diplomatic, and civil society initiatives supplement each other and in which the provision of security is not a temporary or superficial fix. Participants argue that many military operations would benefit from data gathered by initiatives such as the threat-based approach and human security survey.

Civilian coping mechanisms

Knowledge of civilian perceptions towards local power brokers is key. It provides important contextual information and informs missions on what PoC strategies and activities would or could be more effective. It is important not to disturb **civilian coping mechanisms** and be aware that engaging communities to get information can cause harm if not done in a conflict sensitive manner.

Action on different levels

Action is needed at the tactical and political level in UN peacekeeping missions to improve PoC capacities in the field. Not all problems can be fixed at a tactical level. It is important that political leaders are also held accountable, e.g. when peacekeeping missions fail because political leaders failed to provide the necessary mandate or equipment.

Human rights due diligence policy

Participants also refer to a successful example of working on PoC without the use of direct military force. The **human rights due diligence policy** implemented by the UN in 2013 entailed that UN troops would not provide logistical support to local troops if local troops committed HR abuses. This proved an effective incentive for local troops due to the tangible consequences of their behaviour.

Lessons learned

It is always difficult to find **evidence** for successful PoC – it is much easier to provide evidence when a community was destroyed due to a lack of PoC, than when it still exists because of effective PoC. It is important however, to find ways to share successful lessons learned as there currently is no systematic data collection on success stories. Even if success stories cannot be shared in public, it would be useful to at least share them with the relevant people in missions.

Participants note that there is an opportunity for the Netherlands in the UNSC in 2018 to improve systematic data collection on lessons learned in PoC missions.

Panel Discussion

Panellists discussed the following topics coming from the breakout sessions:

In a huge bureaucratic and political organisation such as the UN, the ability to critically assess, learn and adjust the effectiveness of policies and missions is limited. This limits for instance the prospects for integrated training on PoC. One way around this, is to integrate scenario-based PoC training at national levels. National armies are better suited to provide targeted training and exercise and this way, troops could incorporate a **PoC mindsets** before UN deployment.

The civilian population is not only victim but also part of the solution. PoC is often perceived as an absolute term, implying the ability to protect every individual. Deployment of a UN or NATO force mandated to protect therefore creates **expectations** among civilians. Engagement with a local population is essential to ensure transparent communication on the mandate and capacity of the mission to provide protection. It is critical for the mission to understand – and certainly not undermine – the existing structures civilians have for their protection.

Current information silos, discomfort with each other, mistrust and a “we know best” attitude stand in the way of understanding the behaviour of other actors and limit possibilities for an integrated “whole of mission” approach. Mission components should align their training and planning to come to a shared mindset and shared plans while operating in theatre, and get the desired outcomes for PoC

Civilian, police and military perspectives of threats to civilians often differ but all these perspectives are needed to design and implement effective protection strategies. With fewer resources available than the operational contexts requires, integration becomes crucial: short term military interventions can be highly effective in certain scenarios and create opportunities for longer-term interventions by civilian actors. Understanding how such interventions can complement each other is key to effectively reaching PoC goals and to make effective use of resources. It is imperative that a common understanding is established about what progress looks like in relation to protection. Opening military briefing sections to civilians (and vice versa) is mentioned as one opportunity for improvement.

The panellists concluded in agreement that overcoming organizational differences and comprehensively working towards the same goals is key to effective protection of civilians.