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## **DPKO/DFS Policy**

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# **The Protection of Civilians in United Nations Peacekeeping**

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## **DPKO/DFS POLICY ON THE PROTECTION OF CIVILIANS IN UNITED NATIONS PEACEKEEPING**

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## A. PURPOSE

1. The purpose of this policy is to provide the conceptual framework, guiding principles, and key considerations for the implementation of protection of civilians (POC) mandates in United Nations peacekeeping operations.

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## B. SCOPE

2. Compliance with this policy, under the overall authority of the Head of Mission, is mandatory for all civilian, police and military personnel working in United Nations peacekeeping missions with protection of civilians mandates.

3. This policy has been drafted in accord with the United Nations Charter and peacekeeping principles. This policy recognises the United Nations obligation to promote, uphold and protect international humanitarian, human rights and refugee law and is based on the principle that all United Nations personnel maintain the highest standards of integrity and conduct<sup>1</sup>. All personnel shall respect the exclusively international character of the mission and “shall not seek or receive instructions from any Government or from any other authority external to the Organization.”<sup>2</sup>

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## C. RATIONALE

4. Responding to requests of the Special Committee on Peacekeeping Operations (A/63/19) and the United Nations Security Council (S/RES/1894, 2009) and recognizing the need for standard operational guidance to inform implementation of protection of civilian mandates, the United Nations Secretariat produced the Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations in 2010, drawing on operational experience and lessons learned to that point.<sup>3</sup> That document was noted with appreciation by the Special Committee on Peacekeeping Operations (A/64/19) and subsequent Special Committee reports recognized the need for further baseline guidance for missions on how to implement the protection of civilians mandate (e.g., A/65/19, A/66/19 and A/68/19).

5. The Operational Concept has served as an important foundation for the protection of civilians concept in UN peacekeeping. At the same time, protection of civilians guidance has evolved over the past four years through the accumulation of experiences and lessons learned as well as the development of key documents such as the DPKO/DFS Protection of Civilians Resources and Capabilities Matrix, the DPKO/DFS Framework for Drafting Comprehensive Protection of Civilians Strategies, the DPKO/DFS 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 DPKO/DFS Lessons Learned Note on Civilians Seeking Protection at UN Compounds.

6. In line with the five core challenges identified by the Secretary-General in his 2009 Report on the protection of civilians in armed conflict<sup>4</sup> and encouraged by the Special Committee on Peacekeeping Operations’ request that the Secretariat “pursue efforts in close consultation and with the participation of the missions to address their needs for further operational guidance on the protection of civilians” (A/66/19), DPKO and DFS have drawn on the most recent lessons learned and the UN Office of Internal Oversight Services (OIOS) recommendations<sup>5</sup> to review and revise the Operational Concept and consolidate it with other key guidance materials

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<sup>1</sup> Including zero tolerance for sexual exploitation and abuse. See section G: References.

<sup>2</sup> United Nations Charter, article 100.

<sup>3</sup> Cf. 2009 DPKO and OCHA-commissioned independent study by Victoria Holt and Glyn Taylor, with Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations*.

<sup>4</sup> The five core challenges include: ensuring compliance with their obligations under international law, in particular the conduct of hostilities, enhancing compliance by non-state armed groups, enhancing the role of peacekeeping and other missions, enhancing humanitarian access, enhancing accountability for violations.

<sup>5</sup> Cf. Section G: studies on coordination mechanisms (2013), joint protection teams (2013) and civilians seeking protection at UN compounds (2014), and OIOS reports on POC (2013 and 2014).

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referenced above in the form of this Policy. Aimed at clarifying and reconciling the concept and operationalization of the protection of civilians in peacekeeping with overall Security Council guidance and directives, this policy identifies and organizes the range of mandated tasks contributing to the protection of civilians.

7. This policy supersedes the 2010 Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations, as well as the DPKO/DFS Framework for Drafting Comprehensive Protection of Civilians Strategies. Guidelines to be read in conjunction with this policy include the DPKO/DFS Guidelines on Implementing Protection of Civilians Mandates by Military Components of United Nations Peacekeeping Operations, the DPKO and DFS Guidelines on the Deterrence and Use of Military Force in United Nations Peacekeeping Operations, and other documents referenced in Section G below.

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### D. BACKGROUND

8. United Nations peacekeeping is a multi-dimensional instrument primarily designed to preserve the peace, however fragile, and to create political space for implementing agreements achieved by the parties to the conflict. Noting that “civilians continue to account for the vast majority of casualties in situations of armed conflict,”<sup>6</sup> including pervasive incidences of sexual violence and violence against children, the Security Council has recognized, through its resolutions focusing on the protection of civilians in armed conflict, women peace and security and children in armed conflict, “the consequent impact the committing of systematic, flagrant and widespread violations of international humanitarian and human rights law would have on international peace and security.”<sup>7</sup>

9. In 1999, the UN Mission in Sierra Leone (UNAMSIL) was the first peacekeeping operation mandated to take the necessary action to afford protection to civilians under imminent threat of physical violence.<sup>8</sup> The same year, the first Security Council thematic resolution on the protection of civilians in armed conflict<sup>9</sup> stressed the need to address the root causes of armed conflict, including that of gender inequality, to enhance the protection of civilians on a long-term basis. Since then, regular Security Council resolutions have further defined the role of peacekeeping in protecting civilians and the various mandated tasks that contribute to it.<sup>10</sup> In establishing the POC mandate for the majority of peacekeeping operations, the Security Council has also consistently authorized such operations to “use all necessary means” or “all necessary actions”, up to and including the use of deadly force, to implement that mandate.

10. The majority of the tasks mentioned in this policy are well-established activities in UN peacekeeping and many of them have been mandated and implemented for well over a decade. This policy defines how these multiple lines of activity can support the protection of civilians, both directly and indirectly.

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<sup>6</sup> Security Council resolution 1894 (2009).

<sup>7</sup> Security Council resolution 1894 (2009).

<sup>8</sup> Security Council resolution 1270 (1999).

<sup>9</sup> Security Council resolution 1265 (1999).

<sup>10</sup> For instance in Security Council resolution 1674 (2006, para. 11), Security Council resolution 1894 (2009, para. 28) or Security Council resolution 2086 (2013, para. 8(h)).

## E. Defining the protection of civilians in United Nations peacekeeping<sup>11</sup>

11. In many mission settings, effective implementation of the POC mandate is key to creating a secure and stable environment, which is a core function of peacekeeping under the *United Nations Peacekeeping Operations: Principles and Guidelines* (the Capstone Doctrine).<sup>12</sup>

12. **Protection of civilians** – Peacekeeping operations are required, under the POC mandate, to “protect civilians, particularly those under imminent threat of physical violence”.<sup>13</sup> To fulfil their POC mandate, peacekeeping operations are provided with the authority to afford direct physical protection, including through the use of force under certain conditions, as follows:

While language varies slightly between Security Council resolutions, they generally read:

Establishment of the POC Mandate

*Decides that the mandate of [name of peacekeeping operation] shall include the following tasks ... protection of civilians.*

Authorization to Use Force

*Acting under Chapter VII ... Authorizes [name of peacekeeping operation] to use all necessary means, within the limits of its capabilities and areas of deployment, to protect civilians under [imminent]<sup>14</sup> threat of physical violence, without prejudice to the responsibility of the host Government.*

13. In light of the above, the protection of civilians mandate for civilian, military and police components in United Nations peacekeeping is defined as follows: ***all necessary means, up to and including the use of deadly force, aimed at preventing or responding to threats of physical violence against civilians, within capabilities and areas of operations, and without prejudice to the responsibility of the host government.***

14. **Civilian** - Any person who is not or is no longer directly participating in hostilities or other acts of violence shall be considered a civilian, unless he or she is a member of armed forces or groups. In case of doubt whether a person is a civilian, that person shall be considered a civilian.

15. **Threats of physical violence or POC threats** – Encompass all hostile acts or situations that are likely to lead to death or serious bodily injury, including sexual violence, regardless of the source of the threat.

### E.1. Guiding Principles

16. The protection of civilians mandate is guided by a set of legal and practical principles, and rooted in the United Nations Charter and international law. The following principles apply to all missions with POC mandates.

17. **Grounded in international law:** Protection of civilians mandates are a manifestation of the international community’s determination to prevent the most serious violations of international human rights, humanitarian and refugee law and related standards,<sup>15</sup> and they should be implemented in both the letter and spirit of these legal frameworks. The POC mandate is therefore complementary to and reinforces the mission’s mandate to promote and protect human

<sup>11</sup> All terminology relevant to POC is further detailed in Section F.

<sup>12</sup> United Nations Peacekeeping Operations: Principles and Guidelines (2008), Chapter 2.3.

<sup>13</sup> See Security Council resolution 2086 (2013, para. 8)

<sup>14</sup> ‘Imminent’ does not imply that violence is guaranteed to happen in the immediate or near future or is being carried out (cf. Section F for further details). At the time of writing, the word ‘imminent’ has been taken out of the language of Security Council resolutions for MONUSCO, MINUSCA and UNMISS.

<sup>15</sup> These include, for instance, the United Nations Guiding Principles on Internal Displacement (2001).

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rights<sup>16</sup>. When using force peacekeeping operations must abide by customary international law, including international human rights and humanitarian law<sup>17</sup>, where applicable. They must also abide by the mission-specific military rules of engagement (ROE) and the police Directive on the Use of Force (DUF), including the principles of distinction between civilians and combatants, proportionality, the minimum use of force and the requirement to avoid and minimize collateral damage.

**18. A priority mandate:** In all missions mandated to undertake the protection of civilians, POC must be prioritised in decisions regarding the allocation and use of available capacity and resources in the implementation of mandates.<sup>18</sup> Within the wide scope of potential situations of physical violence against civilians, the mission must prioritize those situations or incidents of greatest concern<sup>19</sup> and allocate its resources accordingly. As specified in the mandate, it can only act within its capabilities and areas of deployment: the mandate does not demand that peacekeepers engage in actions for which they are not equipped. At the same time, no peacekeeping force will be able to address all threats at all times.

**19. The primary responsibility of governments:** The host state always has the primary responsibility to protect civilians within its borders; this responsibility is not diminished when a peacekeeping mission with a POC mandate is deployed. The mission's protection of civilians mandate does not replace the host state's responsibility. The mission should support the host state's protection efforts or act independently to protect civilians when the latter is deemed unable or unwilling to protect its own civilians, or where government forces themselves pose a threat to civilians. When supporting host states or other non-UN security forces, peacekeeping operations shall respect the UN Human Rights Due Diligence Policy on UN Support to non-UN Security Forces.

**20. A responsibility of peacekeepers:** 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. Particularly, peacekeepers will act to prevent, deter, pre-empt or respond to threats of physical violence in their areas of deployment, no matter the scale of the violence and irrespective of the source of the threat.

**21. An active duty to protect:** The protection of civilians mandate embodies an active duty to protect; missions do not engage in protection only in reaction to an attack. Activities to protect civilians should be planned, deliberate and on-going, and the mission should constantly work to prevent, pre-empt and respond to violence against civilians. This includes presence in areas under greatest threat, a credible deterrent posture and other activities in accordance with the mandate, the POC strategy and the military and police concepts of operations (CONOPS). Compliance will be monitored through a joint monitoring and evaluation mechanism on POC.<sup>20</sup>

**22. Under effective command and control:** In missions with a mandate to protect civilians, it is the responsibility of commanders of all contingents to ensure all those under their command understand and comply with the ROE/DUF. The Force Commander and Police Commissioner are ultimately responsible for their enforcement. Compliance with command and control arrangements is critical to save lives and prevent harm being done to civilians. Failure to protect civilians as a result of weak command-and-control structures or insufficient levels of compliance

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<sup>16</sup> The promotion and protection of human rights goes beyond the right to life and physical integrity and includes a wide range of civil, political, economic, social and cultural rights. See 2011 OHCHR/DPKO/DPA/DFS Policy on Human Rights in Peace Operations and Political Missions.

<sup>17</sup> See the Secretary-General's Bulletin on the Observance of IHL in peacekeeping (ST/SGB/1999/13). When and where IHL is applicable to a specific peacekeeping operation, mission-specific IHL guidance will be developed as required, in close coordination with OHCHR and the Office of Legal Affairs.

<sup>18</sup> S/RES 1894, 2009, para. 19.

<sup>19</sup> See E.4.1 below.

<sup>20</sup> See E.4.2 below.

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may lead to the suffering and death of vulnerable individuals and can compromise the overall credibility and effectiveness of the peacekeeping operation in the country.

**23. Consonant with the principles of peacekeeping:** Peacekeeping operations operate with the consent of the host state, are impartial in implementing their mandate, and use force only in self-defence and as otherwise authorized by the Security Council, including for the protection of civilians. This includes, where necessary, the use of force against elements of government forces at the tactical level where such forces are themselves engaged in, or pose an imminent threat of, physical violence against civilians.

**24. A whole-of-mission activity:** Ensuring the protection of civilians requires concerted and coordinated action between uniformed and civilian components of a mission under the mission's protection of civilians strategy. Relevant provisions of the strategy must be mainstreamed and prioritized into the planning and conduct of activities by all components, including through joint definition of clear, realistic and authorized objectives to eliminate or mitigate threats.

**25. A comprehensive approach:** Due to the multiplicity of actors that contribute to providing protection of civilians, this Policy requires that an analysis be conducted to determine the comparative advantage, optimal positioning and appropriate modes of engagement of the mission vis-à-vis local, national, sub-regional and international protection actors<sup>21</sup>.

**26. In cooperation with humanitarian actors and in respect of humanitarian principles:** UN humanitarian agencies and NGOs undertake a broad range of activities<sup>22</sup> in support of the protection of civilians, individually and within the Protection Cluster. Close and systematic coordination with these actors, particularly the Protection Cluster, is therefore essential while assessing protection priorities as well as when planning activities under the three tiers through established mechanisms, including those required under the Integrated Assessment and Planning (IAP) policy<sup>23</sup>.

Humanitarian actors are civilians entitled to physical protection under the POC mandate. While creating the security conditions conducive to the civilian-led delivery of humanitarian assistance is sometimes included under the POC mandate and does contribute indirectly to a protective environment, this mandated task goes beyond the scope of this policy. Humanitarian actors rely upon their neutrality, impartiality and operational independence (humanitarian principles) for their acceptance by all actors and thus their security and ability to access those in need to deliver assistance. Consequently, maintaining a clear distinction between the role and function of humanitarian actors from that of political and military actors, particularly in conflict and post-conflict settings, is a key factor in creating an operating environment in which humanitarian organisations can discharge their mandate effectively and safely.

**27. A community-based approach:** Actions to protect civilians should be planned in consultation with women, men, girls and boys of the local community and with a view to empowering them and supporting the mechanisms and community-based organisations they have established to ensure their own protection. Addressing vulnerabilities affecting civilians, or taking them into account when designing the protection response, will ensure a sustainable impact. Staff must be mindful in their engagement with communities not to expose people to risk or cause harm through their engagement.<sup>24</sup>

**28. Undertaken with a gender perspective:** In peacekeeping operations, a gender perspective—the process of exposing gender-based differences in status and power, and

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<sup>21</sup> Including through the Mission Concept, the Integrated Strategic Framework and the POC strategy.

<sup>22</sup> Humanitarian actors define the protection concept as “all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law”; see Inter-Agency Standing Committee, *Protection of Internally Displaced Persons*, 1999.

<sup>23</sup> See Para C.9, Integrated Assessment and Planning (IAP) policy.

<sup>24</sup> See relevant guidance, available at [ppdb.un.org](http://ppdb.un.org) and [peacekeepingbestpractices.unlb.org](http://peacekeepingbestpractices.unlb.org), including guidance on Civil Affairs, Human Rights, Child Protection, Gender and Women Protection.

considering how such differences shape the immediate needs, as well as the long-term interests, of women and men—is to be included into all plans, policies, activities, analysis and reports.<sup>25</sup> Such a perspective will ensure that all actions are tailored to the specific needs of women, girls, boys and men, but are also designed to address the disproportionate impact of conflict and post-conflict situations on girls and women. This includes conflict-related sexual violence (CRSV), as one of the root causes of CRSV is gender inequality and discrimination, which must be addressed comprehensively through the full participation and empowerment of women. All Women, Peace and Security resolutions are to be promoted and implemented to this aim.

**29. Undertaken with mainstreamed child protection concerns:** Peacekeeping operations will ensure that child protection is addressed pursuant to all DPKO and DFS child protection guidance and relevant Security Council resolutions on Children and Armed Conflict (CAAC)<sup>26</sup>. This includes, but is not limited to, mainstreaming of child protection into all mission components, child protection training of all peacekeeping personnel, monitoring and reporting of grave violations against children, dialogue with parties to conflict to end grave violations against children, and release of children from armed forces and groups.

## **E.2. Operational Concept for POC in United Nations Peacekeeping**

**30. The three tiers of POC action:** Multidimensional peacekeeping operations mandated to protect civilians have at their disposal a range of instruments with which to accomplish that task. These instruments fall under three distinct tiers, which are articulated below. The three tiers are mutually accommodating and reinforcing and as such should be implemented simultaneously, in accordance with specific mission mandates and in light of the circumstances on the ground. There is no inherent hierarchy or sequencing between the tiers, and action under all three tiers should emphasise prevention and pre-emption,<sup>27</sup> as well as the primacy of the host state's responsibility to protect civilians. All components of the mission have a role to play in each of the tiers.

- Tier I: Protection through dialogue and engagement
  - Tier II: Provision of physical protection
  - Tier III: Establishment of a protective environment
- **Tier I** activities include dialogue with a perpetrator or potential perpetrator, conflict resolution and mediation between parties to the conflict, persuading the government and other relevant actors to intervene to protect civilians, public information and reporting on POC, and other initiatives that seek to protect civilians through public information, dialogue and direct engagement.
  - **Tier II** encompasses those activities by police and military components involving the show or use of force to prevent, deter, pre-empt and respond to situations in which civilians are under threat of physical violence. Those actions are informed by and implemented in close coordination with substantive civilian sections, which help guide the objectives and conduct of military and police operations, including through joint POC planning and coordination structures.
  - **Tier III** activities are frequently programmatic in nature, as well as broad and designed with committed resources for medium- to long-term peacebuilding objectives. Sometimes presented as separate mandated tasks under country-specific resolutions, these activities help to create a protective environment for civilians and are generally planned for independently of the POC mandate. Most of those activities are undertaken alongside or in coordination with programmes by the United Nations Country Team or Humanitarian

<sup>25</sup> See relevant guidance and Security Council resolutions in Section G.

<sup>26</sup> See relevant guidance and resolutions in Section G.

<sup>27</sup> See POC Response phases below.

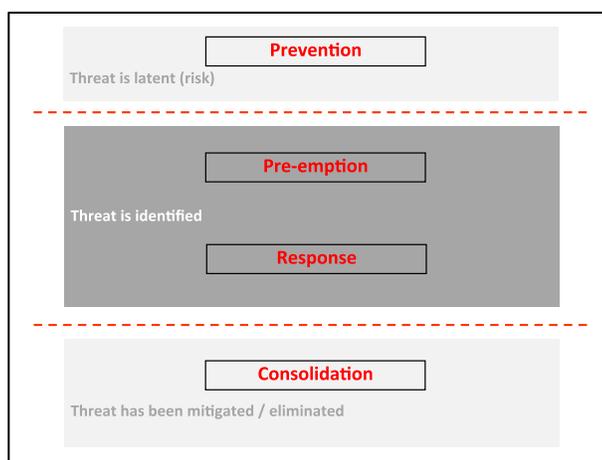
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Country Team and may include the following elements, consonant with the mission's mandate as provided by the Security Council:

- Support the political process;
- Disarm, demobilize and reintegrate ex-combatants;
- Strengthen the rule of law, including through the promotion and protection of human rights, justice, and safe, secure and humane correctional facilities;
- Fight impunity and strengthen accountability to deter potential perpetrators;
- Support security sector reform;
- Manage stockpiles and dispose of mines, arms and ammunitions;
- Put an end to the illicit exploitation of natural resources;
- Contribute to creating the conditions conducive to the voluntary, safe, dignified and sustainable return, local integration, or resettlement of refugees and internally displaced persons (IDPs);
- Support the participation of women in conflict prevention, conflict resolution and peacebuilding, and also support the efforts of the host government towards inclusion of women in decision-making roles in post-conflict governance institutions;
- Help establish security conditions to facilitate delivery of humanitarian assistance;
- Coordinate and cooperate with UN agencies, funds and programmes to support the host government in designing youth employment and other relevant economic development activities;
- Support compensation and rehabilitation of victims;

### E.3. The POC response phases

31. POC operations are implemented along four operational phases: (i) prevention, (ii) pre-emption, (iii) response and (iv) consolidation, with a view to either eliminating a threat or mitigating the risk to civilians associated with it. These phases do not necessarily occur in sequential order and may be undertaken simultaneously or independently. Activities and objectives mentioned under these phases will vary along with the specific content of each country specific mandate and nature of each threat.



- (i) **Prevention:** Prevention activities shall be conducted in areas where no clear threat to civilians has yet been identified.

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To prevent violence by non-state armed groups, inter-communal violence, serious crimes or other situations of internal disturbance, the mission will:

- Monitor violations of national, international human rights, humanitarian and refugee law, including conflict-related sexual violence and grave violations against children, and conduct public information campaigns to promote human rights, including gender equality, women's and children's rights;
- Support the extension of the state and its authority across its territory and along its borders, promote good governance and the rule of law, particularly the criminal justice chain and prison security;
- Ensure a visible presence of UN military and police components, particularly in areas where the state security forces are not present; assure the population of the mission's intent to protect them from physical violence and establish community engagement and alert mechanisms;
- Monitor and investigate international human rights, humanitarian and refugee law violations and advocate for respect for international human rights and humanitarian law with potential perpetrators<sup>28</sup>
- Mitigate political, economic, identity or community conflicts that may escalate into physical violence, including through the provision of good offices, support to the establishment of conflict resolution or statutory, traditional or transitional justice mechanisms and alert the national authorities of those risks;
- Monitor and address vulnerabilities, including supporting access to justice for vulnerable and marginalized groups; disseminating information on rights and potential risks (including mines, explosive remnants of war (ERW) and other explosive hazard risk education); supporting community-based protection mechanisms, such as traditional justice mechanisms; building capacity of civil society, particularly women's organisations, and media; supporting and securing as necessary the provision of humanitarian assistance;
- Mark, fence and clear areas contaminated by mines, ERW and remnant improvised explosive devices (IED);<sup>29</sup> and ensure safe and secure weapons and ammunition storage and management;
- Ensuring the inclusion of and subsequent implementation of international human rights, child protection, women protection and gender standards in peace agreements;
- Monitor, control and address illegal trafficking and the presence of small arms;
- Support the establishment of key infrastructure, including roads, transport and communications in remote and inaccessible areas;
- Coordinate and cooperate with humanitarian and development actors to promote income generation activities for youth in areas where conflict may arise;
- Consult women and promote their participation in the design and implementation of gender-sensitive activities to respond to their protection needs;<sup>30</sup>
- Strengthen capacity of the state and civil society to promote gender equality and women's rights through their empowerment.

To prevent violations of international human rights, humanitarian and refugee law, but also to prevent and minimise collateral damage and other direct or indirect lawful harm caused by state security forces, UN and other international security forces, as applicable, the mission will:

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<sup>28</sup> Ensure that parties know that human rights monitoring is taking place, that violations are documented and that parties will be held accountable for their actions.

<sup>29</sup> See United Nations Security Management System Security Policy Manual (2012), section on IEDs.

<sup>30</sup> For example, consult women to identify threats and risks to their movements and activities, and tailor protection activities to women's mobility patterns and economic activities.

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- Ensure that relevant national, UN and other international security forces are sensitized to, and receive adequate training, on applicable national and international human rights and humanitarian law standards, as well as criminal responsibility of public servants, including security sector officers, for human rights violations and the commission of crimes;
- Support national authorities in establishing or strengthening the criminal justice chain (including military justice) to investigate, prosecute and adjudicate individuals responsible for serious crimes and human rights violations;
- Establish monitoring, reporting, control and accountability mechanisms to track, prevent and address violations of international humanitarian, human rights and refugee law and all other casualties caused by state and international security forces.

**Harm mitigation** – Harm is defined as potential negative consequences to the dignity, safety and security of civilians, in particular of women and children, or civilian objects associated with or resulting from the actions and consequences of those actions by armed forces (national or international security forces) or the mission itself.

Within and beyond the minimum obligations of international humanitarian law, due consideration must be given to respect and preserve human life and cause minimum injury through identifying and mitigating harm to civilians and causing minimum damage to property. To this aim, collateral damage must be avoided or in any case minimized, unobserved indirect fire is prohibited and fire will be limited in duration and intensity. Indirect negative consequences will be analysed and mitigated as required.<sup>31</sup>

- (ii) **Pre-emption:** When likely threats are identified and attacks against civilians are anticipated, pro-active measures are required to mitigate or eliminate them before violence occurs. This requires deterring a party or person(s) from committing hostile acts, or affecting their capacity to do so, including through the use of force. Activities under the prevention phase will continue to be implemented, particularly in areas under threat.

To pre-empt violence by non-state armed groups, inter-communal violence, serious crimes or other situations of internal disturbance affecting civilians, the mission will aim at eliminating the intent and/or capacity of the perpetrator(s). To ensure a sustainable impact, activities will preferably, and as appropriate, be conducted in support of state authorities, by mobilizing or persuading them to act. Measures may include:

- Public information on POC and human rights reporting, as well as pro-active engagement and advocacy with potential perpetrators of violence and third parties<sup>32</sup> that may positively influence the actions of perpetrators. Engagement will aim at sensitizing them on obligations under national and international human rights, humanitarian and refugee law and existing accountability mechanisms;
- Actions to mobilize, persuade and support state authorities to extend their presence and ensure rule of law and public order in the area(s) under threat, particularly by applying the required accountability, conflict resolution and reconciliation mechanisms;
- Security operations may be conducted unilaterally, in a coordinated manner, or jointly with the host authorities. These can entail credible deterrence actions or engaging in offensive operations to prevent violence against civilians. Commanders should, where appropriate, consider the use of alternatives to the use of force. Those may include (but are not limited to) deception, psychological methods, negotiation, rapid deployments and reinforced military and/or police presence and patrolling, including the protection of key sites, facilities (including prisons), areas or goods; cordon and search operations; counter IED activities; interposition and show of force / manoeuvre of larger forces to demonstrate resolve. Should a non-state armed group be identified as a systematic source of violence against civilians, offensive operations may also be considered. To enhance impact, all security operations will be implemented in support of and/or close

<sup>31</sup> Cf. Annex B for examples of mitigation measures during security operations.

<sup>32</sup> Including influential member states, expert groups under the Security Council Sanctions Committee, the International Criminal Court, the media, or relevant UN and NGO partners.

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coordination with judicial or non-judicial accountability processes; conflict resolution processes; and disarmament, demobilisation and reintegration (DDR) and/or security sector reform (SSR) mechanisms;

**Forced displacement:** Peacekeeping missions shall first seek to prevent forced displacement by addressing threats in villages or places of habitual residence. Should the mission lack the opportunity, capacity or political space to do so, it may also provide direct physical security to civilians at risk, and/or as a measure of last resort and upon request of communities, secure their movement to and their stay in more stable areas. Contingency plans must be in place to afford physical protection in areas of displacement and accommodate internally displaced people (IDPs), in order of priority:

1. Outside UN premises, including in IDP camps or with host communities;
2. In areas adjacent or close to existing mission premises identified for that purpose;
3. *In extremis situations*, including due to a lack of preparedness or where the mission has insufficient military or police capacity to secure a site outside the mission compound, in 'POC sites' within existing mission premises.<sup>33</sup> This option will be enabled for the minimum duration possible, and the decision to relocate IDPs shall lie with the mission leadership, acting in close consultation with the Humanitarian Country Team (HCT).

Each situation described above may pose risks to the civilians to be protected and/or UN personnel. For instance, hosting civilians close to or within mission premises may endanger the very civilians the mission is trying to protect or jeopardize the safety and security of mission personnel.<sup>34</sup> All such risks must be identified and measures to minimize or eliminate them shall be taken, including through advance planning, political engagement, training or the allocation of specific mission resources and capabilities by relevant mission components.

Whenever population displacement is expected, planned or occurs, the mission will contribute to the development of a comprehensive response, in close coordination with national authorities and humanitarian partners, including the Protection Cluster, and in line with relevant international standards, including the United Nations Guiding Principles on Internal Displacement and, where ratified, the Kampala Convention<sup>35</sup>. As part of the consolidation phase, it will also contribute to creating the conditions for interim and durable solutions,<sup>36</sup> including a safe, voluntary and dignified return or local integration of those internally displaced populations. In close coordination with the UN High Commissioner for Refugees (UNHCR), protection shall also be afforded to asylum seekers and refugees, including those fleeing to safety or returning home across international borders.

To pre-empt violations of international humanitarian, human rights and refugee law, but also to prevent and in to minimise collateral damage and other direct or indirect lawful harm caused by state security forces, UN and other international security forces, measures will include:

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<sup>33</sup> Further information and guidance on the topic can be found in the DPKO/DFS Lessons Learned note on civilians seeking protection at UN facilities (2014) and examples of in-mission guidance can be shared upon request, including the the UN Mission in South Sudan (UNMISS) Guidelines on civilians seeking protection at UNMISS bases.

<sup>34</sup> Civilians to be protected, but also the peacekeeping mission itself, may become targets of violence by state or non-state armed elements. Some civilians hosted within mission premises may also become a source of insecurity for other civilians and UN personnel.

<sup>35</sup> Particular attention will be paid to instances of forced displacement, the provision of information to and consultation of displaced populations, and vulnerabilities to take into account for all displacement processes: unaccompanied minors, female headed households, particular situation of indigenous people and minorities, persons with disabilities, the elderly, property and possessions left behind, access to education and overall humanitarian assistance.

<sup>36</sup> Achieved when former IDPs no longer have specific assistance and protection needs that are linked to their displacement and such persons can enjoy their human rights without discrimination resulting from their displacement. A durable solution can be achieved through return, local integration, or settlement elsewhere in the country, as spelled out in the Inter-Agency Standing Committee (IASC) Framework on Durable Solutions for IDPs (2010).

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- Pro-active engagement, advocacy with and support to relevant state and international institutions whose elements have perpetrated violence against civilians. Particularly, the mission will aim at:
  - Reinforcing prevention mechanisms in the area under threat, including activities to support relevant security forces in further sensitizing and training their elements, activities to immediately strengthen the criminal justice chain to process perpetrated crimes, but also to reinforce monitoring, reporting, control and accountability mechanisms;
  - Reinforce monitoring, reporting, control and accountability mechanisms to track, prevent and address violations of international humanitarian, human rights and refugee law and all other casualties caused by state and international security forces. Particularly, ensure relevant state authorities investigate and take action to punish perpetrators in areas most affected by human rights violations or instances of disproportionate collateral damage.
- Engagement and, as relevant, support to third parties that may positively influence the actions of national or international security forces;
- Public information and reporting on misconduct, violations and other forms of harm and actions taken to address them;
- Consistent implementation of the Human Rights Due Diligence Policy on United Nations support to non-UN security forces (HRDDP), applicable to most forms of support provided by the Mission and other UN entities to non-UN security forces, which will further strengthen the POC mandate implementation and provide peacekeeping operations with leverage to influence behaviour and establish harm mitigation measures;
- The mission military and police components may conduct security operations to stop on-going violence against civilians by state security forces at the tactical level, as described in the paragraph hereunder.

**Threats posed by elements of the forces of the host state:** Instances in which elements of state security forces pose a threat to civilians are some of the most challenging to address under the POC mandate, as a robust military or police response by peacekeeping operations may result in insecurity for peacekeepers and even affect the host state's strategic consent for the mission. To avoid such situations and ensure an effective and sustainable restoration of security for civilians, missions must ensure from the early stages of deployment that they prioritize their activities so as to enhance and support the intent and capacity of the host state to assess protection threats and fulfil its responsibility to protect. However, **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.

Should central state authorities not recognize violations or harm caused by national security forces or oppose the mission's response to protect civilians in a given situation, political engagement and advocacy by senior mission leadership is required to sensitize the judiciary and high-level security officials on the issue(s) at hand, including by sharing information and analysis on the perpetrators and violations monitored by the mission. Continued lack of recognition by central authorities is equivalent to a lack of strategic consent and will hamper effective actions by the mission to implement its protection of civilians mandate; the mission will therefore need to seek support and guidance from Security Council members and UNHQ.

- (iii) **Response:** Whenever physical violence against civilians is apparent, missions will aim immediately at stopping aggressors from conducting hostile acts through political, security or legal means.

32. To ensure a sustainable impact, activities will preferably, and as appropriate, be conducted in support of state authorities, by mobilizing or persuading them to act. Measures, in addition to those already described in the prevention and pre-emption phase, may include:

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- Actions to further mobilize, persuade and support state authorities to extend their presence and ensure human rights, rule of law and public order in the area(s) affected by violence, particularly by applying the required conflict resolution, judicial, DDR or SSR mechanisms, and by providing any additional training or expert advice, as required;
- Direct action targeted at perpetrators to affect their intent or capacity, including through security operations and the gradual use of force to stop on-going violence or control and disperse assemblies of potential perpetrators;
- Should the mission lack the capacity or political space to stop aggressors, it may also provide direct physical security to civilians at risk or accompany and secure their movement to more stable areas, with due regard to their expressed wishes;
- Even in the absence of an executive mandate, the military ROE and the police DUF describe the circumstances under which peacekeepers may use force, including to apprehend and temporarily detain hostile persons or groups and, where appropriate, hand them over to the national authorities in accordance with the *DPKO and DFS Interim Standing Operating Procedures on Detention in UN Peacekeeping Operations*. In addition to the latter SOP, mission-specific guidance will be developed as required, such as standard operating procedures (SOPs) for the handover of children detained because of their association with armed forces or groups; in close coordination with the Office of Legal Affairs, the Office of the High Commissioner for Human Rights (OHCHR) and other relevant entities<sup>37</sup>;
- Actions to collect, register and preserve evidence of crimes against humanity, war crimes, genocide, other serious crimes, including sexual violence as well as grave violations of human rights, for subsequent criminal investigation and prosecution of alleged perpetrators at national or international level.

**(iv) Consolidation:** When violence against civilians is subsiding, the mission will support the progressive return to stability and normalcy. These activities will be conducted as required in support of or in close coordination with host authorities and the UN Country Team (UNCT) and other partners.

33. Specifically, the mission will:

- Contribute to creating the conditions conducive to the voluntary, safe, dignified and sustainable return, local integration, or resettlement of refugees and internally displaced persons (IDPs), in coordination with national authorities and humanitarian partners;
- Support the reintegration of ex-combatants, particularly of children formerly associated with armed forces or groups;
- Support, through ensuring conducive security conditions, the provision of civilian-led humanitarian, rehabilitation and/or recovery assistance and promote the compensation of victims of violence, as applicable;
- Accompany the implementation of local peace and reconciliation processes, including supporting women's leadership and participation as well as through statutory, traditional or transitional justice mechanisms;
- Take steps to fight impunity and further restore or extend the authority of the state and the rule of law, including accountability for violations and transitional justice;

### **E.4. Implementing the Protection of Civilians mandate**

#### **E.4.1. Protection of Civilians threat and risk assessment**

34. **Early warning:** Forward-looking threat and risk assessment will enable the mission to anticipate and prevent violence before it occurs or, at a minimum, mitigate its impact on civilians.

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<sup>37</sup> In any case of detention, duly notify ICRC and provide access to detainees.

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To this aim, the mission will identify the indicators, information sources, processes, resources and capabilities required to provide adequate early warning analysis and alerts.

35. No mission can protect everyone, everywhere. **Mission components are therefore constantly required, at strategic, operational and tactical levels, to jointly determine the priority threats to address**, in close consultation with communities, humanitarians and other actors. To this aim, they will follow the below process:

### (i) Assess threats

36. All situations of impending physical violence on civilians shall be considered POC threats, no matter the source of the threat.

37. **Political and security assessments:** A relapse into conflict by parties to a peace or cease-fire agreement, including violence accompanying key milestones of the peace process will generally have the highest impact on the security of civilians. Political, conflict or security threat and risk assessments will therefore be aligned or integrated<sup>38</sup> with the POC threat analysis and provide useful information on all possible situations and perpetrators of violence.

38. Overall, missions will analyse the nature, deployments, modus operandi, **capacity** and **intent** of actual and potential perpetrators of violence that may affect civilians.<sup>39</sup> They will also assess the **opportunity** for a threat to materialize, i.e., when the time, location, terrain or weather conditions and other contextual factors<sup>40</sup> allow for a perpetrator to inflict violence. UNMAS activities such as Weapons Technical Intelligence directly contributes to POC threat assessments assisting in identifying the types of devices used and associated tactics, techniques and procedures of those that use them and providing evidence related to perpetrators of attacks using IEDs.

39. **Monitoring of violations** under national, or international humanitarian, human rights and refugee law or shortcomings in the functioning of the criminal justice system, will provide information and analysis regarding the responsibility, gravity, intensity, pattern and scale of physical violence affecting civilians and enable historical trend and impact analysis.

40. Beyond violations, missions will also **track and report on all casualties** as a result of lawful actions by peacekeepers, state or other international security forces and non-state armed groups. Collateral damage caused by security forces or casualties resulting from mines and ERW will, for instance, require specific attention in certain contexts.

### (ii) Identify communities at risk and assess vulnerabilities

41. **Distinguishing civilians from combatants:** Civilians may be in the possession of arms, without necessarily having a status of 'combatant'.<sup>41</sup> Combatants from state security forces, affiliated proxies or non-state armed groups may, on the other hand, display no visible signs revealing their status, such as military fatigues. Missions shall therefore carefully analyze, determine and disseminate appropriate guidance on the distinction between civilians and combatants encountered in their area of responsibility (AOR). In case of doubt, the individual or group of individuals shall be considered civilian and afforded the protection owed to civilians until determined otherwise.

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<sup>38</sup> See latest Joint Mission Analysis Cell (JMAC) and Joint Operations Centre (JOC) guidance for required or possible joint formats, tools, mechanisms and processes.

<sup>39</sup> See Annex B for a list of possible indicators.

<sup>40</sup> Those factors also have an indirect impact on civilians, who may suffer additional casualties as a result of harsh weather conditions or be deprived of assistance due to distance or lack of access.

<sup>41</sup> Under international humanitarian law, civilians who are in the possession of arms, for example, for the purpose of self-defense and the protection of their property but who have not been, or are not currently engaged in hostilities are entitled to protection.

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42. **Community engagement:** When identifying priority populations to be protected, missions will seek early-warning information through monitoring, engagement and consultations with civil society organisations and communities. Civilian components will be the main conduit for community engagement, in close coordination with humanitarian partners, and where deployed, Community Liaison Assistants may assist the military component in this regard. *All mission staff must be mindful, while engaging with communities, not to expose civilians to risk or cause harm through their engagement, particularly those with specific vulnerabilities, including girls, boys or women, witnesses and victims of violations. To ensure confidentiality and informed consent regarding the use of information, sensitive data regarding victims and witnesses will be appropriately managed and secured, in line with relevant guidance.*

43. **Vulnerable groups:** While all civilians may be victims of physical violence and therefore require protection from it, missions will pay specific attention to individuals or groups most at risk of facing or suffering from such violence, including girls and boys, women, minority groups, refugees, internally displaced, persons with disabilities, the wounded and older persons, but also professionals at risk including human rights defenders, medical personnel, teachers, journalists and humanitarian personnel. The level of vulnerability of an individual will vary, including with time or a specific operational context.

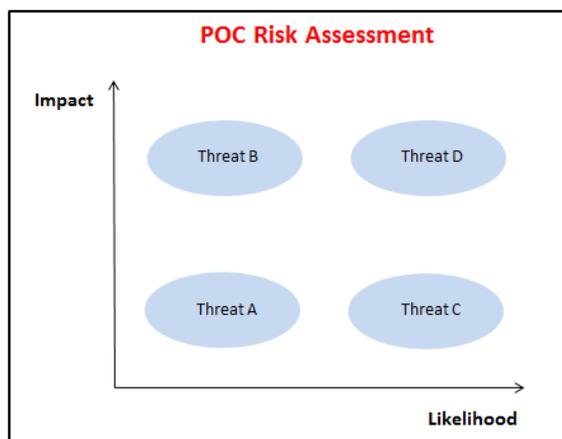
44. **Information management:** Missions will ensure the consolidation and consistency of information related to incidents affecting the security of civilians. All reports will include, at a minimum, disaggregated data on the number of killings, rapes and other incidents affecting the security of civilians, per area, gender and age category. Assessing the nature and level of vulnerability to violence of different categories of civilians will also enable better responses to their specific protection needs. The duration of exposure to violence, including forced displacement, may constitute an aggravating factor to be taken into account.

45. **Livelihoods and civilian objects:** Civilians are affected by immediate instances of violence, but also by their consequences. Securing life-saving civilian objects, including key health or water and sanitation facilities, installations and equipment or supplies, but also essential goods or livelihoods assets (food, crops, livestock), may constitute priorities for POC action. Schools are also protected under international law.

(iii) **Assess capacity and intent of other protection actors**, including state authorities, international security forces, civil society, human rights, humanitarian and development actors.

(iv) **Evaluate the risk associated with POC threats**

46. **POC risks:** Defined by the level of exposure of a civilian or group of civilians to a threat, a POC risk will be measured by the **likelihood** of occurrence of the threat, as well as the actual or potential **impact** of violence on civilians. The latter is a combined assessment of the scale, gravity, intensity, regularity or systematic nature of violence. Both likelihood and impact are a result of the capacity, intent and opportunity for the perpetrator to inflict violence, and the vulnerability of the civilians to the threat but also to the presence, capacity and intent of protection actors, who play a deterrent role.



**(v) Prioritize situations to address**

47. **Imminent threats:** The protection of civilians mandate often specifies an “imminent” threat of physical violence. A POC threat is considered imminent as soon as the mission has a ***reasonable belief that a potential perpetrator displays a hostile intent, capacity, historical record and opportunity to inflict physical violence***. The term ‘imminent’ does not therefore imply that violence is guaranteed to happen in the immediate or near future or is being carried out. A threat of violence against civilians is imminent from the time it is identified until such time that the mission can determine that the threat no longer exists.

48. **Priority threats:** Missions shall prioritize threats to civilians that pose the highest level of risk to civilians (threat D in the chart above) and may have to arbitrate between different categories of threats. For instance, responding to on-going instances of low-level violence vs. preventing less likely threats that may take a high toll on populations (threat B vs. threat C)<sup>42</sup>.

49. **Decision process:** Missions will decide to respond to a specific POC threat in relation to:

- (i) The nature of the threat and risk to civilians associated with it;
- (ii) The mission’s ability to address the threat, unilaterally or jointly with other protection actors;
- (iii) The comparative advantages and expected impact the mission may have in mitigating or eliminating the threat; and
- (iv) The possible negative consequences of its actions or inactions. While a mission’s actions can lead to direct or indirect harm to civilians, possible political fallout or retaliatory attacks, a failure to act can also result in civilian harm, a loss of legitimacy and ability to deter. Both action and inaction may result in heightened insecurity for peacekeepers and/or civilians.

50. **Mission Threat Assessment and POC Threat Matrix:**<sup>43</sup> Overall POC threat and risk analysis will result in a priority list of threats to be addressed. At the strategic level, medium- to long-term POC threats will be incorporated in the POC strategy and aligned with the Mission Threat Assessment. At the operational and tactical level, POC concerns over a few days to a few months will be presented and regularly reviewed through the POC Threat Matrix. Approved by the Head of Office or equivalent at the tactical or operational level, the POC Threat Matrix must prioritize situations to address and indicate the required contribution of relevant mission components.

**E.4.2. Protection of civilians response planning**

<sup>42</sup> For example, diverting resources to avoid possible mass violence related to political milestones of a peace process, such as elections, may be prioritized over a response to on-going low intensity communal conflicts or criminality.

<sup>43</sup> See JMAC guidance on the Mission Threat Assessment and POC Policy Annex B on the POC Threat Matrix.

51. **Joint planning and coordination of POC Operations:** Effective POC requires focused and joint civilian-police-military planning for all POC actions under the POC Strategy, taking into account potential negative consequences of those actions and required risk or harm mitigation measures.

52. From the start, all missions with a POC mandate shall establish POC planning and coordination fora at the strategic, operational and tactical levels, which include relevant representatives of the UN humanitarian community<sup>44</sup> as appropriate. They shall also appoint, as required, an adequate number of POC Advisers to support the mission leadership in coordinating all POC activities.<sup>45</sup>

53. **Preparedness:** At all times, peacekeeping operations with a POC mandate must show a high level of readiness for POC, including through the development and management of relevant contingency plans, in-mission guidance and SOPs, coordination mechanisms, information management, early warning and response tools and processes, public information and training activities. All preparedness activities will be presented in a **POC Action Plan**<sup>46</sup>.

54. Also as part of their preparedness activities, missions must ensure they deliberately and regularly assess<sup>47</sup>, avail and manage adequate **resources and capabilities** in line with the POC threat assessment and priority activities, including deployments, human resources, information technologies, and ground or air assets. Missions will pay specific attention to ensuring a minimum projection, rapid reaction, redeployment or temporary deployment capacity. The police and military components in particular will prioritise mobility over static presence and ensure the POC threat assessment informs deployment planning (force composition and disposition).<sup>48</sup> As required, POC activities by substantive sections and components of the mission will be supported and prioritized by the Director of Mission Support, including logistical support to deployments in priority POC areas. Any mission asset can be mobilized to implement the POC mandate.

55. **Reporting, monitoring and evaluation (M&E):** The Special Representative of the Secretary-General and senior mission leadership across the civilian, military, and police components are accountable and must ensure implementation of POC mandates. Missions will monitor, evaluate and report on progress made in the implementation of the POC mandate and the related impact on the protection environment. As one of the available tools to this effect, joint military, police and civilian M&E teams will assess the mission's response to all major POC incidents or crises and promptly report on its findings to the mission leadership and UNHQ. Any POC related contravention of the ROE or DUF must, however, be investigated through a formal Board of Inquiry, as for any other ROE/DUF violation. Dedicated mission-wide monitoring activities related to implementation of the POC mandate will be undertaken regularly, based on clear benchmarks and indicators. This will enable missions to monitor their performance, establish trends and take corrective action. Moreover, all peacekeeping operations with a POC mandate will conduct a rapid and quarterly evaluation of their impact on the POC environment and report accordingly at the operational and strategic levels. After all evaluations or investigations, necessary remedial or corrective measures will be taken to avoid reoccurrence and/or improve the POC response of the mission. UNHQ will provide the missions with guidance and support in the definition and implementation of suitable indicators and processes for monitoring, evaluation, and reporting purposes.

56. **Impartiality and public information:** All activities of the mission will be conducted so as to ensure impartial actions and maintain an impartial image. Key measures to take in that regard

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<sup>44</sup> Including Office for the Coordination of Humanitarian Affairs (OCHA), UNHCR (Protection Cluster lead) and UN Children's Fund (UNICEF) (MRM Taskforce co-chair).

<sup>45</sup> See examples of TORs for coordination mechanisms and POC Advisers in Annex B.

<sup>46</sup> Cf. sample POC Action Plan in Annex B.

<sup>47</sup> See Protection of Civilians (POC) Resource and Capability Matrix for Implementation of UN Peacekeeping Operations with POC Mandates, DPKO/DFS (2012).

<sup>48</sup> For more details, see DPKO/DFS Guidelines on Implementing Protection of Civilians Mandates by Military Components of United Nations Peacekeeping Operations (2015).

include the monitoring of community perceptions, public and internal information and sensitization on mandate and activities.

## F. TERMINOLOGY

The following definitions are provided to clarify the protection of civilians mandate and to improve its understanding amongst UN peacekeeping personnel. These definitions do not replace or supersede mission-specific rules of engagement, legal advice, or the decisions of senior mission leadership in particular situations.

**Civilian:**<sup>49</sup> Any person who is not or is no longer directly participating in hostilities or other acts of violence shall be considered a civilian, unless he or she is a member of armed forces or groups. In case of doubt whether a person is a civilian, that person shall be considered a civilian.

**Threats of physical violence or POC threats:** Encompass all hostile acts or situations that are likely to lead to death or serious bodily injury, regardless of the source of the threat. Such situations may include potential or actual physical harm to civilians associated with the presence of mines, ERW and remnant IED, acts or attempts to kill, torture or maim; forcibly displace, starve or pillage, commit acts of sexual violence, recruit and use children by armed forces and groups, abduct or arbitrarily detain persons. Those situations may be caused by elements of state<sup>50</sup> and non-state actors to an armed conflict, inter-communal violence, serious crimes or other situations of internal disturbance affecting civilians.

**Hostile Act:** An action that is likely, or is intended to cause death, serious bodily harm or loss or destruction of property.

**Hostile Intent:** The threat of an impending use of force, which is demonstrated through an action or behaviour which appears to be preparatory to a hostile act. Only a reasonable belief in the hostile intent is required before the use of force is authorized.

**Reasonable belief:** A belief that a reasonable person would logically and sensibly hold on the basis of the conditions and circumstances as they are known to him or her at that specific point in time.

**Rules of Engagement / Directive on the Use of Force:** Guiding documents, for the military and police components respectively, which define the degree of force that may be used and the manner in which it may be applied.

**Collateral Damage:** Incidental loss of civilian life, injury to civilians, or damage to civilian property not part of an authorized target.

**The Protection of Civilians and the Responsibility to Protect:** The responsibility to protect (R2P) also aims at addressing instances of physical violence, with a specific focus on mass atrocities (genocide, war crimes, crimes against humanity and ethnic cleansing). While the R2P framework shares some legal and conceptual foundations and employs some common terminology with POC, they are distinct. Most importantly, R2P may be invoked without the consent of the host state, specifically when the host state is failing to protect its population. R2P thus envisages a range of action that goes beyond the principles of peacekeeping, which require the consent of the host state.<sup>51</sup>

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<sup>49</sup> The definition of civilian proposed in the present document is without prejudice to the definition of civilian under IHL. National UN staff and their dependents shall be afforded specific protection, as per existing guidance by the UN Department of Safety and Security.

<sup>50</sup> Including proxies and other state-associated entities.

<sup>51</sup> See <http://www.un.org/en/preventgenocide/adviser/responsibility>.

**G. REFERENCES****Normative or superior references**

- A. United Nations Charter (1945)
- B. Security Council resolution 2086 (2013)
- C. Security Council resolution on the Protection of Civilians: 1265 (1999), 1270 (1999), 1674 (2006), 1894 (2009), 2145 (2014)
- D. Security Council resolution on Women, Peace and Security: 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013)
- E. Security Council resolution on Children and Armed Conflict: 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014)
- F. Reports of the Special Committee on Peacekeeping Operations and its Working Group: A/63/19 (2009), A/64/19 (2010), A/65/19 (2011), A/66/19 (2012)
- G. ST/SGB/1999/13 Observance by United Nations forces of international humanitarian law
- H. ST/SGB/2003/13, Special measures for protection from sexual exploitation and sexual abuse
- I. Human rights due diligence policy on United Nations support to non-United Nations security forces, A/67/775 (2013)

**Related policies, procedures or guidelines**

- A. United Nations Peacekeeping: Principles and Guidelines, DPKO-DFS (2008) (“Capstone Doctrine”)
- B. United Nations Policy on Integrated Assessment and Planning (2013)
- C. Interim Standard Operating Procedures on Detention in United Nations Peace Operations, DPKO/DFS (2010)
- D. OHCHR/DPKO/DPA/DFS Policy on Human Rights in UN Peace Operations and Political Missions (2011)
- E. DPKO/DFS Civil Affairs Policy (2008) and DPKO/DFS Civil Affairs Handbook (2012), including sections on POC;
- F. DPKO/DFS Guidelines on understanding and integrating local perceptions in UN peacekeeping (2014)
- G. DPKO/DFS guidelines on integrating a gender perspective in the work of the UN military and police in Peacekeeping Operations
- H. Analytical Inventory of Peacekeeping Practice to Address Conflict-Related Sexual Violence (2010)
- I. UN Action Matrix of Early Warning Signs for Conflict-Related Sexual Violence (2011)
- J. DPKO/DFS Guidelines on Implementing Protection of Civilians Mandates by Military Components of United Nations Peacekeeping Operations (2015)
- K. DPKO/DFS Guidelines on the Deterrence and Use of Military Force in United Nations Peacekeeping Operations (2014)
- L. UN Basic Principles on Use of Force and Fire Arms
- M. DPKO/DFS Policy on Authority, Command and Control
- N. JOC Policy and Guidelines (2014)
- O. JMAC Policy, Guidelines and Annexes (2015)
- P. SG Guidance note on Observance of IHL in peacekeeping (ST/SGB/1999/13)
- Q. DPKO and DFS Interim SOP on Detention in UN Peacekeeping Operations (2010)
- R. DPKO and DFS Guidelines on the Taking, Publication and Distribution of images of persons in custody (2014)
- S. United Nations Security Management System Security Policy Manual (2012), cf. section on IEDs;

**Other related references**

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- A. Reports of the Secretary-General on the protection of civilians in armed conflict
  - B. Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges, Victoria Holt, Glyn Taylor and Max Kelly – DPKO-OCHA (2009)
  - C. Protection of Civilians (POC) Resource and Capability Matrix for Implementation of UN Peacekeeping Operations with POC Mandates, DPKO-DFS (2012)
  - D. Protection of Civilians Coordination Mechanisms in UN Peacekeeping Missions: A DPKO-DFS Comparative Study and Toolkit, DPKO-DFS (2013)
  - E. Report on the Joint Protection Team Mechanism in MONUSCO, United Nations, 2013
  - F. Global Protection Cluster Diagnostic Tool and Guidance on the Interaction between field Protection Clusters and UN Missions (2013)
  - G. Statement on the Centrality of Protection in Humanitarian Action, Inter Agency Standing Committee (2013)
  - H. Review of the reporting by United Nations peacekeeping missions on the protection of civilians, OIOS (A/67/795, 2013)
  - I. Evaluation of the implementation and results of protection of civilians mandates in United Nations peacekeeping operations, OIOS (A/68/787, 2014)
  - J. Lessons Learned Note on civilians seeking protection at UN facilities, DPKO-DFS (2014)
  - K. United Nations Human Rights Up Front Action Plan (2014)
  - L. DPKO POC Action Plan (2015)
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**H. CONTACT**

1. This document was developed by the Protection of Civilians Coordination Team, within the Policy and Best Practices Service, a branch of the Division of Policy, Evaluation and Training, which serves the Department of Peacekeeping Operations and the Department of Field Support; it was developed in close consultation with DPKO and DFS, but also OCHA, OHCHR, UNHCR, UNICEF, OLA and UNDSS policy focal points. Queries or comments should be directed to the POC Coordination Team.

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**I. HISTORY**

1. This is the first revision of the DPKO/DFS Operational Concept for the Protection of Civilians in United Nations Peacekeeping Operations, which was completed and distributed in 2010. In accordance with the DPKO/DFS Policy on the Development of Official Guidance, this policy will be reviewed in two years' time.

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DATE OF APPROVAL: 31/3/2015

DATE OF APPROVAL: 31/3/2015

APPROVAL SIGNATURE:



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# **ANNEXES**

## **TO**

### **DPKO/DFS PROTECTION OF CIVILIANS STRATEGY**

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## **ANNEX A. Framework for the Drafting of Comprehensive POC Strategies**

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### Purpose

This Framework provides the parameters and key considerations for drafting and implementing comprehensive POC strategies, designed to bring coherence in approach, minimize gaps, avoid duplication and maximize the mission's ability to ensure the protection of civilians through the use of its available capacities (civilian, military, police and support elements of the mission). By clarifying the role and activities of the mission and modalities of interface with key partners, comprehensive POC strategies also ensure better coordination with other actors working on POC. Additionally, POC strategies are an important tool for senior mission leadership to ensure that missions take a pro-active approach to POC. Senior mission leaders have an important responsibility in this respect, and must remain engaged in both the development and implementation of comprehensive POC strategies.

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### **I. POC Strategy**

The POC Strategy will highlight and further articulate the overall mandated tasks related to the protection of civilians defined in relevant Security Council Resolution and UN strategic documents including the Mission Concept and the Integrated Strategic Framework. Particularly, it will set the required principles, objectives and benchmarks; provide an overall threat, risk and capacity assessment; and define the required approach and activities and the relative roles and responsibilities as well as coordination and engagement mechanisms with other actors. The strategy will also include and present all documents, activities and processes to enable preparedness on POC, managed under the POC Strategy Action Plan. They include training, reporting, monitoring and evaluation, early warning and rapid response processes, as well as a strategy to communicate and manage expectations related to the mission's POC mandate.

Other UN entities in the mission area with protection mandates or programmes should be actively involved in the development of the strategy, as it also informs the coordination that needs to take place with UN actors in the mission area in order to develop and effectively implement these strategies. The need to address risks to civilians makes coordination on this issue all the more vital. The precise relationship and level of coordination on POC between the mission and other UN actors will vary from context to context, and may be influenced by a number of considerations, including:

- The specific integration arrangements that have been established between the mission and other UN actors in the mission area;
- Any overlap between the protection of civilians mandate of the UN peacekeeping mission and the protection activities of UN actors; and
- The plans for the peacekeeping mission to drawdown and/or withdraw, and any impact this may have on the on-going protection work of UN entities.

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## II. POC Strategy drafting process

The process of drafting a POC strategy provides an opportunity to clarify roles and responsibilities with protection actors within and outside of the mission and better coordinate POC prevention and response measures with them. In this respect, the consultation process is central to the development of the strategy. All relevant protection actors, including the host authorities and the local population, should be consulted on the development of the strategy, though their level of involvement will vary depending on the political and operational context of the mission. In order to ensure effective consultations in this respect, the following issues shall be determined prior to commencing the drafting process.

Drafting office: Experience clearly demonstrates that support from the senior mission leadership is one of the most critical aspects of drafting a well-consulted POC strategy and ensuring its implementation. While the senior mission leadership shall identify an office to draft the strategy, their engagement throughout the entirety of the drafting process, and in leading the mission's posture vis-à-vis POC more generally, is vital. The drafting office shall be designated based not only on its area of expertise, but also taking into consideration that creating consensus among mission components and other key stakeholders is essential for effective POC implementation. This should be facilitated through the convening of a working group/task force across relevant mission components, and including external protection partners, as appropriate.

Due to the multiplicity of mission planning processes and conceptual frameworks, all POC planning activities will be closely coordinated with the mission's strategic planning cell. The latter will ensure overall consistency amongst strategic planning processes and insertion of POC as a priority in relevant plans and strategies, including the Mission Concept, ISF, RBB, etc.

Drafting timeframe: While sufficient time should be invested in undertaking the necessary consultations to ensure buy-in with all relevant actors, the mission should endeavor to finalize the drafting process within three months.

Consultation process: The drafting office shall determine who should take part in the consultation process, what elements of the draft they shall be consulted on, and the methodology with which these consultations will take place.

- **Host government:** early engagement with the host government is critical in reminding them of their obligations under international human rights, humanitarian and refugee law, clarifying the roles and responsibilities in relation to the mission's POC mandate, assessing the government's strengths and weaknesses vis-à-vis POC, understanding and managing the expectations of the host authorities, and articulating the POC priorities identified by the mission and the local population. These consultations should include all government agencies involved in POC and not solely the law enforcement and security institutions. The lack of consultation with the government on POC has in some cases led to considerable political and operational challenges for the mission. Nonetheless, the political context in which the mission is deployed and the capacity and willingness of the host government to meet its obligations under international law shall be considered when determining the extent of their involvement in the consultation process.
- **Non-state armed groups:** Engaging non-state armed groups on protection of civilians issues may be necessary, where appropriate and security permitting. However, direct consultations with them on the strategy itself may not be required. These groups can

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pose distinct protection risks for civilians in the areas in which they are present, while in some cases they may provide security in the area they occupy. Therefore, they need to be informed of their obligations vis-à-vis the protection of the local population contained within international humanitarian law. The mission must determine how it will configure its response to these risks and opportunities, and how it will work with other protection actors in the mission area to this end.

- **Local population:** Sustained dialogue with the women and men from the local population is required to identify the threats posed to them and their vulnerabilities, and to understand how the mission can support existing protection capacities within the local community. Their perception on the security situation should be one of the most important indicators in defining the success of the mission's role in providing protection. Dialogue from the early stages of a mission's deployment also provides an opportunity to understand and manage their expectations with regard to the POC mandate of the mission. Consultations with the local population should include groups at risk (women, children, older persons, the displaced and minorities) and key civil society groups (traditional authorities, religious groups, human rights organizations, refugee/IDP committees in camps, women's groups, etc.), to take into account all perspectives on threats and possible solutions. When consulting with the population, the mission shall seek the advice of external protection partners who may have existing linkages and trust established with the communities.
- **UN Headquarters (UNHQ):** The mission shall receive strategic guidance and support from UNHQ when drafting the strategy, including with regard to matters related to the mandate established by the Security Council and the role of troop and police contributing countries. The parameters of the mission strategy should be discussed with the Integrated Operational Teams (IOTs) and the POC Coordination Team before drafting begins. The strategy should be shared in draft for comments with the Integrated Mission Task Force and the Office of Legal Affairs.
- **In mission:** The military, police, and relevant civilian and support components shall be part of the consultation process to ensure that POC is addressed in a comprehensive manner. The Chief of Staff and mission planning officer shall be involved to ensure the strategy is aligned with other mission planning documents. In settings where an integrated JOC and JMAC exist, these bodies should help develop appropriate analytical and mapping tools to inform the drafting process and provide appropriate situational awareness and reporting. The preparation of the strategy should be consulted with senior leadership of the Mission and the UN Country Team, through the integrated mission's planning team or equivalent.
- **UN protection actors, independent humanitarian organizations and NGOs / CSOs (including women and youth organizations):** Such consultation will ensure that linkages are made with their activities and that areas are identified where coordinated effort would be required. Many of these actors usually have protection strategies developed by the Protection Cluster and its sub-working groups, including on child protection and gender-based violence. Others work independently but, depending on their mandates and working methods, are willing to consult with UN actors to varying degrees. These consultations will facilitate the mission's development of its own POC strategy and allow for the mission and other existing strategies to be better coordinated and/or linked, as appropriate.
- **Security Council, Troop and Police Contributing Countries:** It is crucial that the mission understands the Security Council's vision and expectations vis-à-vis POC. Likewise, the

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Council must understand the POC risks facing civilians in the mission area, and the mission's capacity to address those risks. Early consultation at UNHQ with the T/PCCs during the drafting of the POC strategy is also necessary to create a common understanding with them on the POC risks where their troops and police are deployed, to ascertain possible concerns and caveats that they may have, and to ensure that they understand the Council's intent vis-à-vis the mission's POC mandate.

POC Strategy development and timeframe: The strategy shall cover a one year timeframe. Significant changes in the operating environment and/or in the Security Council mandate shall trigger a review of the strategy by senior mission leadership. The POC Strategy shall be focused and concise, taking into consideration past experience which has demonstrated that long and highly detailed strategies, which are not action oriented, are less effective.

Once finalized the strategy should be endorsed by the Head of Mission and the UNCT. The document itself should be disseminated to all mission components involved in the protection of civilians so that they are aware of their responsibilities. Key partners, such as the Protection Cluster, shall also receive a copy of the strategy. Consideration should be given as to whether other partners shall either receive a copy or a summary document, which should be determined based on political and/or operational implications.

The strategy shall be supported by a POC Strategy Action Plan to manage and provide an overview of all POC preparedness and operational activities.

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### III. Template for comprehensive POC strategies

The following template shall form the basis upon which missions draft their POC strategies. While the strategies are required to address all of the elements included in the template, senior mission leadership are provided flexibility regarding the modalities with which they are implemented.

#### A. Purpose, scope and key principles of the strategy

**1. Purpose:** This section shall provide a succinct statement of the purpose and objectives of the strategy, and related benchmarks, in the context of the mission's tasks under the protection of civilians mandate.

**2. Scope:** This section shall reflect the following elements:

- *Compliance:* There shall be a clear statement that compliance with the strategy is mandatory for all relevant staff within the mission, once signed off by the Head of Mission (HOM). The strategy shall also articulate the specific aspects that may involve action from other UN entities with whom the implementation of the strategy is being coordinated.
- *Objectives:* This section shall include a brief statement on the mission's immediate, medium- and longer-term objectives vis-à-vis the protection of civilians, bearing in mind the fact that POC can be provided through the three tiers detailed in the POC Policy.
- *References, alignment and existing strategies:* the POC strategy does not exist in isolation and must be aligned with and linked to other existing protection related strategies and planning documents, both within the mission and externally. This section shall specify their linkages. Specific attention shall be given to linking and complementing priorities identified by the host government and any existing protection strategies which may have been developed by the Protection Cluster and its sub-clusters or mission components. In integrated mission settings, the POC strategy should be explicitly linked to the Integrated Strategic Framework (ISF), which is designed to articulate the UN's strategic vision in a mission context and must include POC as a priority.
- POC strategies should also reflect and be aligned with the military and police CONOPS, ROE and DUF. More details on military and police planning for POC can be found in respective military and police POC guidelines.
- *Reviewing the strategy:* This section shall state the strategy's annual review cycle and should be linked with other mission planning processes (e.g. the Results Based Budget). Nonetheless, it shall be reviewed and revised whenever there are changes in its Security Council mandate and/or to the operating context.

**3. Key Principles:** This section will remind of relevant guiding principles on the protection of civilians included in the DPKO and DFS Protection of Civilians Policy and ensure they are tailored to the mission's environment.

#### B. POC Strategic Threat assessment

The mission's efforts to protect civilians shall be based on a thorough analysis of the POC environment, taking into account threats facing the population, vulnerabilities affecting

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civilians, but also the respective capacity and intent of the State and other protection actors. The POC strategic threat assessment will be reviewed once a year along with the POC Strategy, or whenever major changes occur in the strategic environment. It will inform and be aligned with the Mission Threat Assessment provided by the JMAC.

- In articulating the threats to the population, the mission will identify and prioritize actual and potential strategic threats and provide a detailed analysis of the source of each threat (groups, institutions, etc.);
- Populations at risk and an overview of their vulnerabilities must be presented here. These vulnerabilities should be defined based on any characteristics of the civilians that make them susceptible to those threats (e.g. refugees/IDPs, children, gender, etc.), or to certain geographical features or activities that expose them to threats.

The POC threat assessment presented in the mission's POC strategy will be accompanied by a POC Threat Matrix (cf. Annex B), updated regularly (weekly or monthly) and providing a detailed overview of priority threats to be addressed by the mission at the operational and tactical level, at any point in time.

#### C. POC response model and planned activities

This section will present the approach decided by the mission to prevent, put an end to or mitigate strategic POC threats and risks identified above.

Detailed activities to respond to each threat at any point in time will be presented in the POC Threat Matrix. The latter shall ensure that missions have an agreed multidimensional response in place for each priority threat and shall elaborate the roles and responsibilities of different mission components. These activities shall be further reflected in individual component workplans. In integrated mission settings, the articulation of roles and responsibilities shall be consistent with those spelled out in the Integrated Strategic Framework. In determining what activities will be undertaken to address the identified POC risks, it is important to bear in mind that protecting civilians can include measures across the three tiers.

#### D. Roles & responsibilities of mission components

Given the variety of contexts in which missions carry out the protection of civilians mandate, and the great variety in mission design and structure, there is no single way in which protection of civilians roles should be assigned.

This section shall articulate the general POC-related roles and responsibilities of the various mission actors, while the POC Threat Matrix shall go into the details regarding who undertakes which POC activity at any point in time. This section shall also be consistent with existing DPKO/DFS guidance, such as the Policy on Authority, Command and Control, which provides information on the relevant civilian and management structures in the mission.

#### E. Engagement and Coordination mechanisms

This section shall reflect how the existing coordination mechanisms (or those that are newly established) will be used to coordinate the implementation of the POC strategy within the mission (in mission headquarters, and at the regional and local levels), with UN protection partners, with the host authorities and with local communities.

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**1. Within the mission:** present the existing coordination mechanisms at the strategic, operational and tactical level.

In times of crisis, present how and where all immediate POC activities will be coordinated, including through relevant crisis coordination mechanisms (Crisis Management Teams, Crisis Centres, JOC, Protection Working Group, etc.).

Military and police components, civilian capacities and mission support resources will compose these operational fora. To ensure integration or coordination of activities with the UN Humanitarian Country Team, those fora should include representatives from the humanitarian community (OCHA, possibly accompanied by UNHCR as Protection Cluster lead and possibly other relevant agencies).

**POC lead or coordinator** - While the development of the mission's POC Strategy is placed under the overall responsibility of the senior mission leadership, a designated lead amongst senior mission leaders can be appointed to overview and guide daily POC mandate implementation and coordination mechanisms. Most missions place this responsibility in the hands of one of the Deputy Special Representatives of the Secretary-General (DSRSGs), though protection of civilians activities should not be confined to a single "pillar" of the mission.

**Protection of Civilians Adviser(s)** - Commensurate with the tempo and complexity of protection of civilians activity in the mission, dedicated capacity may be required to support and advise mission leaders in their efforts to manage the mission's POC activity and coordinate early warning analysis and response, planning, reporting, monitoring and evaluation, or training tools and processes related to POC under the POC Action Plan. Such capacity can be established, as required, through the appointment of an appropriate number of Protection of Civilians Advisers attached to the POC lead and heads of field offices, as well as through the nomination of POC focal points within all relevant mission components.

**2. With the host authorities:** Map the government's strengths and weaknesses vis-à-vis the protection of civilians, including possible IHL and human rights violations conducted by elements of the host government. Present the mission's approach to state support vs. direct action to ensure POC under the three tiers. Present the coordination or engagement mechanisms established to regularly consult with the host authorities, at mission HQ and local level.

This section will also articulate how the mission will support the host state to assess POC threats and take up its primary POC responsibilities, including on how the mission will prioritize presence and response by national authorities, including for instance by providing support to extend state authority in the most affected or remote areas (joint operations, co-location, joint investigation teams, prosecution support cells, mobile courts, rule of law hubs, etc.)

Define coordination mechanisms with national authorities at all levels, including at a minimum ministries of Defence, Interior and Justice. Transparency in this respect can assist in instilling confidence with government counterparts that the mission is there to act in support of the host authorities.

On-the-job support for governments to improve the physical security of populations will require the implementation of:

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- Tier I activities: high level political action to share the mission's analysis of risks to civilians and encourage senior government officials to lead appropriate prevention and responsive measures; technical level support to conflict resolution activities;
- Tier II activities: coordination of respective deployments and operations – including joint or unilateral - with state security forces; support to the state rapid reaction capacity;
- Tier III activities: immediate measures to ensure a minimal and/or temporary presence of the state security and rule of law actors in agreed priority areas and longer term extension of state authority.

**3. With local communities:** Present self-protection measures in place and ways to engage with local communities, establish joint early warning and information sharing mechanisms.

When planning for and implementing POC activities, processes need to be in place to interact with civilian communities at all stages. Well placed to provide information on the threats and vulnerabilities affecting them, civilians at risk are also protection actors: they organize themselves to support the most vulnerable and implement measures to enhance their physical security. When addressing vulnerabilities, the mission will therefore prioritize activities in support of community protection mechanisms as appropriate. For instance, specific support can be provided to ensure the mission's presence in areas identified by populations, to establish community alert systems in areas at risk of attacks or to support and monitor the implementation of clauses of a local peace agreement between conflicting communities. Consultations shall not only involve the representatives of the population or traditional authorities, but also groups who are directly at risk, and should capture the views of men, women, boys and girls.

The mission should be cognizant that there may be risks in engaging with or assigning specific responsibilities to community actors, therefore understanding and mitigating potential risk to civilians should guide any engagement. In order to minimize the risks on civilians, civilian components, including civil affairs, human rights, rule of law, child protection, women protection or gender, will guide community engagement and related risk mitigation processes.

**4. With non-state armed groups:** Present how the mission intends to or engages with non-state armed groups, at the strategic, operational and tactical level. Ensure a streamlined and clear engagement process is in place, sanctioned by the mission leadership.

**5. With UN protection actors, independent humanitarian organizations and NGOs:** Present existing coordination mechanisms at all levels with the humanitarian community, including the Protection Cluster and the UNCT/HCT.

The impact of conflict on civilians is a combined result of direct violence and the indirect consequences of this violence, including through displacement or diminished access to life saving goods, services and livelihoods. A comprehensive protection of civilians response therefore requires a combined set of activities by missions and both humanitarian and development actors.

Important humanitarian protection actors include the Humanitarian Country Team<sup>52</sup>, led by the Humanitarian Coordinator, and the Protection Cluster. Benefitting from a specific

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<sup>52</sup> The Humanitarian Country Team (HCT) is a strategic and operational decision-making and oversight forum established and led by the HC. Composition includes representatives from the UN, IOM, international NGOs, the Red Cross/Red Crescent Movement. Agencies that are also designated Cluster leads should represent the Clusters as well as their respective organizations. The HCT is responsible for agreeing on common strategic issues related to humanitarian action.

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knowledge of vulnerabilities affecting women and men and community dynamics, humanitarian actors should be briefed, consulted and/or involved on all aspects of the mission's protection of civilians strategy, including its analysis of threats and vulnerabilities, response plans, advocacy or training.<sup>53</sup>

In this respect, roles and responsibilities specific to the protection of civilians should be clearly articulated and understood between the mission and humanitarian protection actors. This is essential to facilitating effective and appropriate coordination and to avoid blurring the lines between humanitarian, military, police and political actions, which could lead to diminished space for humanitarian action and to clarify that humanitarian protection actors are not a substitute for mission action, as humanitarian action cannot be guided by mission gaps or priorities but rather by humanitarian assessment of need.

These clarifications can be sought and articulated through integrated mechanisms and tools, including the conduct of an integrated strategic assessment, an up-front risk analysis and the development of the ISF or equivalent. Integrated coordination mechanisms, as well as existing protection coordination mechanisms, formal or informal, are also essential to define the respective role of the mission, UN entities and humanitarian actors.

The discussion should focus on analysis, risks and opportunities, information sharing, areas where coordination may be needed and the modalities for that. This consultation would also identify those areas where a degree of separation may be required to ensure the perception, by the population and the parties to conflict, of the neutrality and impartiality of the humanitarian actors providing assistance. Note that, while humanitarian assistance can support the protection of civilians and peace consolidation, its main purpose remains to address life-saving needs and alleviate suffering. Accordingly, most humanitarian interventions are likely to remain outside the scope of integration.

#### F. Preparedness activities

##### **1. Information gathering and sharing**

Mission-wide or integrated information collection and sharing processes must be regularly reviewed and presented as an Annex to the POC Strategy or through a specific SOP on information management. It should present existing mechanisms to gather, analyse and map data, and disseminate POC related information.

*Confidentiality* – The SOP should also set out the principles and mechanisms for sharing sensitive information so as to ensure the confidentiality and informed consent regarding the use of information related to victims or witnesses to protect their privacy and security as well as avoid exposing the image and security of the mission. These mechanisms should be consistent with existing guidance, including JMAC and JOC Policies and Guidelines.

POC information management is based on quantitative and qualitative indicators managed through a set of strategic planning, analysis, reporting or monitoring and evaluation formats, tools and processes. It will enable the mission to i) set objectives and benchmarks in the Mission Concept, ISF and POC Strategy, ii) monitor and report on the security situation, particularly when civilians are or may be affected or iii) monitor or report on mission activities, iv) inform risks analysis and enable early warning and response processes, or v) evaluate the overall or specific impact of the mission.

<sup>53</sup> For further information on the Protection Cluster refer to [www.globalprotectioncluster.org](http://www.globalprotectioncluster.org). For guidance on protection clusters' interaction with peace keeping missions refer to the Guidance and Diagnostic Tool on the Interaction between field Protection Clusters and UN Missions, Global Protection Cluster, August 2013.

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**Indicators** reflecting the level of insecurity affecting civilians can be both quantitative and qualitative. Quantitative indicators mostly reflect the level of past or on-going insecurity and impact of physical violence against civilians. Missions may choose to monitor and report on some or all of the following quantitative indicators:

- Number of security incidents affecting civilian populations;
- Number of civilians in areas affected by conflict, including the forcibly displaced;
- Number and type of violations to the physical integrity of civilians (number of killed, wounded, raped, abducted, tortured, etc.);
- Number of incidents of violence on civilians involving peacekeepers, including sexual exploitation and abuse, harm caused by military or police operations and the use of force, etc.;
- Number of incidents of violence involving mines, ERW and remnant IEDs.

## 2. Early warning systems and crisis response

*Early warning and response systems:* Setting up an effective early warning and response system can help manage situations before they escalate to unmanageable proportions. This section should identify such mechanisms that the mission will establish. It should articulate what role external actors, including the host authorities and local population will play in these mechanisms, as the systems function best when they are well coordinated with local counterparts. However, due caution is necessary in not exposing the population or others, such as humanitarian actors, to harm in setting up such systems.

*Crisis response:* In this section, the mission shall articulate the rapid decision-making process to address POC crises, involving the relevant components. It shall also clearly state how missions will consult and coordinate with external actors, especially with key government stakeholders. This would need to be agreed upon and understood by all concerned actors.

**Early warning, alert and rapid response capacity:** At all times, the mission should be able to:

- *Produce early warning analysis and receive alerts* of imminent threats or on-going incidents of violence against civilians. Call centres, databases, community alert networks, or unmanned aerial vehicles are some of the capacities which may be established;
- *Plan for and rapidly deploy* or redeploy personnel and equipment necessary to conduct priority POC activities. Contingency and capacity planning are required to deploy temporary resources in priority POC areas identified in the POC Threat Matrix. Whenever possible and relevant, rapid response mechanisms must be integrated amongst mission components to prevent, but also to respond to emerging POC crises. Quick Reaction Forces, joint or integrated protection teams, mobile courts, joint investigation teams and prosecution support cells are examples of such mechanisms. When relevant and appropriate, UN or Government agencies will be included in those integrated mechanisms.
- *Request and obtain UNHQ support* for temporary deployment of backstopping or surge capacity.

**Early warning and response tools:** Dedicated POC capacity and tools should also be established as required, in order to implement the POC mandate at the lowest tactical level:

- Community liaison assistants (including female CLAs), joint or integrated protection teams can for example be appointed to engage with all protection actors, provide insights into

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the local security dynamics and threats on civilians, support and guide the mission's and partners' local response, including military and police operations;

- Early warning analysis and intelligence or alert tools (call centers, community alert networks, including women alert networks, unmanned aerial vehicles, databases (eg. Information Management System for Mine Action), sexual violence matrix, etc.) will also aim at enhancing the mission's situational awareness for POC and will require the appointment of dedicated staff to design, manage and operate them.

### 3. Analysis of mission capacities, resources and national caveats

This section shall include an analysis of mission capacities and resources in relation to the identified POC risks and mission activities. As such, the issue of how resources will be allocated and which activities will be prioritized in light of the mission's responsibility to implement other mandated tasks, including ensuring the protection of UN personnel and facilities, should also be stated in this section. Such an analysis would enable the mission to manage expectations regarding what it is resourced to achieve vis-à-vis POC.

This analysis must go beyond a discussion of the physical, financial and human resources at the mission's disposal, and shall include a frank assessment of what is beyond the mission's protection capacity. It shall also include an analysis of the impact of national caveats, as well as of the ability of mission personnel to undertake POC activities. For example, in situations where the contingents in a particular area do not possess the training or capacities required to address POC concerns of the local community, this should be noted. Alternative means of meeting those requirements should be discussed.

**At the strategic level**, a detailed joint assessment of the resources, personnel and capabilities required to adequately plan for and carry out the POC mandate should be developed. It will be presented ahead of the mandate establishment or renewal and drafted in conjunction with relevant military and police Status of Unit Requirements (SUR). The 'POC Resources and Capabilities matrix' may assist the development of such analysis.

While the mission will prioritize its presence and actions where the risks to the security of civilians are highest, it should also ensure a minimum level of projection, redeployment or temporary deployment capacity. Due consideration needs to be given to the size, nature and number of **deployments**, as they have an important impact on POC.

- *Extended field presence*: multiple deployments enable to enhance situational awareness and reduce the delays in alert and response, often important in remote and inaccessible areas. It also has a psychological deterrence and reassurance impact on both perpetrators and victims of violence respectively and enables civilians to seek refuge in the vicinity of mission compounds.
- *Limited field presence*: a small number of field locations will be cost-effective and enhance the projection capacity of mission military and police components available to respond to unfolding situations, thanks to a reduced time and capabilities spent on management and supply logistics.

Matching the mission's protection of civilians strategy against its resources and capabilities is an important and priority exercise that should be conducted regularly. Whenever the mission identifies gaps, it should seek to refocus its existing resources or appeal for additional support through a realistic assessment of the mission's options to minimize such gaps. These discussions shall take place with other relevant protection partners to maximize all available resources. The following list, while not exhaustive, includes options that the mission could consider in addressing the gaps:

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- *At mission level:* reprioritize objectives/activities; explore mobilization of resources available to external protection actors, where practical; redeploy resources and staff as required (e.g. to areas at risk); mobilize additional resources, such as through the creation of trust funds or groups of friends;
- *At UNHQ level:* inform the Security Council and the 5th Committee of the General Assembly about the identified gaps; discuss with T/PCCs in NYHQ the possible removal of national caveats or to inquire the possibility for the contributing countries to bring additional resources; increase targeted training on POC and the legal obligations of parties to conflict, to raise knowledge and awareness in pre-deployment and in-mission training.

#### 4. Expectations management

Ensuring that all stakeholders, particularly the local community, are aware of the mission's POC mandate and its capacity to implement that mandate is critical. This section will present the communications and public information strategy of the mission related to POC.

Experience in numerous missions has shown that failure to live up to unreasonable expectations is often a major liability vis-à-vis the mission's credibility among the local population. In this respect, it is vital that the mission consider how it will clearly communicate, with gender specific messaging, to the local population, host authorities, and other key stakeholders, what it can and cannot do regarding the protection of civilians in the mission area, in addition to the fact that the ultimate responsibility for POC rests with the host government. Senior mission leadership must recognize that a pro-active and on-going expectations management effort requires resource – both human and material – in order to be implemented.

Communications and public information reinforce and complement direct coordination and engagement with relevant protection actors. At mission level, developing clear communication strategies for the protection of civilians is thus strongly encouraged to:

- *Deter violence and affect the confidence of perpetrators through engagement and advocacy, including on accountability re. international human rights or humanitarian law;*
- *Affirm the mission's "condemnation of all incitements to violence against civilians in situations of armed conflict" and promote the fight against impunity by stressing "the need to bring to justice, in accordance with applicable international law, individuals who incite such violence" (SCR 1296);*
- *'Consider, where appropriate, steps in response to media broadcasts inciting genocide, crimes against humanity and serious violations of international humanitarian law' (SCR1738);*
- *Manage expectations and raise general awareness by effectively conveying the mission's activities under the protection of civilians mandate to the host government, communities, and other stakeholders;*
- *Evaluate both men and women's confidence and perception of a mission's POC activities through community perception surveys;*
- *"Disseminate information about international humanitarian law and human rights law, including peace education, [women and] children's protection, while also giving objective information about the activities of the United Nations" (SCR 1296);*
- *The mission's positioning and public information and advocacy will be closely coordinated with members of the UNCT and HCT.*

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#### 5. Monitoring, reporting and evaluation of implementation of POC mandates

This section should include who will be tasked to monitor the progress, what will be monitored and the benchmarks against which progress will be measured.

The implementation of POC mandates by the mission and in turn the impact of its activities on the protection of the civilian population must be kept under constant review. Monitoring and reporting on POC trends and events is an important part of this activity. This enables missions to chart progress, or lack thereof, in POC mandate implementation, and ensures that senior mission leadership, DPKO/DFS headquarters, T/PCCs and the Security Council are fully informed of the situation.

**Monitoring:** Security Council Resolution 1894 (2009, OP 27), stressed the importance of including indicators regarding the protection of civilians to measure and review progress against agreed-upon benchmarks.

Strategic monitoring and evaluation of the mission's POC activities can be initiated at UNHQ, (generally by OIOS, the OPSP, the IOT and/or the POC Coordination Team). In-mission, the POC Adviser(s) or focal point(s), the Best Practices Officer(s) - civilian and/or military - and any other relevant mission component may conduct the following M&E tasks:

- *After Action Reviews will accompany all major incident affecting the security of civilians;*
- *Regular review of the protection mechanisms, processes and tools;*
- *Regular assessment of impact of mission's POC activities in the most affected areas, including for example an understanding of how patrolling is aligned to threats against or vulnerabilities of civilians.*

**Reporting:** Peacekeeping operations are expected to provide comprehensive reporting, in close coordination with other protection actors, on the progress being made in the implementation of POC mandates. They will ensure that the reporting requirements on POC are articulated and systems are in place, including to provide information to the different UN offices responsible for each of the POC reporting requirements. The following are some of the existing mission reporting requirements related to POC:

- *Secretary-General's country specific reports;*
- *Secretary-General's report on the protection of civilians in armed conflict (every 18 months);*
- *Expert Panel reports;*
- *Input into the Security Council Informal Expert Group on the protection of civilians;*
- *Public reports on the human rights situation released in accordance with the Joint Directive on Public Reporting by Human Rights components of UN Peace Operations;*

*In addition, there are specific mandated reporting requirements related to Children and Armed Conflict and Women, Peace and Security resolutions:*

- *Secretary-General's thematic and periodic reporting on CAAC;*
- *Secretary-General's thematic and periodic reporting on CRSV.*

At the strategic level, the reporting system shall ensure that the relevant UN documents, including the country-specific Secretary-General's reports, concisely articulate anticipated or actual threats to civilians, detail the mission's joint preventive or responsive actions under overall security and stability objectives, the progress made over time and the challenges faced by the mission in this regard. In addition to information on POC activities undertaken by the mission, reports should include an analysis of the adequacy of the mandate and

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resources to protect civilians. Specific attention shall be paid not to duplicate or jeopardize the consistency of information included.

#### In mission and to UNHQ

Reporting in mission and to UNHQ reporting are crucial for drawing attention of senior leadership on the challenges facing the mission's implementation of the POC mandates and the actions necessary to address those challenges. These include but are not limited to:

- Daily, weekly and monthly Situation Reports;
- Code Cables.

**Evaluation:** All critical POC tools, mechanism, challenges and crises that have occurred will be captured by carrying out lessons learned and after action reviews and will be shared with UNHQ, to feed into future planning, lessons learned and operational or guidance documents. Similarly, good practices should be captured on a regular basis for the practices to be shared across missions.

To the extent possible, all studies to evaluate the mission's performance in protecting civilians will follow a 360 degree evaluation process, taking into account and reflecting internal views, but also those of external protection actors such as affected communities, the host government and humanitarian partners.

## 6. Training

Preparedness also requires regular training and contingency or scenario-based exercises for mission staff on POC, including on emergency response and crisis mechanisms as well as for IED and mines/ERW awareness and safety. This section should present the main in-mission training activities on POC.

Prior to arriving in the mission, all personnel should have received pre-deployment training on a wide variety of topics, including POC. Pre-deployment training for uniformed personnel is the responsibility of each Member State, while pre-deployment training for civilian personnel is conducted in UNGSC-Brindisi by the DPKO-DFS Integrated Training Service (ITS). Pre-deployment training should be based on the Core Pre-deployment Training Materials (CPTM) developed by ITS. In addition, for uniformed personnel, DPKO-DFS has developed Specialized Training Materials (STMs) for specialized personnel and on particular topics. For example, STMs are available on Protection of Civilians, Human Rights, Child Protection, Gender or Conflict Related Sexual Violence. The material can be found on the Peacekeeping Resource Hub.

In-mission training on POC will be organized by the Integrated Mission Training Centre with content support provided by the POC Adviser(s) and relevant substantive sections in mission. It is recommended that all Missions with POC mandates conduct POC training at least twice each year. This may take the form of workshops, courses or exercises. In this regard please note that POC training is best delivered to an integrated audience of civilian and uniformed personnel. Whenever possible, missions should extend or integrate those trainings to benefit other protection actors, including national authorities and humanitarian partners.

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## **ANNEX B. Example of formats, SOPs and TORs to implement POC Strategies**

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### **I. Analysis of Threats and Perpetrators**

- **Nature, identity, profiles**

Perpetrators of violence against civilians include elements of national and international security forces, non-state armed groups, criminals as well as other civilians (eg. inter-communal violence, etc.)

- **Motivation, interest or intent**

Violence against civilians may be strategic and systematic, opportunistic or even accidental; it may be indiscriminate or targeted at an individual or group; and motivated by power, ideology or identity (cultural, ethnic, tribal or religious), fear, survival or greed;

- **Structure, capabilities and resources, preparedness**

Command and control; human, material and financial means; supply lines;

- **Presence and deployments**

- **Relations**

Political, security, economic and social supporters and allies; affiliation and clients;

- **Mode of action or tactics, techniques and procedures (TTPs)**

Pattern of attacks or other forms of violence (including attacks on specific categories of vulnerables such as women, children or IDPs, etc), movements of perpetrator, etc.

- **History**

Monitoring of violations under national or international humanitarian, human rights and refugee law will provide further information regarding the gravity, intensity, pattern and scale of physical violence affecting civilians and enable trend and impact analysis. Beyond violations, missions will also track all casualties as a result of lawful actions by peacekeepers, state security forces and non-state armed groups. Collateral damage or casualties resulting from mines and EWRs will require specific attention in certain contexts.

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Annex B: Examples of formats, SOPs, and TORs for implementing POC Strategies

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### II. POC Trend Analysis

Protection of Civilians (UNMISS)

Trend Analysis

I. Introduction

II. Overall trends in conflict incidents and deaths

a) Inter-Communal violence

1. Key trends
2. Main states affected
3. In urban settings
4. Forced displacement
5. Conflict related sexual violence

b) Internal armed conflict between the SPLA and non-state armed groups

1. Key trends
2. Main states affected
3. Attacks against medical facilities
4. Child Recruitment
5. Attacks and occupation of Schools

c) International armed conflict between Sudan and South Sudan

1. Key trends
2. Main states affected
3. Aerial bombardments
4. Armed incursions
5. Refugee movements from Sudan into South Sudan
6. Returnees

d) Attacks and human rights violations by the SPLA/SSNPS against civilians during security operations

1. Key trends
2. Main states affected
3. SPLA and SSNPS conduct

III. Conclusion

- a) Main findings
- b) Trend analysis
- c) Recommendations

ANNEXES: (Graphs, stats and Maps, hotspots map)

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Annex B: Examples of formats, SOPs, and TORs for implementing POC Strategies

**III. POC Threat Matrix**

Once overall strategic security and POC threats in the mission area have been identified, analysed and reflected in the POC Strategy, tactical and operational level JOC and POC coordination fora will work in conjunction to develop and maintain a POC Threat Matrix that includes key early warning information and responsive action by all mission component. The POC Threat Matrix will:

- List and prioritize the short to mid-term POC threats to civilians, based on their probability of occurrence and potential impact on civilians,
- Map specific populations at risk and vulnerabilities affecting them;
- Map other protection actors, for the purpose of coordination (presence, resources, intent and actions)
- List and monitor implementation of all short term activities conducted to prevent, pre-empt or respond to all priority POC threats, taking into account the relative capacity of protection actors and the primary responsibility of the State to ensure POC;
- Identify mission resources
- Flag gaps in response and recommend corrective action on the response and resources

An example of mission format and process:

Location / priorities	Threat	Populations at risk	Other protection actors	Mission response / activities	Mission resources	Recommendations / comments
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- 1.
- 2.
- 3.
- 4.

Consultation procedure:

1. Always consult the relevant section and other relevant parts of the Mission and UNCT partners when the content of the product touches particularly their programmes or is directly involving their expertise.
2. Share, in accordance with the HoM and when appropriate, drafts or final versions of relevant products with other Heads and deputy Heads of substantial components of the mission in addition to the Senior leadership of the Mission (HoM, DSRSGs, FC and CoS).

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#### **IV. POC Action Plan**

The POC Action Plan will guide activities to ensure adequate management and implementation of the POC mandate. Tasks may include the following and should be tailored to the Mission's mandate and operating context:

##### **(i) Planning**

- Draft and regularly update relevant POC related strategic planning documents, including the mission's POC Strategy and Action Plan;
- Ensure the establishment of rapid response capacities and processes;
- Deploy all components in line with POC priorities;
- Ensure regular reviews of Mission resources and capabilities for POC, including military, police and civilian presence and deployments;
- Develop and mainstream required risk mitigation mechanisms, including a Standard Operating Procedure for the implementation of the Human Rights Due Diligence Policy on support to non-UN security forces (HRDDP) as well as processes required to mitigate risks associated to other missions activities, including security operations;
- Develop POC operational and tactical level guidance for police and military components;
- Develop a Standard Operating Procedure for groups of individuals seeking protection at UN compounds, including specific actions to protect women and children;
- Support national authorities in establishing a vetting framework and mechanism(s) for national military and police forces, in line with international human rights standards;
- Develop standard operating procedure for the handover of children formerly associated with armed forces and groups, as well as for the rest of the DDR process;
- Regularly monitor the implementation, evaluate impact and report on the implementation of the POC Strategy and operations (including through joint civil-military Lessons Learned and After Action Reviews), including by the military and police;

##### **(ii) Coordination**

- Establish required coordination mechanisms, tools and processes within the mission, but also with national and international security forces and relevant humanitarian entities, in particular the Protection Cluster and the HCT;
- Make use of all available analysis to guide temporary mission deployments, with inputs from the Protection Cluster<sup>54</sup>;

##### **(iii) Information management**

- Establish and manage POC information management processes, such as early warning analysis, alerts and reporting;
- Ensure integrated reporting on the protection of civilians, with inputs from all relevant mission components and humanitarian actors as appropriate and relevant.
- Establish and manage POC analysis, reporting, monitoring and evaluation processes;
- Establish the POC monitoring and evaluation mobile team, composed of civilian, military and police POC experts.

##### **(iv) Early warning and response**

- Develop and regularly review the mission's POC Threat Matrix, in close coordination with the JMAC, JOC and other substantive mission components;

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<sup>54</sup> Humanitarian Protection Clusters, in order to share views with and influence decision-making on deployments and priorities by peacekeeping operations, sometimes present consolidated views through a Protection Matrix (See 4. below).

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### Annex B: Examples of formats, SOPs, and TORs for implementing POC Strategies

- Manage joint POC early warning tools and projects (joint protection or integrated teams, community liaison assistants, call centres and alert networks, community surveys, etc.).

#### **(v) Public information and advocacy**

- Develop a communications strategy on POC, including a public information and influence campaign;
- Engage, through the Humanitarian Coordinator, with the Humanitarian Country Team to ensure public information and messaging is coordinated appropriately.

#### **(vi) Training**

- Conduct regular in-mission trainings on POC for all substantive sections and components, in close coordination with the IMTC, through a POC training plan and based on DPKO and DFS standard training modules;
- Develop a full POC capacity building plan for State and international security forces based on DPKO and DFS standard training modules;

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#### **V. Protection Matrix (or 'Must/Should/Could protect' Matrix)**

Peacekeeping operations may want to engage in a specific dialogue with humanitarian actors to inform decision-making on priority areas and related deployments. In 2009, MONUSCO Civil Affairs has developed a matrix to present consolidated views of the Protection Cluster on areas where MONUSCO could, should or must ensure a presence to protect civilians. In 2013, MONUSCO and the Protection Cluster conducted a review of the format and process, presented hereunder.

##### **Introduction**

1. Given the widespread needs for the protection of civilians, and the limited logistical resources available within Mission, there is a crucial need to prioritise. Together with UNHCR as the Protection Cluster lead, the mission has developed joint planning tools aimed at facilitating the gathering and exchange of information as well as the defining of protection priorities and recommendations regarding deployments.
2. The first Protection Cluster Matrix format and process were initiated and facilitated by the Civil Affairs Section, as part of the joint planning exercise between MONUC and protection actors envisaged in the UN System-Wide Strategy for the Protection of Civilians in the DRC (UN System-Wide Strategy). The Protection Matrix has been established with a view to prioritising the key routes and hotspots across its areas of responsibility according to the perceived protection threat.

##### **Process**

3. Initially designed to guide tactical mission activities and deployments during military operations, the Protection Cluster matrix was then utilized as a tool to inform military and police deployments on a monthly basis, including inputs by members of the provincial protection clusters on the overall threat and protection landscape. All locations covered by the matrix were discussed and initially ranked as 1 ("must protect"), 2 ("should protect") and 3 ("could protect").
4. The Clusters pull all their informational resources together, not least the Protection Monitoring analysis. The Protection Cluster reviews it and makes recommendations for priority areas, patrols or escorts to MONUSCO, through UNHCR. The Cluster has remained cautious not to make decisions on areas where MONUSCO should withdraw in order to accommodate "must protect" areas, noting full well that the final decision was made by the Force.
5. The Cluster has used the tool as a means of revisiting their priorities on a regular basis and holding dialogues with MONUSCO on the issue of the physical protection of civilians as well as life saving civilian objects (including key health or water and sanitation facilities, installations and equipment or supplies, but also essential goods or livelihoods - food, crops, livestock) and humanitarian actors. MONUSCO, on the other hand, have noted the importance of the matrices, not only in terms of deployments, but also in their efforts amongst others, to set up early warning mechanisms (CLAs, JPTs, CANs).
6. Various indicators and formats have been utilized overtime, sometimes replicated in other missions (including MINUSCA). The process has worked so far as the exercise is discursive with the presence of the relevant MONUSCO sections in the Protection Cluster meetings. In the absence of MONUSCO however, the Cluster's recommendations (and justifications thereof) may not be as clear when it reaches the

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### Annex B: Examples of formats, SOPs, and TORs for implementing POC Strategies

Force and will in turn make it equally difficult for the Cluster to understand the reasons why some of its recommendations may not have been followed through.

7. In order to set out some baseline standards and indicators for comparison as well as to enhance a better understanding of protection-humanitarian and force priorities, the following broad indicators have been mapped out:

#### Security situation

- . Nature of conflict/insecurity: armed attacks (frequency, risks of future attacks), inter-community conflicts etc.
- . Perpetrators, presence of armed groups;
- . Nature of violations: it is recommended that accent be placed on the gravest abuses (killing, kidnapping), taking into account that of gender based violence and grave violations against children (pursuant to the 1612 MRM provisions)

#### Movement of Population

- . Recent movement of population (numbers, area of movement);
  - . Returns;
- Reasons for displacement and returns, trends

#### Humanitarian access and presence of actors

- . State security forces (FARDC, PNC, local authorities)
- . MONUSCO (COB, TOB, patrols)
- . Humanitarian actors (agencies, NGO)
- . Judiciary, health centers etc.
- . Comments on challenges of humanitarian access.

8. While the list is not exhaustive according to the context of each territory/locality, it is recommended that the matrix itself provides a narrative summary of the situation based on harmonised identifiable indicators. The Matrix should ideally be accompanied by statistical reports, in particular, those of Protection Monitoring to better illustrate trends, changes in context and as some form of “quantifiable” support for the Cluster’s recommendations.
9. The recommendations if possible should encompass short, mid and long-term action which could improve follow-up and continuity in response.

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## VI. TORs for POC Coordination Mechanisms

The protection of civilians is a whole-of-mission mandate that requires participation of all mission components, but also the clear assignment of roles and responsibilities and appointment of coordination mechanisms for POC. Irrespective of the coordination fora, all missions must promote joint and regular information collection, analysis, planning, decision-making, implementation, reporting or monitoring and evaluation of POC activities, as well as training of mission personnel and relevant other protection actors, both at mission HQ level and in the field.

**The strategic level Senior Management Group on Protection,**<sup>55</sup> composed of the mission's senior management, endorses the overall responsibility for the development and implementation of the mission's POC Strategy. The POC lead ensures its secretariat, assisted by a dedicated set of Protection of Civilians Advisers, as relevant.

57. The SMG-Protection should include representatives of UN entities and will:

- Provide strategic vision and policy guidance on the POC mandate through the POC Strategy;
- Ensure overall consistency between various mission and integrated strategies and place POC as a priority objective for the ISF and the Mission Concept;
- Ensure overall coordination of the mission's POC activities;
- Review reports and recommendations provided by the POC mechanisms at the operational and tactical levels and provides overall guidance on policy or operational responses to protection threats, including the use of mission assets;
- Engage, consult and coordinate with national authorities on the development and implementation of the POC Strategy, possibly through joint discussions and including the Ministries of Defence, Interior and Justice;
- Overview and guide the implementation of the HRDDP;
- Take required political action to mitigate imminent threats of violence on civilians, based on early warning analysis and recommendations emanating from operational and tactical levels and ensure that POC is anchored in the overall political processes;
- Manage, in close coordination with UNHQ, resources and capabilities required to implement the Mission's POC mandate, including military, police and civilian deployments.

**The Operations Planning Team (OPT)** - Effective protection of civilians is ultimately an operational matter requiring coordinated action from many components. Short to mid-term (1-12 months) joint operational planning should be placed under the responsibility of an operations planning team, or equivalent, placed under the COS, to plan for and coordinate all joint operations by the mission, including on POC.

**The Protection Working Group (operational level POC coordination forum)** - As most mission components play a role in implementing the protection of civilians mandate, missions should also establish an operational level POC coordination forum (Protection Working Group, Joint Protection Group, Protection Taskforce, etc.), in charge of coordinating the development and implementation of the POC Action Plan, living Annex to the POC Strategy. The operational POC forum is chaired and managed by the POC lead, the POC Adviser(s) or any other staff member designated by mission leadership.

Whenever possible, the **Joint Operation Centre** should be the mission's primary body to ensure coordinated operations in the short term, where it exercises the operations

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<sup>55</sup> Also called Protection Steering Group or Protection Working Group in some missions

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### Annex B: Examples of formats, SOPs, and TORs for implementing POC Strategies

coordination function. (See JOC Policy). Where the JOC does not exercise this function, the senior mission leadership may widen the scope of JOC activities to ensure proper implementation of POC as a cross-cutting mandate, or grant the responsibility to the operational coordination forum on POC.

**Tactical level coordination** - At the tactical level, mission components contributing to the POC mandate implementation will focus on developing situational awareness and preventing or responding to incidents of violence on civilians. The latter two activities will result in the development of a local POC threat analysis through the POC Threat Matrix. When required and relevant, local POC strategies or plans may also be drafted at the tactical level for a Region, a Province, a County, a Territory, etc. but also an IDP/refugee camp, a village or a group of villages. They will include at a minimum information on the protection risks, activities, capacity and roles and responsibilities of protection actors in the area.

**A local Senior Management Team on Protection** will be established in each priority POC area to coordinate the implementation of the POC Strategy and Action Plan. Lead by the Head of Office and composed of the relevant mission component and representatives from the UNCT, it will:

- Plan and coordinate the implementation of the POC Strategy and relevant policies and SOPs (HRDDP, refuge seekers, etc.), through a local POC Action Plan;
- Develop a local POC threat analysis and support coordination of the response through the POC Threat Matrix (this activity can be delegated, as required, to a **field JOC**);
- Conduct joint civil-military planning for all POC operations, including military and police security operations;
- Design POC operations so as to take into account operational recommendations, including by humanitarian actors;
- Regularly review military, police and civilian presence and deployments, with inputs from external actors, including communities, host authorities and Protection Cluster;
- Manage local POC coordination mechanisms and joint tools;
- Conduct joint civil-military After Action Reviews to monitor and evaluate the impact of POC operations, including by the military and police components;
- Provide reports and policy or operational recommendations to both the operational and strategic POC coordination fora.

**POC capacity and tools** – Whenever a tactical level POC coordination forum or field JOC is established at the sector or field level, dedicated capacity will be attached to it as required, to support and advise the Head of Office in his/her efforts to analyse, plan, coordinate, report, monitor and evaluate the mission protection activities and support POC training activities. Commensurate with the tempo and complexity of protection of civilians activity in the area, such capacity may be established through the appointment of one or more Protection of Civilians Adviser(s) attached to the Head of Office, as well as through the nomination of POC focal point(s) within all relevant mission component(s).

#### **Related coordination mechanisms<sup>56</sup>**

- Monitoring and Reporting Mechanism Country Taskforce on Children in Armed Conflict (CTF MR): co-chaired by the mission and UNICEF Country Representative
- Working Group on Conflict-related Sexual Violence (WG-CRSV): chaired by the Senior

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<sup>56</sup> For further details on the CTFMR, see *UNICEF-OSRSG/CAAC-DPKO Guidelines on Monitoring and Reporting Mechanism on Grave Violations against Children in Armed Conflict*, June 2014 and for details on the functioning of the working group, see *OSRSG/SVC-UN Action Provisional Guidance Note on the implementation of Security Council Resolution 1960 (2010) on Women, Peace and Security*, June 2011

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WPA, the WG-CRSV will be established at the onset of phase II, and convene as necessary, to address monitoring, analysis and reporting arrangements (MARA) on CRSV, and commitments by parties to the conflict to prevent and address CRSV in conjunction with other mission components and UN agencies.

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## VII. UNMISS TORs for POC Advisors

### Senior Advisor on Protection of Civilians (P5)

Under the supervision of the SRSG, the Senior Advisor on Protection of Civilians (P5) will provide advice to the SRSG and the senior mission leadership on the overall implementation of the mission's mandate for the protection of civilians. The Senior Advisor will perform an advisory, coordination, monitoring and reporting role. Specifically, s/he will support mission leadership through leading the development and regular review of a mission-wide POC strategy; establishment of appropriate reporting and coordination mechanisms for POC; and the development of a training strategy on the protection of civilians for the mission's civilian, military and police personnel and relevant external partners. The Senior Advisor will ensure that protection of civilians concerns are appropriately mainstreamed in the mission.

This Senior Advisor function will require demonstrable leadership, coordination, negotiation and conflict resolution skills, in which the principles of partnership and collaboration are essential. S/he will provide advice and guidance to the Protection Officers based in the State Coordinators' Offices.

#### ***Description of responsibilities:***

##### *Advisory role*

- Provide advice and support the SRSG and senior mission leadership on ways in which the mission can assist and build the capacity of the Government of South Sudan to fulfil its POC responsibilities;
- Provide support to other relevant components to ensure that protection of civilians concerns are adequately reflected in mission planning processes and in their work plans;
- Assist in the development of an effective POC public information strategy
- Ensure that the mission's POC efforts are in-line with DPKO-DFS guidance on the matter;

##### *Coordination and communication*

- Responsible for overseeing the development and implementation of the mission-wide POC strategy;
- Ensure close coordination with relevant POC partners in the development and implementation of the strategy, including with child protection and women protection advisers;
- Support senior mission leadership in establishing sustainable coordination structures in order to strengthen cooperation with relevant protection actors, particularly the local community and the Government of South Sudan;
- Coordinate and facilitate information sharing with the Protection Cluster, and other such arrangements;
- Provide support as required and undertake other tasks as may be appropriate to the specific context and tasks vis-à-vis POC;

##### *Monitoring, Analysis and reporting*

- Lead or join protection of civilians assessments with other actors;
- Oversee the work of the POC Advisers deployed to the State Coordinator's office, including by ensuring that strategic decisions taken at mission HQ are implemented in relevant states;

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### Annex B: Examples of formats, SOPs, and TORs for implementing POC Strategies

- Ensure that adequate POC analysis is included in relevant reporting requirements, including SG reports;
- Report on any resource and capability constraints which adversely affect the mission's ability to implement its protection of civilians mandate;

#### *Training*

- Assess the training needs on protection of civilians issues within the mission, and design and support the delivery of tailored POC modules with relevant mission components;
- In cooperation with other mission components, ensure adequate training on POC for GoSS institutions;

#### **Competencies**

Professionalism

Leadership

Communication

Planning and organizing

#### **Education**

Advanced university degree (Master's degree or equivalent) in political science, international relations, law, public administration or related fields. A first-level university degree in combination with qualifying experience may be accepted in lieu of the advanced university degree.

#### **Work experience**

A minimum of 10 years of progressively responsible experience in political science, humanitarian affairs, international relations, public administration or related fields at the national and international level in advisory and managerial posts. Managerial experience is required. Experience in post-conflict countries or in a peacekeeping operation is required. Previous experience working on protection of civilians issues and within the region could be an advantage.

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Annex B: Examples of formats, SOPs, and TORs for implementing POC Strategies

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**VIII. SRSG Offensive Operations Brief**

- I. Information Brief**
  - a. Target Analysis**
    - i. What
    - ii. Why
    - iii. Where
    - iv. Who
    - v. When (immediate, when ready, contingency, etc.)
  - b. Legal basis**
  - c. Impact analysis**
    - i. Political (Pros and Cons)
    - ii. Socio-economic (Pros and Cons)
    - iii. Protection of Civilians (Pros and Cons)
    - iv. Security (Pros and Cons)
  
- II. Decision brief**
  - a. Force Commander's Assessment and Intent**
  - b. Options**
    - i. Option 1
      - 1. Outline
      - 2. Pros and Cons
      - 3. Potential Collateral Damage
    - ii. Option n
      - 1.
  - c. Force Commander's Recommendation**
  - d. Consultation**
    - i. UNHQ
    - ii. National / Regional Partners
  - e. SRSG's decision**
  
- III. Action Brief**
  - a. Tasking**
    - i. Force HQ
    - ii. Civilian pillars
    - iii. DMS
    - iv. HoO
  - b. Communication**
    - i. What
    - ii. When
    - iii. To who
    - iv. By who
  - c. Operational Security**
    - i. Timeline for release of information / coordination / action

*Drafted By:*

*Consulted with:*

*Approved by:*

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Annex B: Examples of formats, SOPs, and TORs for implementing POC Strategies

**IX. Capacities and Resources for POC action**

Missions may use the DPKO/DFS Resources and Capabilities Matrix (see format below) to systematically identify and monitor critical resources and capability gaps. Missions will carry out the gap assessment and highlight key resource and capacity needs to headquarters at crucial milestones, such as the issuance of the Secretary-General’s reports and the renewal of the Mission’s mandate.

The Resources and capabilities matrix maps out the resources and capabilities within a mission according to the objectives and activities of the mission-wide POC Strategy. For each objective and activity it furthermore identifies the critical gaps for the Mission to effectively implement its POC both in terms of what assets have not be secured from the RBB and also what would be required to implement the mandate. The criticality of the gap is rated according to the following index.

-  RED signifies that the Mission is unable to implement key POC mandate tasks because of the lack of adequate resources
-  ORANGE signifies that the Mission is able to implement a POC mandated task but not optimally and effectively because insufficient resources.
-  GREEN signifies that the Mission does not experience any significant resources gap related to the POC mandated task

TIER 1: PROTECTION THROUGH POLITICAL PROCESS						
Objective	Activities	Existing Resources	Current Capabilities	Gaps (lack of effect)	Criticality rating	Recommendations
Increased willingness and capacity of the Government of X, in particular the State security forces, to fulfill its primary responsibility to provide security and protection for civilians	<ul style="list-style-type: none"> <li>• Advocacy towards, and dialogue with GoX to ensure a better understanding of the state’s responsibility to protect civilians.</li> </ul>	•	•	•		•
	<ul style="list-style-type: none"> <li>• Support the development of GoX policies and strategies on the protection of civilians.</li> </ul>	•	•	•		•
	<ul style="list-style-type: none"> <li>• Promote improved conduct of national security forces in locations where civilians are at risk of physical attack.</li> </ul>	•	•	•		•

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### Annex A: Framework for Drafting Comprehensive POC Strategies

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#### **X. Other documents, formats, SOPs and TORs**

Upon request, the latest detailed Guidance, TORs and SOPs of other missions can be shared by the POC Coordination Team at UNHQ. These documents include:

##### Coordination mechanisms

- TOR and SOP for POC coordination mechanisms (MINUSMA, MINUSCA, MONUSCO, UNAMID, UNMISS, UNOCI, etc.)

##### Protection tools

- TOR and SOP for Joint Protection Teams or Integrated Protection Teams (MONUSCO, MINUSCA, UNAMID, etc.)
- TOR and Training Booklet for Community Liaison Assistants (MINUSMA, MONUSCO, MINUSCA, UNMISS, etc.)
- TOR and SOP for Community Protection Plans (MONUSCO)
- TOR for Joint Investigation Teams (MONUSCO, MINUSCA)
- TORs for Prosecution Support Cells and Mobile Courts (MONUSCO, MINUSMA, etc.)
- TORs for Community Alert Networks (MONUSCO)

##### Strategies

- POC Strategy (UNMISS, MONUSCO, UNAMID, MINUSCA, MINUSMA, UNOCI, UNIFIL)
- POC Communications Strategy (MONUSCO, MINUSCA, etc.)

##### Other pieces of guidance

- Policy Committee Decision on FIB in MONUSCO (2013)
- DPKO Concept Note on IDPs seeking refuge at UN Compounds (DPKO and DFS, 2014)
- Guidelines on IDPs seeking refuge at UN Compounds (UNMISS, 2014)
- Guidance on criminality on UN bases (UNMISS, 2014)
- Guidance on detention (MINUSCA, MONUSCO)
- Mission Directive on POC (UNAMID, UNMISS, MONUSCO, etc.)

##### Military / Joint Operations

- Force Commander Directive on POC (UNAMID, UNMISS, MONUSCO, etc.)
- Military Handbook for Field Commanders (MONUSCO)
- Military Tactical Aide Memoire for the Protection of Civilians (MONUSCO)
- Guidance on Joint military – police planning (MINUSCA, UNAMID)
- HRDDP SOP (MONUSCO, UNAMID, UNMISS, etc.)
- Assessment of Amani Leo (MONUC, Jan. 2011)
- Protection Working Group Best Practices and Operations Orders for Joint Operations Radi Strike and Amani Kamilifu (MONUSCO, Jun. 2012)
- FIB POC Risk Analysis (Protection Working Group, Jul. 2013)
- POC Contingency Plan FDLR (MONUSCO, Dec 2014)