Protection of civilians in armed conflict – comparing organisational approaches

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Keywords

Beskyttelse av sivile

Freds- og stabiliseringsoperasjoner

FN

NATO

EU

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English summary

Protection of Civilians (PoC) is no longer limited to the humanitarian community. It has also become a key task for military forces in international operations such as in Afghanistan and Libya. This report provides military practitioners with a comprehensive overview and comparison of current PoC-activities and practises among the most relevant international- and non-governmental organisations. The aim is to contribute towards a clarification of the potential role and purpose of military forces in PoC-operations.

The report begins by analyzing and comparing how dominating PoC-discourses among the three major international organisations – the UN, NATO and the EU – shape the type of PoC-concepts that are being developed for the operational and tactical levels. It then moves on to compare mission specific PoC-challenges in three UN missions (MONUSCO, UNMIS and UNAMID), before describing the history and development of PoC in the AU and among the major NGOs.

The report shows that the UN is at the forefront of developing PoC-concepts, guidelines and training tools. The organisation has come to realize that the (in)ability to protect affects not only each mission, but the legitimacy of the UN as a whole. The UN's approach to protection is therefore primarily direct, in that protection of civilians is seen as an end in itself. However, many of the recently developed concepts are not well attuned to military needs and planning processes.

NATO's approach to protection is first and foremost indirect, as it forms part of a larger strategy where the primary goal is to either counter or support an insurgency. Unlike the UN, EU and AU, NATO is not in the process of developing specific strategies, concepts or policies on protection of civilians. A weakness of NATO's (wanting) approach to PoC is its focus on how not to kill, rather than on how to directly protect. Another challenge for NATO in terms of providing sustainable protection is the lack of civilian capacities.

The EU has evolved quite far in its acknowledgement of the importance of PoC, but the organisation has few lessons learned to build on from its own operations. One of the most prominent differences between the EU and the UN regards the willingness to use military force. The EU sees 'robustness' as a precondition for effective PoC, and EU member states are generally more favourable to this approach.

The AU has only recently commenced with the development of PoC-concepts- and strategies. While the AU has developed PoC-guidelines, no AU mission has to date developed a protection of civilians strategy. It is likely, however, that PoC will come to feature strongly in the planning for new operations in the AU context.

As protection actors, NGOs collectively have a tremendous impact on the protection agenda. Part of this influence is derived from the sheer size and spending power of the NGO community. There is of course no single philosophy or approach to protection that is universally embraced by the entire NGO community, which constitutes a wide range of actors.

Sammendrag

Beskyttelse av sivile i konfliktområder er ikke lenger en oppgave kun forbeholdt humanitære aktører. Det har også blitt en kjerneoppgave for militære styrker i internasjonale operasjoner som i Afghanistan og Libya. Denne rapporten gir en helhetlig oversikt over og sammenlikning av tiltak knyttet til beskyttelse av sivile blant de viktigste internasjonale og ikke-statlige organisasjonene. Målet er bedre forståelse av hvordan militære styrker best kan bidra til operasjoner der beskyttelse av sivile er blant hovedoppgavene.

Rapporten begynner med en analyse av hvordan dominerende diskurser blant de tre viktigste internasjonale organisasjonene – FN, NATO og EU – påvirker hvilke beskyttelseskonsepter som utvikles for operasjoner. Videre sammenlignes utfordringer knyttet til beskyttelse av sivile i tre FN-operasjoner: MONUSCO, UNMIS og UNAMID. Til slutt beskriver rapporten hvordan tiltak tilknyttet beskyttelse av sivile har blitt utviklet i Den afrikanske union (AU), og blant de mest sentrale ikke-statlige organisasjonene.

Rapporten viser at FN har kommet lengst i å utvikle konsepter, retningslinjer og treningsverktøy for beskyttelse av sivile. Organisasjonen har innsett at dens (manglende) evne til å beskytte ikke bare påvirker hver enkelt operasjon, men også FNs legitimitet og troverdighet generelt. FNs tilnærming til beskyttelse er dermed først og fremst *direkte*, i og med at det blir sett på som et mål i seg selv. Men, mange av de nyutviklede konseptene er ikke godt nok tilpasset militære behov.

Natos nåværende tilnærming til beskyttelse av sivile er først og fremst *indirekte*, fordi den kun utgjør en del av en større strategi med mål om enten å bekjempe eller støtte et opprør. I motsetning til FN, EU og AU, utvikler *ikke* Nato spesifikke strategier, konsepter eller retningslinjer for å bidra til beskyttelse av sivile. En svakhet ved Natos (manglende) tilnærming til beskyttelse er organisasjonens vektlegging av hvordan den skal unngå å ta sivile liv i stedet for hvordan de skal beskyttes. En annen utfordring for Nato er mangelen på sivile kapasiteter.

EU har kommet nokså langt i å anerkjenne at beskyttelse av sivile i konfliktområder er viktig, men organisasjonen har få erfaringer å trekke på fra egne operasjoner. En av de viktigste forskjellene mellom EU og FN går på viljen til å bruke militær makt. EU ser på "robusthet" som en forutsetning for effektiv beskyttelse av sivile.

AU har nettopp begynt å utvikle konsepter og strategier for beskyttelse av sivile. Det finnes i dag egne retningslinjer, men ingen AU-operasjon har utviklet noen beskyttelsesstrategi. Det er allikevel sannsynlig at beskyttelse av sivile kommer til å være en viktig del av kommende operasjoner.

NGOer har meget stor innflytelse på hvordan beskyttelse av sivile settes på agendaen og for gjennomføring av ulike tiltak. Det finnes flere grunner til dette, men en hovedgrunn er at NGOene samlet sett har store finansielle ressurser. Det finnes allikevel ingen enhetlig filosofi eller tilnærming til beskyttelse som er anerkjent av samtlige NGOer, som består av en lang rekke aktører.

Contents

Preface

This report has been developed through a collaborative effort by six authors from different nations and organisations. Stian Kjeksrud and Jacob Aasland Ravndal (FFI) have co-edited the report. They have also co-written the chapter on PoC-concepts. Andreas Øien Stensland (NUPI) has written the chapter on discourses. Cedric de Coning (Accord/NUPI) has contributed with the chapter on UN mission-specific PoC challenges. Walter Lotze (AU) has written the chapter on the African Union. Erin A. Weir (Refugees International) has written the chapter on NGO approaches to protection.

This report constitutes one of two concurrent FFI-publications on Protection of Civilians (PoC) in armed conflict. The other report, which may be read alongside this report, is titled "Finding the utility of force to protect – Towards a theory on protection of civilians."[1] Together, they are intended to bring the debate on Protection of Civilians forward by introducing a theoretical framework for finding the utility of force to protect and by comparing current PoC approaches among the major international organisations. This is essential in order to prepare national military contributions for future operations where PoC is a key objective.

The Norwegian Defence Research Establishment (FFI) has initiated several research activities on Protection of Civilians since 2009. The next step will be to apply some of the main findings in a concept development process in 2012. The aim is to develop a planning tool for the Norwegian Defence National Joint Headquarters (FOH) in order to better prepare future military contingents for implementation of mandated tasks related to protection of civilians in armed conflict.

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[1] Alexander William Beadle, "Finding the 'Utility of Force to Protect – towards a Theory on Protection of Civilians," FFI-rapport 2011/01889, (Kjeller: Norwegian Defence Research Establishment (FFI), 2011).

1 Introduction

This report aims to provide an up-to-date and comprehensive analysis of ongoing global efforts to protect civilians (PoC) in armed conflict. The report serves as a baseline study for the development of an operational PoC-concept for the National Joint Headquarters of the Norwegian Armed Forces.[2] It therefore pays particular attention to the role of the military in current PoC-efforts and to how troop contributing countries should prepare for such challenges in future operations.

Norwegian military contributions to future peace and stabilisation operations will be deployed to operations led by the UN, NATO, the EU, or in some cases by a coalition of allies. Norwegian forces must also be prepared to operate in close partnership with the AU, as well as a range of other regional, civilian, governmental and non-governmental actors. It is therefore necessary for Norwegian military planners to understand how these institutions and organisations differ in their approach to PoC, and what the implications are for contributing Norwegian military forces. This report tries to provide a deeper understanding of current PoC-challenges for Norwegian military planners.

PoC is already a central objective in several ongoing operations. The two most recently launched UN operations, The United Nations Interim Security Force for Abyei (UNISFA) in Sudan/South Sudan and the United Nations Mission in South Sudan (UNMISS), have both been given mandates that include PoC.[3] Protection tasks are also central in NATO operations where Norwegian forces are or have been involved; Libya (Operation Unified Protector), Afghanistan (ISAF) and Kosovo (KFOR). In addition, PoC has been at the core of several former EU military operations such as EUFOR Artemis in the DR Congo, EUFOR Chad/RCA and EUFOR ALTHEA in Bosnia. The former AU operation AMIS in Sudan (2004-2007) had an explicit protection mandate, while protection of civilians is now emerging as a priority for AMISOM in Somalia although the operation for some time has been criticised for causing collateral damage. UNAMID, the African Union – United Nations Hybrid Operation in Darfur, is also focussed significantly (though not always successfully) on protection challenges.

There is a great deal of confusion about how to operationalise PoC-concepts and the roles and tasks of the different institutional actors involved. This relates in particular to military contributions. From a military perspective, PoC-operations are qualitatively different from both traditional warfare and peacekeeping efforts.[4] Protecting individuals or vulnerable groups from violence may involve high-intensity combat to deter or confront armed groups with hostile intentions. More often, however, it involves a wide spectrum of non-combat operations in direct

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[2] The report is part of a broader baseline assessment process in preparation for the development of a Norwegian operational PoC-concept. This future effort aims to develop a planning support tool for the National Joint Headquarters (NJH) of the Norwegian Armed Forces.

[3] See United Nations Security Council resolution 1990 (New York: United Nations, 2011) which established UNISFA and United Nations Security Council resolution 1996 (New York: United Nations, 2011) which established UNMISS.

[4] Beadle, "Finding the 'Utility of Force to Protect' – towards a Theory on Protection of Civilians."

or indirect support of international civilian actors, indigenous forces, as well as government and civil society actors in a host nation.

The UN is at the forefront of developing concepts, guidelines and training tools for a more practical approach to PoC. Among the latest developments are PoC-operational concepts, specific PoC-training modules for UN civilian staff, UN Police and UN Military as well as the ongoing development of generic operational standards for infantry battalions. Some of these describe the role of the military such as the Integrated Strategic Framework, the Framework for the Development of Comprehensive PoC-Strategies, the Field Support Strategy and DPKO/DFS guidance on the chain-of-command. However, these documents are not necessarily attuned to the military planning processes of future troop contributors.

The next section presents the methodology that has been used to produce the report. Chapter 2 presents a comparative discourse analysis of the dominant political and ideological principles, ideas and debates that have shaped the development of concepts for protection in the UN, NATO and the EU. Chapter 3 analyses and compares existing protection concepts developed by the same three organisations. Chapter 4 discusses mission-specific challenges to PoC by comparing three UN mission PoC-strategies: MONUSCO, UNMIS and UNAMID. Chapter 5 introduces and discusses the African Union's emerging approach to protection of civilians. Chapter 6 presents NGO approaches to protection of civilians and includes a case study of Oxfam GB in the Democratic Republic of the Congo. Finally, Chapter 7 concludes by drawing together the findings of the previous chapters and highlights some implications for military planners.

1.1   Methodology

The report examines the most relevant actors and organisations involved in protection of civilians in armed conflict. The report introduces three levels of analysis:

(1) PoC-discourses (Chapter 2),
(2) PoC-concepts (Chapter 3) and,
(3) Mission specific challenges (Chapter 4).

This approach was chosen to allow for comparisons across international organisations to provide a comprehensive understanding of PoC. A structured comparison has first and foremost been performed on the UN, NATO and EU, as these are the most relevant organisations for Norway as a troop contributing country. The chapters on the AU and NGO approaches to PoC (Chapters 5 and 6) are presented separately to broaden our analysis of ongoing PoC-activities.

The logic behind these three levels of analysis is the idea that dominating discourses will shape the types of concepts that are developed within different organisations, which, in turn, influences the type of activities that are implemented in missions mandated to protect. The direction of influence may however be reverted, meaning that mission-specific challenges can shape the types of concepts that are developed, which, in turn, influence the dominating discourses within and across organisations.

Each author was asked to address a set of questions to structure their analysis. They were also asked to keep to a set of writing guidelines that were developed to ensure coherency across the various contributions. The authors were of course also invited to comment on each other's contributions before publication.

2   Comparing PoC-discourses

This chapter analyses and compares the discourse on civilian protection within the UN, EU and NATO. In colloquial speech, a discourse is understood as a written or spoken communication or debate. In the social sciences, discourse refers to language as a system of meaning-making. A discourse thus provides a language for speaking about, analysing and classifying a phenomenon – in this context the protection of civilians in armed conflict.

For the purposes of this report, it is important to understand how dominating discourses shape the types of PoC-concepts that are developed within different organisations, which, in turn, influences the type of PoC-activities implemented in missions mandated to protect. The direction of influence may also be reverted, meaning that mission-specific challenges can shape the types of concepts that are developed, which, in turn, influence the dominating discourses within and across organisations. Understanding discourses is therefore highly relevant for a comprehensive analysis.

The following analysis studies the PoC-discourse within the UN, NATO and the EU along three dimensions: (i) rationale, (ii) organisational drivers and (iii) the main internal tensions and challenges regarding implementation of PoC-activities. First, however, it describes the development of the general discourse on the imperative to protect civilians.

The imperative to protect civilians – evolution and revolution
The discourse on the imperative to protect civilians in armed conflicts has evolved over centuries. In the last decade, the issue has received unprecedented attention within and among states. This is true in particular in the United Nations, where the most substantial conceptual and operational developments have taken place. Since 2000, twelve UN peacekeeping operations have been given PoC-mandates.[5]

Protection of civilians has also gained considerable momentum as a primary objective in peace and security considerations within the EU, the AU and NATO. The latter's decision to impose a no-fly zone over Libya – with the stated goal of protecting civilians through coercive means – is a case in point. However, many would question the wisdom of tagging PoC on the mandate of the operation in Libya. Still, after centuries of incremental steps, the last decade has witnessed a revolution – both conceptually and operationally – in terms of the commitment to protect civilians during conflict.

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[5] These are UNAMSIL (Sierra Leone), MONUC (DR Congo), UNMIL (Liberia), ONUB (Burundi), MINUSTAH (Haiti), UNOCI (Cote d'Ivoire), UNMIS (Sudan), UNIFIL (Lebanon), UNAMID (Darfur), MINURCAT (Central African Republic), UNMISS (South Sudan) and UNISFA (Abyei).

Historically, the objective to protect civilians developed in response to atrocities committed during armed conflict. Before the emergence of sovereign states in Europe in the 18th century, the rules for going to war (jus ad bellum) and the rules of conduct during war (jus in bello) were largely intertwined.[6] This changed with the evolution of the norm of sovereignty that implicitly gave states the opportunity to wage war as an extension of their foreign policy. This also meant that less attention was directed to the justification of war and more to its conduct. In 1859, the battle of Solferino inspired the creation of the International Committee of the Red Cross as a humanitarian relief agency to provide help to wounded soldiers in war. The discourse on civilian protection thus became more developed and prominent, defining both who should be protected and who should have the duty – and the right – to protect during times of war.

The atrocities of World War II spurred the creation of the 1949 Geneva Conventions and the subsequent Protocols of 1977, serving as the core treaties of international humanitarian law (IHL) or the laws of war.[7] These treaties did not change the discourse substantively, but enlarged the group of protected persons to include those who do not participate, or are no longer participating, in hostilities. To this end, it elaborates on the protected status of civilians, victims and non-combatants in armed conflict through detailed provisions on their treatment, status and rights. In situations not covered by these treaties, in particular internal conflict, civilians are protected by other international bodies of law. These include human rights law (HRL) and its inalienable rights, such as the right to life and the prohibition of torture and slavery[8], international refugee law and more recently international criminal law. More recent IHL-related instruments have extended the scope of the law regarding the means of warfare, in particular those that are indiscriminate or have massively disproportionate effects on the civilian population, such as anti-personnel mines and cluster munitions.[9] Overall, these developments introduced new groups, new arenas and new rights to the protection discourse, but did not change its substantial content.

Further developments in IHL came as a result of the failure of states and international organisations to stop the genocides, war crimes and crimes against humanity committed during the 1990s. The conflicts in Somalia, Bosnia, Rwanda, Angola, Liberia, the Democratic Republic of the Congo (DRC), Sierra Leone, Timor-Leste and Kosovo drew attention to the extreme levels of suffering for civilians caught up in situations of armed conflict where protagonists were demonstrating little respect for IHL and HR-norms. These conflicts are examples of a

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[6] Bryan Deschamp, *Victims of violence – A review of the Protection of Civilians concept and its relevance to UNHCR's mandate* (Geneva: Policy Development and Evaluation Service UNHCR, 2010), 10.
[7] See International Committee of the Red Cross (ICRC), "Geneva Conventions" http://www.icrc.org/eng/war-and-law/treaties-customary-law/geneva-conventions/index.jsp. for the full texts of the conventions and protocols.
[8] These rights are considered universal standards to which no derogation is admitted, even in time of public emergency and other exceptional circumstances. Those rights comprise: the right to life; the prohibition of torture and other cruel, inhuman or degrading treatments or punishments; the prohibition of slavery and forced labour; the principle of legality and non-retroactivity of punishments, ICRC, *Enhancing Protection for Civilians in Armed Conflict and other Situations of Violence* (2008), 7.
[9] These include the 1949 Geneva Conventions and its five protocols, the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Convention), and the 2008 Convention on Cluster Munitions.

contemporary trend where civilians are increasingly made the targets and objectives to be won in a context where military engagements take place amongst, against, or in defence of civilians.[10]

Within the humanitarian community, many believed that more could be done on the ground to mitigate violence against civilians in the absence of political will.[11] There was an increasing awareness that humanitarian assistance had become a complex endeavour with the potential for doing both good and in some cases, considerable harm. Providing food and material aid when deliberate attacks upon civilians was the central issue, was not only an ineffective response, but also a 'smokescreen for political inaction'.[12] In late 1996, the ICRC invited a group of agencies to a series of workshops, to develop professional standards for humanitarian protection work. This resulted in a definition of protection that is now shared among most humanitarian actors and that encompasses 'all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law (i.e. human rights law, international humanitarian law and refugee law)'.[13]

A ground-breaking shift, however, came when protection was addressed more systematically at the state level. Until the late 1990s, the UN Security Council had only dealt with the protection of civilians within the scope of IHL and always from a country-specific point of view. In 1999, efforts by several actors both within and outside the UN system contributed to place the responsibility for upholding the principle of protection of civilians, not only with the member states and parties to the conflict, but also with the Security Council itself.[14] This constituted a turning point in the protection discourse. Responsibility was given not only to the parties to the conflict, but also to the society of states at large. It also introduced civilian protection as an activity, as a last resort, to be performed by a third party. Since then, twelve UN peacekeeping operations have been given explicit protection mandates, the Security Council has treated protection as a cross-cutting issue with emphasis on the most vulnerable groups of individuals, and some nations have developed their own national strategies to protect civilians.

Today, protection of civilians is not limited to the humanitarian community and the UN, but has come to play an important role in NATO's approach to insurgencies in Iraq and Afghanistan and the military involvement in Libya, and in the development of the EU's Common Defence and Security Policy (CDSP) and its crisis-management operations. It is to these developments we now turn.

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[10] Rupert Smith, *The utility of force: the art of war in the modern world* (New York: Knopf, 2007), 3–4.
[11] IASC, *Growing the Sheltering Tree – Protecting rights through humanitarian action* (Geneva: UNICEF, on behalf of the IASC, 2002).
[12] ——— *Growing the Sheltering Tree – Protecting rights through humanitarian action*.
[13] ICRC, *Third Workshop on Protection*, Background Paper, 7 January 1999, 21.
[14] United Nations Security Council, "Statement by the President of the Security Council," 12 February 1999.

2.1 UN

The UN is presented first of the three organisations since it currently is the most pro-active and innovative actor in developing practical approaches to civilian protection in peace operations. In addition, the UN may be the single most important organisation in terms of norm development linked to multilateral efforts to reinforce human security.

2.1.1 Rationale

The UN discourse on PoC-activities is primarily direct, in the sense that protection of civilians is seen as an end in itself. This reasoning hinges on three interlinked arguments. Firstly, the UN acknowledges that civilians are the main victims of war. Secondly, the protection of civilians is framed as a moral duty that cuts to the core purpose of the UN, i.e. saving future generations from the 'scourge of war'.[15] Thirdly, the rationale for engaging with PoC also has a functional aspect. The UN discourse portrays the organisation as the primary norm developer in the international system, and the organization has played a dominant role in delivering protection services and activities together with implementing partners and other actors in the field (including state bodies, humanitarian organisations, or other international organisations such as the AU, the EU and NATO).

However, there is also an instrumental or indirect aspect evident in the UN's ambitions. Increasingly, the legitimacy and survival of the organisation is seen to depend on its ability to protect civilians.[16] The presence of a peacekeeping mission generates high expectations among host populations and international opinion as to its ability to protect. When these expectations are not met, as seen in Srebrenica, Rwanda, Darfur, and elsewhere, the (in)ability to protect civilians affects not only the mission, but the legitimacy of the UN as a whole.

2.1.2 Organisational drivers

The emergence of the Protection of Civilians discourse in the UN is first and foremost the result of organisational norm development and promotion within parts of the larger UN bureaucracy. The Office for the Coordination of Humanitarian Affairs (OCHA) has been the most active promoter of PoC, taking a leading role in the UN context.[17] However, more than a decade after the first Security Council resolution on the protection of civilians in armed conflict, there is still no clear and unified definition of what protection of civilians entails within the UN system. Thus, while the rationale for engaging in PoC is largely agreed upon by all contributors to the discourse, its implications – the activities necessary to succeed – are contested.

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[15] 'Preamble', *Charter of the United Nations*, (1945), para. 2.

[16] "A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping", (New York: Department of Peacekeeping Operations and Department of Field Support, July 2009), 19. See also the *Report of the Panel on United Nations Peace Operations. The Brahimi Report,* United Nations, (2000). The report states that '[n]o failure did more to damage the standing and credibility of United Nations peacekeeping in the 1990s than its reluctance to distinguish victim from aggressor.'

[17] OCHA has for over a decade been responsible for developing policy and providing guidance to the UN Security Council through the Secretary General's report on PoC (every 18 months) and the biannual oral briefing to the Council. See Jon Harald Sande Lie and Benjamin de Carvalho, "A Culture of Protection? Perceptions of the Protection of Civilians from Sudan," in *Security in Practice* (Oslo: NUPI, 2008).

There are several reasons for the lack of a unified definition on PoC within the UN; some members of the Security Council fear that a clear definition will prove too binding or undermine state sovereignty and territorial integrity.[18] In addition, diverging organisational interests and operational goals among key UN agencies and departments as well as the need for political consensus have prevailed over conceptual clarity.[19]

Each of the various UN departments, offices and agencies has its own particular approach to PoC. These approaches are coloured by their specific mandate and responsibilities, often focusing on the legal, security or humanitarian aspects of protection.[20] The most obvious tension is that between the humanitarian and military elements of the UN organisation. However, it is important to highlight that humanitarians often see the importance of physical, or military protection, and vice versa, and the tension is really about how the two types of actors should co-exist.

Due to a less hostile attitude to protection tasks among major troop contributing countries, the UN Department of Peacekeeping Operations (DPKO) has recently become more active in the development of PoC-concepts for peacekeeping and is becoming increasingly influenced by the PoC-discourse.[21] Specifically, DPKO has sought to articulate a concept of protection for peacekeepers – as distinct from the OCHA/Humanitarian concept – that encompasses the full range of physical, political and human rights activities, and humanitarian support that makes up multidimensional peacekeeping efforts. The draft 'Operational Concept on Protection of Civilians in UN Peacekeeping Operations'[22] organizes PoC/PKO into three tiers of engagement:

(1) Protection through political process,
(2) Protection from physical violence, and
(3) Establishment of a protective environment

This understanding of PoC/PKO now serves as the basis for a range of UN developments, including the framework for the drafting of PoC-strategies in UN PKOs, the PoC pre-deployment training curriculum, and the matrix of resources and capability requirements for implementation of protection of civilian mandates in UN PKOs. The PoC-operational concept is explored in further detail in Chapter 3.1 of this report.

Tensions and challenges
There are several tensions – both explicit and implicit – in the UN discourse on protection of civilians.

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[18] Security Council Report, "Protection of Civilians," in *Cross-Cutting Report,* (New York: October 2010), 29.
[19] Andreas Stensland and Ole Jacob Sending, "Unpacking the Culture of Protection," in *Security in Practice* (Oslo: NUPI, 2011).
[20] ———— "Unpacking the Culture of Protection."
[21] "Report of the Special Committee on Peacekeeping Operations", (United Nations, 2010).
[22] United Nations, "DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations," (New York: United Nations, 2010).

Perhaps the greatest tension is the aforementioned lack of a shared and coherent understanding of what UN agencies, and institutions can and should be doing to protect civilians. According to a joint DPKO/OCHA study, the uncertainty of what PoC means has been a central obstacle to rendering PoC operationally effective in UN peace operations.[23] The UN Secretariat is in the process of clarifying its concepts, improving guidance and training to be made available to military, police and civilian personnel. This has brought to the fore many of the tensions in the UN discourse on PoC, particularly with regard to the division of labour between military, political and humanitarian actors and between human rights and physical protection.

While PoC is seen as an effort demanding a comprehensive approach, there is a limit to the level of civil-military integration that is achievable and desirable.[24] Particularly for the humanitarian community – which is guided by the humanitarian principles of impartiality and independence – it is important to ensure that their work is perceived as non-political and separate from the military and political peacebuilding efforts (see Chapter 6). Attempts at structural, i.e. physical or organisational, integration of humanitarian and military efforts are therefore seen as problematic.[25] However, there are examples of functional cooperation at the tactical level between 'unlikely' partners in operations with a dire need to coordinate PoC-efforts such as MONUSCO in the DR Congo.[26]

Tier one and tier two of the operational concept – protection through political process and protection from physical violence – may at times be contradictory. In other words, support to the political process is not necessarily conducive to the protection of civilians from physical violence and vice versa. The United Nations Mission is Sudan (UNMIS)[27], where the parties to the peace process – or their proxies – regularly threaten the safety of the civilian population, was a case in point. For mission leadership, the choice between intervening militarily to possibly achieve short-term physical protection, while at the same time severing relations with one of the parties to the conflict, is a difficult one. There is, in other words, nothing 'natural' or 'inevitable' about the internal coherence of these two tiers. Rather, this coherence is created in writing and through speech and action, by UN personnel in headquarters and in the field.

Considering the often limited capabilities of peacekeepers, both in terms of force projection and force protection, they regularly find themselves in situations where they perceive that they do not have the necessary capabilities to intervene. Therefore, UN Security Council mandates to protect

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[23] Victoria Holt, Glyn Taylor, and Max Kelly, *Protecting civilians in the context of UN peacekeeping operations – successes, setbacks and remaining challenges,* Independent study jointly commissioned by the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs (New York: United Nations, 2009).

[24] "A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping," 20.

[25] Espen Barth Eide et al., *Report on Integrated Missions: Practical Perspectives and Recommendations* (Oslo: NUPI, 2005).

[26] Stian Kjeksrud and Jacob Aasland Ravndal, "Protection of civilians in practice: Emerging lessons from the UN mission in the DR Congo," FFI-rapport 2010/02378, (Kjeller: Norwegian Defence Research Establishment (FFI), 2010).

[27] UNMIS is now no longer operating in Sudan. The mission is re-established as United Nations Mission in South Sudan (UNMISS) after the secession of South Sudan on 9 July 2011.

civilians from imminent threats of violence are often followed by the phrase 'within capabilities' and/or 'within area of operations'. The combination of relatively strong mandates that raise expectations and weak capabilities that limits implementation, not only circumscribes the perceived effectiveness of UN peacekeeping as a whole, but also risks undermining the legitimacy of the peacekeeping force and its wider stabilization or peacebuilding mission.[28]

2.2 NATO

NATO, as a military alliance, has shifted its focus in stabilisation operations towards a population-centric approach. Despite the increased attention paid to providing human security, the rationale behind NATO's approach is quite different from that described in the section on the UN.

2.2.1 Rationale

NATO's discourse on PoC frames the organisation's rationale for engaging in protection activities as first and foremost indirect, in the sense that it forms part of a strategy where the primary goal is to quell an insurgency, be it in Iraq or in Afghanistan. To the extent that NATO historically has focused on the protection of civilians, it has been through the protection of its member states and their respective populations from aggressors. Until NATO together with regional allies embarked on its UN-mandated military operation in Libya, protection of civilians in third countries had not been a major rationale.[29] In later years, however, the perception that crises and conflicts beyond NATO's borders can pose a direct threat to the security of the alliance partners' territory and populations has been introduced into the NATO discourse. The alliance therefore holds that it is determined to engage when necessary to prevent and manage crises, stabilise post-conflict situations and support reconstruction.[30]

According to NATO's PoC-discourse, battles in asymmetrical conflicts, such as in Afghanistan, are most often fought not in order to destroy the enemy, but to persuade the population that ISAF and the Afghan government deserve their support.[31] The rationale is that NATO and the insurgents are in a contest to influence people about which side to support. The people watch, listen and make choices based on who can better protect them, provide for their needs, respect their dignity and their community and offer opportunities for the future. While ideology can

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[28] Victoria Holt, Glyn Taylor, and Max Kelly, *Protecting civilians in the context of UN peacekeeping operations – successes, setbacks and remaining challenges,* Independent study jointly commissioned by the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs (New York: United Nations, 2009), 159.

[29] Even when out-of-area-operations had a strong humanitarian aspect – such as in Kosovo in 1999 – the explicit justification for the operation was to prevent spill-over effects that could affect the security of NATO's own member states – not to protect civilians. See Alexander William Beadle, *Protection of civilians in theory – a comparison of UN and NATO approaches*, FFI-rapport 2010/02453, (Norwegian Defence Research Establishment (FFI), 2010), 22. NATO's decision to intervene militarily to protect civilians in Libya was mandated by the UN and thus draws more upon the UN's discourse on PoC than on that of NATO. At the moment it is unclear what consequences the military operation and its interpretations will have for the overall PoC discourse within the Atlantic alliance.

[30] NATO, *Strategic Concept for the Defence of the Members of the North Atlantic Treaty Organization* (2010), para. 20–21.

[31] NATO, *ISAF Commander's Counterinsurgency Guidance*, (Kabul: Headquarters ISAF, August 2009), 1.

influence the outcome, it is considered subordinate to the practical considerations of survival and everyday life.[32] Hence, protection of the civilian population has become a centrepiece of the strategy, while the overall objective of stabilisation to prevent spill-over remains the same. It is the operational necessities that have made ISAF place unprecedented attention on the issue of protection of civilians.[33]

2.2.2   Organisational drivers

Protection of civilians in NATO, by way of the so-called population-centric approach, is a problem-solving strategy in response to NATO's struggle to achieve a decisive victory over enemy forces through traditional military means. Following the invasion of Iraq in 2001 and Afghanistan in 2003, both theatres of operation gradually descended into a state of internal chaos to which the US-led coalition forces responded with counterinsurgency campaigns. The population-centric approach, credited to General Petraeus, contributed to reduce the violence in Iraq and was soon adopted by NATO's forces in Afghanistan.

Initially, the population-centric approach was promoted by the US Army, through the development of key documents in response to events in current missions. Lessons from Vietnam and other former US military engagements were also revitalised and brought into consideration again. A temporary counterinsurgency doctrine was hastily produced as early as October 2004.[34] This initiative was followed up by the Counterinsurgency Field Manual (FM 3-24), from 2006, that essentially broke with the long-standing preoccupation with decisive use of military force.[35] This process was driven by demand for new conceptual tools at the operation level.[36] Illustrative of the US Army's influence, the FM 3-24 was soon informally adopted as NATO's counterinsurgency doctrine.[37] NATO followed up with the Joint Operational Guidelines for Counterinsurgency 10/01 in May 2010 and the Allied Joint Publication for Counterinsurgency (AJP-3.4.4).

It is worth noting that none of the conceptual developments in the NATO context are dedicated solely to protection of civilians. While the protection of the population forms a centrepiece of NATO's counterinsurgency strategy, it has not been defined as an operational objective per se.[38] The population-centric approach is framed as a means to achieve a larger end. This indirect, problem-solving focus is key to NATO's approach to protecting civilians in peace and stabilization operations.

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[32] ———— *ISAF Commander's Counterinsurgency Guidance*, 3–4.

[33] *COMISAF's Initial Assessment*, (Kabul: Headquarters ISAF, 30 August 2009).

[34] *FMI 3-07.22 Counterinsurgency Operations*, (Headquarter, Department of the Army, 2004).

[35] Nathaniel C. Fick and John A. Nagl, "Counterinsurgency Field Manual: Afghanistan Edition," *Foreign Policy* (2009).

[36] The population-centric approach has to a large extent been developed in-mission, in Afghanistan. See *COMISAF's Initial Assessment*. And *ISAF Commander's Counterinsurgency Guidance*.

[37] Tore Nyhamar, *Counterinsurgency Field Manual 3-24 and operations*, FFI-rapport 2009/01342, (Kjeller: Norwegian Defence Research Establishment (FFI), 2009), 7.

[38] Beadle, *Protection of civilians in theory – a comparison of UN and NATO approaches*, 24.

2.2.3 Tensions and challenges

A major tension in NATO's discourse on PoC is the indirect approach to protection combined with the focus on long-term stabilization. In other words, protection of the civilian population is at no point identified as the main goal of the operation, but is nevertheless envisioned as its outcome. On the one hand, this provides NATO with leeway to conduct operations that may have a negative short-term, but a more positive long-term effect on protection (ref. the tension between the UN's tier 1 and 2). Simultaneously, and as mentioned in the Joint Operational Guidance, it is unlikely that the long term efforts at creating stability are achievable unless NATO simultaneously seeks to better the security for the civilian population in an active and direct fashion, i.e. more similar to the UN's tier 2 (protection from physical violence). While this tension is explicit in the discourse, it nevertheless poses a challenge to the success of NATO's missions.

By making protection of the people the mission, NATO has to simultaneously put their neck out to the insurgents. Insurgent success in Afghanistan is achieved by sowing chaos and disorder anywhere, while NATO fails unless it maintains a degree of order and ensures the security of the population everywhere.[39] For the insurgents, the civilian population becomes a much easier target than the NATO forces, thus further aggravating the security situation and NATO's chances at suppressing the insurgency. Albeit less directly than in the case of the UN this dynamic has contributed to make civilian protection key to NATO's success in Afghanistan.

NATO's practical approach to protection of civilians ranges from traditional military tasks to predominantly civilian tasks, including development projects. In some cases, the approach contributes to blurring the line between civilian and military areas of responsibility. Firstly, this multiplicity of tasks may prove daunting to the generalist soldier who is trained and equipped primarily for war-fighting and security tasks. Secondly, toggling the role of combatant and development worker from context to context sets a strain both on the soldiers and the civilian population. The lack of priority given to the operationalisation of basic and direct activities and tasks to protect civilians contributes to this tension.

A central tenet of NATO's population-centric approach is that the military cannot win alone. They need to work closely with civilian actors, both inside their own government, the host-nation government and NGOs. However, even more so than in the case of the UN, humanitarians, development actors and civilian government officials are reluctant to cooperate or coordinate with NATO's military missions.

In current NATO operations, the dilemma between force protection and protection of civilians is not so much a question of scarce capabilities as it is in the UN. Rather it is a question of willingness to expose the forces to threats, which are more serious than most met in current UN operations, as well as the willingness of the general public within the troop contributing states to accept casualties. If the operation is seen as legitimate at home, officers and soldiers may

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[39] *Counterinsurgency Field Manual 3-24*, (Boulder, Colorado: Paladin Press, 2006), 4.

arguably be more likely to accept force exposure and the public will also be more likely to accept sacrifices. Willingness to accept risk is also more likely if the forces are generally well-equipped and supported by the necessary logistical apparatus that will allow for evacuation and medical treatment, than if they are not. In this perspective, NATO, well-funded and with a mandate to protect the security of its own populations has a comparative advantage over most UN peacekeepers.

2.3 EU

On the surface, it seems like the EU is leaning heavily towards the UN approach to protection. In fact, the EU has been an influential actor in terms of promoting human security aspects in the UN discourse on protection and the responsibility to protect. On a deeper level, the EU is moving towards a unique EU approach to protection but it remains to be seen how this discourse will influence concepts and practices of protection. In addition, the EU has evolved quite far on a related topic termed 'Civil Protection', which is not the same as protection of civilians in armed conflict. Civil Protection refers to assistance that is 'delivered during the immediate phase of a disaster.'[40]

2.3.1 Rationale

The EU's discourse on PoC is to a large degree interlinked with that of the UN. The EU's rationale for engaging in the protection of civilians is direct, although to a less degree implemented in practice in actual operations. This dovetails with the EU's overall discourse on peace and security, which represents the creation of the organisation as an effort to end the frequent and bloody wars between neighbouring European states.[41] The *raison d'être* of the EU – and the UN – is based on its ability to protect its own citizens.

The rationale for involving the EU in civilian protection thus also has an indirect aspect. Over the years, the 'benefactors' (the objects to be protected) in the PoC-discourse has also come to include people living beyond its borders. According to the European Council, one of the essential objectives of the organisation is to develop and strengthen respect for human rights and fundamental freedoms. The EU is determined to enhance its capabilities in crisis management and conflict prevention, as well as to pursue cooperation with the UN and the ICRC in these areas.

With the development of a Common Security and Defence Policy (CSDP), the EU has increased its engagement in crisis management missions and operations, both civil and military. In this regard, the EU underscores the organisation's comparative advantage with regard to furthering civil-military cooperation at all levels of operation. The EU also highlights its contribution to sustainable peace given its expertise in the area of the rule of law and human rights.
Hence, the EU's rationale for engaging in PoC also has a functional aspect. According to the dominant PoC-discourse, the EU is presented as well-placed for developing a coordinated

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[40] European Commission, "European Civil Protection,"
http://ec.europa.eu/echo/civil_protection/civil/prote/cp01_en.htm.
[41] The history of the European Union, http://europa.eu/about-eu/eu-history/index_en.htm

approach to PoC in its broadest sense due to the combination of the EU's civil and military resources and the organisation's ability to provide humanitarian aid and long-term support in terms of development cooperation.[42]

2.3.2   Organisational drivers

The EU has had a dual role when it comes to developing its PoC-concept. Firstly, the organisation has actively influenced the deliberations and mandates of the UN Security Council. To this end, the EU has sought to maintain a unified stand within the Security Council, to influence the normative development of the PoC-agenda.[43]In this forum, the EU has successfully pushed for broadening the scope of PoC, by linking it to a more controversial concept – the Responsibility to Protect (R2P).[44]

Secondly, the EU has sought to operationalise the concept within its own domain through the structures of CSDP. These guidelines are based partially on developments in the UN, but tailored to the EU's working environment. The first draft guidelines on Protection of Civilians in EU-led crisis management operations were developed in 2003. The guidelines were drafted by the Committee for Civilian Aspects of Crisis Management (CIVCOM), an advisory body within the European Union.[45]

The document does not provide any explicit definition of protection of civilians, but it does list a number of areas of concern.[46] It further calls for suitable training in these areas, to personnel deployed in EU-led crisis management operations, both at the national level and through EU programs.[47]

In April 2010, the EU Political and Security Committee requested a review and update of the 2003 Draft Guidelines. This was developed in consultation with the UN – notably OCHA and

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[42] European External Action Service, *Draft Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations* (Brussels: Council of the European Union, 2010).

[43] Pursuant to article 34 of the Treaty on the European Union, "when the Union has defined a position on a subject which is on the United Nations Security Council agenda, those Member States which sit on the Security Council shall request that the High Representative be invited to present the Union's position".

[44] The Responsibility to Protect (R2P) is an emerging international security and human rights norm to prevent and stop genocides, war crimes, ethnic cleansing and crimes against humanity, including through forceful intervention. The intervention in Libya can be seen as the first implementation of R2P in practice, although the Security Council decided to term the mandate 'protection of civilians'.

[45] The activities of CIVCOM form part of the Common Foreign and Security Policy (CFSP) of EU, and the civilian side of the Common Security and Defense Policy (CSDP). CIVCOM is composed of representatives of the EU member states.

[46] These include the creation of a secure environment for civilians; humanitarian access; respect for inter-national norms on the protection of civilians, and the Guiding Principles on Internal Displacement and Refugee law. Further to ensure respect for rights as well as protection of civilians in armed conflict, particularly with regard to children and child soldiers (especially girls), protect women and children from sexual exploitation, abuse and trafficking, gender mainstreaming and HIV/AIDS awareness.

[47] CIVCOM, *Draft guidelines on protection of civilians in EU-led crisis management operations* (Brussels: Council of the European Union, November 2003).

DPKO – as well as the ICRC[48] in response to the recent developments in the UN, particularly with the adoption of S/RES 1894 which underscored the legal underpinnings of PoC and placed a stronger focus on the role of peacekeepers in the protection of civilians. It must also be seen in the context of the EU's restructuring process and the creation of the European External Action Service (the EU's diplomatic service) following the entry into force of the Lisbon Treaty on 1 December 2009. The aim of the Revised Draft Guidelines was to take stock of existing experience and measures concerning the implementation of PoC in CSDP missions and operations, best practices identified by the UN and other relevant organisations concerning PoC, and to take account of previous work on PoC in CSDP mission and operations.[49]

2.3.3   Tensions and challenges

Similar to the UN and NATO, civil-military cooperation and the balancing of mandated tasks with relevant capabilities are key tensions inherent to the EU's comprehensive approach to PoC. The EU discourse on protection is the one that most strongly links PoC to the principle of Responsibility to Protect (R2P). By mixing these two concepts, the EU approach to PoC risks stirring tensions among countries that regard R2P as an attempt to undermine the principle of sovereignty. This has traditionally been a concern of the Non-aligned Movement countries (NAM), of which several are gaining increasing influence both in the UN and in regional organisations. The implementation of the 'no-fly zone' in Libya, based on Security Council mandates which refer both to the protection of civilians (S/RES 1973) and the responsibility to protect (S/RES 1970), has done little to assure the sceptics.

The EU draft revised guidelines adopts the humanitarian definition of protection, encompassing 'all activities aimed at ensuring full respect for the rights of the individual in accordance with international humanitarian, human rights and refugee law'.[50] By so doing, the EU risks complicating the operationalisation of the concept in military terms (cf. the UN's challenges). Additionally, it transforms PoC from a task into an overarching vision that is virtually impossible to achieve – and that is not necessarily attuned to the capabilities and political will of the organisation.

The EU is in favour of intensifying exchanges between itself and the UN, as well as NATO and the African Union, on how to mutually reinforce the ongoing processes and how to move the

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[48] European Union, "EU Statement – United Nations Security Council: Protection of Civilians in Armed Conflict," (22 November 2010).

[49] EU operations in this period includes addressing large scale attacks against civilians (EUFOR Artemis in DRC), improving the security and humanitarian situation (EU CIMIC supporting action to the African Union Mission in Darfur), providing a safe and secure environment for refugees and internally displaced persons (IDPs) (EUFOR Tchad/RCA) and provide military presence in order to contribute to a safe and secure environment and deny conditions for a resumption of violence (EUFOR Althea in Bosnia and Herzegovina). In civilian missions, EU PoC includes developing and strengthening of an independent and justice system adhering to internationally recognized standards (EULEX Kosovo), police reform and monitoring and reporting (EUMM Georgia and EUPOL RD Congo). European External Action Service, *Draft Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations*, 2.

[50] Council of the European Union, *Draft Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations* (Brussels: 9 September 2010), 4.

debate on PoC in crisis management forward. While such exchanges are necessary, they might also bring to the fore important differences in the various institutions' approach to the implementation of PoC.

One of the most prominent differences between the EU and the UN regards so-called 'robust peacekeeping', referring to a willingness and obligation to use force, in the last instance, at the tactical level in support of the mandate.[51] The UN has experienced difficulties in getting member states to support the more robust approach to peacekeeping. The EU, on the other hand, sees robustness as a precondition for the effective protection of civilian population from physical threats, and member states are generally more favourable to this approach.[52]

2.4 Discursive challenges

PoC-discourses contribute to shaping responses to violent threats against civilians – much in the same way as do technical capabilities and operational concepts. To explore these constraints and possibilities, the PoC-discourses were studied along three dimensions: (1) rationale; (2) organisational drivers; and (3) tensions and challenges.

Across organisations, all the protection discourses define a group of people that are considered external to the conflict and that should be protected from violence. This responsibility is first and foremost placed upon the parties to the conflict. The UN and the EU broadens the group imbued with a duty to protect by including the responsibilities of third parties, such as their own organisations. NATO, on the other hand, only claims responsibility for protecting civilians when the organisation is party to the conflict. In these situations, protection is implicitly considered as a goal in itself (through the Geneva conventions), but is first and foremost a means to an end in the fight against an insurgency. When NATO does third-party protection – as in the recent Libya operation – it draws upon the UN discourse on protection, not its own. Whether this might change is still unclear.

Both the EU and the UN discourse links the protection of civilians to their core values – and hence also to their existence as organisations. For NATO this is less explicit. However, by claiming that 'protecting the people is the mission', the alliance has linked mission accomplishment to its ability to protect civilians. Thus, failure to protect threatens the potential success of the mission.

There are also important differences with regard to the drivers of the organisational discourses. The NATO discourse is largely driven bottom-up as a problem-solving strategy. In addition, NATO's protection discourse does not provide a coherent link between protection at the tactical,

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[51] While the concept of "robust peacekeeping" seems to be fading out of the peacekeeping discourse, the tensions regarding the use of force remain and is in no way solved in the UN approach to peacekeeping.
[52] Council of the European Union Secretariat, *Protection of Civilians in EU-led Crisis Management Operations – recommendations on the way forward* (Brussels: Council of the European Union, 21 April 2010), 5.

operational and strategic level – or between short and long term protection.[53] In the UN, the drivers of the protection discourse have been diverse, largely due to the compartmentalized nature of the UN bureaucracy and organisations and the fact that protection of civilians constitutes such a central value to the organisation. In the EU, the protection discourse has been driven largely top-down, by tapping into the UN discourse and interlinking it more closely with the concept of R2P. The connotations that the R2P concept raises, could constitute an impediment to the further operationalisation of PoC – both in the EU and elsewhere.

3   Comparing PoC-concepts

This chapter reviews and compares existing PoC-concepts within the UN, NATO and EU and addresses the following three questions for each organisation: (1) How is PoC defined in official documents/strategies/operational concepts? (2) What concrete activities/tasks are listed as relevant? (3) What is the role of the military? The aim is to determine the current status of existing PoC-concepts within each organisation. Military organisations are used to operating on the basis of concepts, strategies and doctrines, and it is important that military planners are aware of the concepts they have to relate to in future operations.

3.1   UN

The UN, and in particular the UN Department of Peacekeeping Operations (DPKO), is now at the forefront of developing policies, doctrines, strategies, concepts, planning tools and training modules to advance the organisation's capability to protect civilians in armed conflict. The previous top UN peacekeeping official, Alain le Roy, stated in 2010 that UN peacekeeping is entering a 'consolidation' phase, where the UN will aim to improve its approaches to three operational dilemmas for UN peacekeepers: robust peacekeeping, protection of civilians and critical peacebuilding tasks.[54]

The New Horizon Initiative, which is one of the latest reform efforts related to UN peace operations, is specifically concerned with further developing mission-specific protection strategies, identifying resources and capabilities needed for PoC-mandates and the development of PoC-training modules. This also includes a series of scenario based exercises for senior mission leadership.[55]

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[53] Alexander William Beadle, *Protection of civilians in theory – a comparison of UN and NATO approaches*, (Kjeller: Norwegian Defence Research Establishment (FFI), 2010)
[54] UN News Centre, "UN peacekeeping in consolidation phase, says top official," http://www.un.org/apps/news/story.asp?NewsID=35558&Cr=le+roy&Cr1
[55] United Nations DPKO/DFS, "The New Horizon Initiative: Progress Report No. 1," (New York: United Nations, 2010), 13.

Due to the plethora of different UN PoC-initiatives, this report will only review four of the most relevant and influential documents in this chapter:

(1) The Capstone Doctrine: United Nations Peacekeeping Operations – Principles and Guidelines
(2) DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations
(3) Draft Concept Note on Robust Peacekeeping
(4) Framework for Drafting Comprehensive Protection of Civilians (PoC) Strategies in UN Peacekeeping Operations

3.1.1   Definitions

The UN system does not have a unified definition of PoC. The Operational Concept on PoC states that, in general, there are three paradigms among practitioners and how they view POC in UN peacekeeping[56]:

(1) Protection as a broad concept encompassing international humanitarian law and human rights law. Many humanitarian and human rights actors ascribe to this understanding (see Chapter 6).
(2) Protection as activities ensuring that civilians are safe from physical harm.
(3) Protection as the inherent end result of peacekeeping, and that it is therefore redundant as a distinct mandated task.

The Capstone Doctrine does mention protection of civilians several times, but does not provide a definition.[57]

The Operational Concept on PoC delivers an honest assessment of the lack of a unified definition of PoC within UN peacekeeping operations: 'a wide range of views regarding what protection of civilians means for UN peacekeeping missions has taken root.' The various actors involved 'often understand PoC in ways that may contradict one another, causing friction, misunderstanding and frustration in missions.'[58] Instead of trying to reconcile all views on PoC, the document therefore promotes a three-tier framework for conceptualizing PoC in UN peacekeeping operations: (1) protection through a political process, (2) providing protection from physical violence, and (3) establishing a protective environment.

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[56]——— "DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations," para.10.

[57] ——— "DPKO/DFS United Nations Peacekeeping Operations Principles and Guidelines," (New York: United Nations, 2008), 24.

[58] ——— "DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations."

Protection of Civilians is also at the core of the *Draft Concept on Robust Peacekeeping*, although the document does not provide a precise definition of it. PoC has, however, emerged as the main rationale behind the UN's approach to the potential use of military force at the tactical level.

The Framework for Drafting Comprehensive Protection of Civilians Strategies in UN Peacekeeping Operations does not present a definition of PoC, but it is the only document which is specific about the necessity of identifying immediate, medium- and longer-term objectives vis-à-vis the protection of civilians. It relates back to the comprehensive 'three tier' understanding of PoC as presented in the Operational Concept on PoC.

3.1.2   Activities

The Capstone Doctrine does not provide much insight into how PoC is supposed to be set out in practice. What it does is briefly describing what PoC requires from the UN response in general. This basically involves a comprehensive approach and a need for coordination, including with non-UN PoC-actors, and the need to include PoC in planning and core UN activities.

The Operational Concept on PoC aims to provide a "shared understanding of the implementation of POC mandates", and "identify and organize the range of POC mandated tasks into a clear conceptual framework" but does not seem to fully achieve clarity.[59] Still, the concept provides two core insights: (1) each operation must develop its own mission-wide strategy to PoC and (2) PoC needs a coherent and comprehensive approach, as depicted through the three-tier approach referred to above. The concept lists a wide range of current activities that may be related to PoC, before it delves into a description of PoC activities within each of the three tiers (political process, physical protection and protective environment).[60]

The description of PoC-activities under the first tier is rather vague. It mentions "provision of good offices to the parties to a peace agreement, facilitating the political process through mediation, support to reconciliation processes, and active liaison with the host government etc." Tier two is more developed and has more relevance to military actors, but seems more concerned with listing potential activities rather than providing guidance on how to provide improved protection. A greater level of detail can be found in the training packages that recently have been developed by the DPKO.

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[59] ——— "DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations," 2.

[60] The Draft Concepts lists a wide range of areas where UN support to the political processes, conflict management and support to reconciliation, protection from physical violence, creating conditions conducive to the delivery of humanitarian assistance, promotion and protection of human rights, displacement and solutions, rule of law, security sector reform, DDR, mine action, child protection, sexual and gender-based violence.

The Operational Concept on PoC introduces a four-phased approach to physical protection, or tier two, which have direct impact on how military actors should relate to PoC in UN operations:

> Phase 1 – Assurance and Prevention
> Phase 2 – Pre-emption
> Phase 3 – Response, and
> Phase 4 – Consolidation.

In phase 1, UN actors are meant to reassure the local population of the intent to protect them mainly through "routine, passive measures." If this is enough to reassure a population under threat remains unclear. Phase 1 may also include an assessment of potential aggressors' intent. In phase 2, military forces and police elements may increase "proactive, high-visibility patrolling." However, more important in this phase are civilian measures such as "increased liaison with government and non-government armed actors, […], enhanced human rights monitoring, reporting, and advocacy, as well as heightened political pressure. Phase 3 will involve "active measures aimed at deterring potential aggressors […]".[61]This includes deployment of police and/or direct military action. It is not specified what this might include from a military point of view. Phase 4 mentions liaison with the parties, dialogue with members of the community and investigation into human rights violations committed during the crisis.

The third tier lacks specificity, and provides little concrete guidance to practitioners. It states that the establishment of an environment that enhances the safety and supports the rights of civilians is divided in three elements: (1) promotion of legal protection, (2) facilitation of humanitarian assistance and advocacy, and (3) support to national institutions.

The Draft Concept Note on Robust Peacekeeping does not provide detailed guidelines on how to provide protection, but states clearly that "PoC is at the core of this concept". The document also presents an ambitious list of "Permissible Tasks", which goes far beyond current practices of most troop contributing countries in missions. Again, it is important to recall that this is a draft, and it is questionable whether this list will continue to evolve in its current form. Most importantly, in relation to the use of force, UN response hinges more upon the willingness of the Troop Contributing Countries (TCCs) than the finalization of this concept. At the moment, many troop contributing countries are not likely to implement these provisions.

The Framework for Drafting Comprehensive Protection of Civilians (POC) Strategies is mostly concerned with providing a guide to the process of drafting a comprehensive PoC-strategy, not so much in detailing concrete activities to mitigate PoC-risks. What is does do, however, is to provide a holistic view of PoC-challenges, and is in fact quite thorough. However, this document does not bring practitioners much closer to what protection activities entail in practice.

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[61] With direct military action, the document mentions interposition of peacekeepers between a vulnerable population and hostile elements or the use of force as a last resort when the population is under imminent threat of physical violence.

3.1.3   Role of the military

As already mentioned, the specific military contribution to PoC is, in general, not treated in much detail in these documents. One reason for this is that they are concerned with making clear what protection means in all its incarnations, and with regards to UN mandates. It is up to civilian, police and military professionals to determine how to best apply the tactics, techniques and procedures to achieve improved protection. They do not, however, take into account that direct protection of civilians in armed conflict is a new task for military actors and there are very few, if any, concepts that have been developed and tested in actual operations. With this in mind, the following will comment on how the role of the military is described in the before mentioned documents.

The Capstone Doctrine specifically makes it clear that "it does not address any military tactics, techniques and procedures (TTPs), which remain the prerogative of individual Member States."[62] The Capstone refers to Concepts of Operation (CONOPS) and Rules of Engagement (ROE) which will guide military contributions in mission, but provides only a limited description of the military's role in PoC. As already mentioned, PoC requires concerted and coordinated action among all components, according to the Capstone. The Capstone does treat the UN's use of force, which it states can be used as a last resort to influence and deter spoilers working against the peace process or seeking to harm civilians. Military force, however, again according to the Capstone, should be applied only to deter and halt attacks and not to seek spoilers' military defeat.

The Operational Concept on PoC is more concise and delves a bit deeper into the role of the military. It presents the four-phased approach to physical protection: Assurance and Prevention, Pre-emption, Response, and Consolidation. Although this provides an idea of how the UN envisions the physical protection tier, it does not manage to go into enough detail to guide military planners and practitioners.

The Draft Concept Note on Robust Peacekeeping has an appendix with a wide range of "permissible tasks", which is quite comprehensive, but still with no clear and conceptual guidance to military practitioners on how to relate to PoC specifically. The most important part may be that PoC is at the core of the UN's justifications to use force to protect the mandate and civilians.

The Framework for Drafting Comprehensive Protection of Civilians (POC) Strategies does not provide much detail for the military practitioner, but does provide a comprehensive understanding of how the UN currently relates to PoC in peacekeeping operations.

To sum up, as the UN is evolving towards a more tangible approach to protection it clearly acknowledges the need for military force to protect. However, the organisation struggles with how to guide practitioners in the use of military force under UN auspices. The UN states that military force is needed, but avoids describing how UN operations should go about employing

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[62] United Nations, "Capstone Doctrine," 9.

force to protect. It is also important to recall that this dilemma is closely linked to the UN's reliance on contributing countries. Many of these countries are restrictive as to what they are willing to do, and often understandably so.

3.2 NATO

Over the last few years, protection of the civilian population has also become a core task for NATO-troops in non-permissive conflict environments. NATO's involvement in complex stabilisation and counterinsurgency operations in Kosovo, Iraq and Afghanistan has highlighted that military force alone is not enough to provide effective protection. Historically, protection for NATO was to prepare to defend member states from a military invasion.[63]

With NATO's out-of-area operations, the alliance is now supposed to be able to provide security to both states and individuals. So far, NATO seems less advanced than the UN in terms of conceptualizing its approach to protection of civilians. One reason might be that NATO's operations have been based on the grounds that conflicts elsewhere could have spill-over effects for its own member countries.[64] Protection of civilians has thus not been an end in itself for NATO and has not received as much attention as it has in the UN.

In addition, NATO and the UN are of course two very different organisations. NATO does not have the same level of civilian capacities as the UN, and conversely, the UN does not have NATO's military capabilities. So far, lessons learned from practical implementation of PoC-mandates point towards a combination of military and civilian means to improve civilian security, thus none of the two are well situated to perform optimally on their own.

3.2.1 Definitions

Unlike the UN, EU and AU (see Chapter 5), NATO is not in the process of developing specific strategies, concepts or policies on protection of civilians.[65] Yet the current ISAF-strategy clearly states that "protecting the people is the mission".[66] Since 2008, protection of the Afghan population is emphasized as an operational objective in several tactical directives released by ISAF Headquarters.[67] This means that NATO recognizes the need for civilian protection in Afghanistan, and even introduces it as a strategic mission objective. However, it does so without providing its commanders with any operational concepts or doctrine that might help them understand how to go about protecting civilians in practice.

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[63] Alexander William Beadle, *Protection of civilians in theory – a comparison of UN and NATO approaches*, FFI-rapport 2010/02453, (Kjeller: Norwegian Defence Research Establishment (FFI), 2010)
[64] Ibid.
[65] Sarah Sewall, "NATO and Complex Operations: the challenge of responding to mass atrocity," in *Complex operations: NATO at war and on the origins of war*, ed. Christopher M. Schnaubelt (Roma: NATO Defense College), 117.
[66] ISAF Commander's Counterinsurgency Guidance
http://www.NATO.int/isaf/docu/official_texts/counterinsurgency_guidance.pdf
[67] See about ISAF, http://www.isaf.NATO.int/official-texts.html. The latest Tactical Directive was issued in November 2011.

3.2.2 Activities

Despite the absence of specific PoC-concepts, NATO indirectly conducts a range of PoC-relevant activities, both in Afghanistan and in Kosovo, and lately also in Libya. In terms of providing basic security to civilians, NATO efforts in Kosovo may have had more effect than in Afghanistan and Libya. It is important to recall however, that these conflicts are very different.

Still, 2010 was the deadliest year for Afghan civilians since 2001.[68] The latest UNAMA report on protection of civilians in Afghanistan shows record high numbers of civilian deaths, 2,777 in 2010, an increase of 15 % compared to 2009. Over the past four years, 8,832 civilians have been killed in the conflict, with civilian deaths increasing each year. Of the total number of 2,777 civilians killed in 2010, 2,080 (75 %) were attributed to anti-government elements, up 28 % from 2009.

A less disheartening trend is the percentage of civilian deaths caused by Afghan security and ISAF forces, 440 deaths or 16 % of the total number, a reduction from 26 % in 2009. NATO has made significant efforts to reduce the number of civilian casualties caused by their own forces, and appears to be moving in the right direction.

What these numbers may testify to is that NATO is able to reduce the number of civilian deaths caused by their own forces when enough importance is attached to this effort. At the same time, the total number of civilian deaths is significantly increasing. An interesting question is therefore whether NATO would have the capacity to reduce the total number of civilian deaths in Afghanistan, if enough effort was given to it as a direct operational task.

A weakness of NATO's (wanting) approach to PoC is that it is either formulated indirectly as a means to an end, in terms of winning over the population to reach and defeat the insurgents, or simply as a limited objective focusing on how not to kill, rather than on how to directly protect. Considering the strong military capability of the organisation, compared to the UN, it seems likely that NATO could be a more effective provider of basic civilian protection if the organisation decided to introduce it as a primary objective, supported by its political power.

However, emerging evidence from a range of armed conflicts, including Afghanistan, shows that protection of civilians is a hugely complex task, and efforts to protect the population often end up having the opposite or unintended effect. For example, experience in Afghanistan has shown that when one party to a conflict makes the population 'the prize', the opposition is likely to make them the target.[69] Such counterproductive mechanisms call for a deliberate and nuanced approach to PoC.

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[68] Ashley Jackson, "Nowhere to Turn: The Failure to Protect Civilians in Afghanistan," (Oxfam international, 2010), 6.

[69] ——— "Nowhere to Turn: The Failure to Protect Civilians in Afghanistan," (Oxfam international, 2010), 6.

Serving as an example of a protection effort which has had counterproductive effects is, according to a joint briefing paper by 29 aid organisations working in Afghanistan, so-called "community defence initiatives". According to the report, countless such initiatives have been established, sometimes with ISAF support, to provide community policing. In practise, however, they often end up absorbing existing militias who abuse the civilian population rather than protecting them. They also have a tendency to grow into unmanageable proportions:

> ALP [Afghan Local Police], which General Petraeus recently described as "community watch with AK-47s," reportedly targets 68 districts across at least eight provinces or roughly 17 % of the total districts in Afghanistan. This is a dramatic increase from the 17 districts planned in August 2010. The force was originally limited to a maximum of 10,000 men but that limit has reportedly since been removed, giving rise to fears that ALP is being rapidly scaled up without appropriate piloting or accountability mechanisms. In the words of one worried diplomat, the "train has jumped the tracks". [70]

The same report is also critical towards ISAF forces failing to maintain a clear distinction between the role and function of humanitarian and military actors. One important factor has been the ISAF involvement in relief activities to win "hearts and minds". The use of soldiers and heavily protected contractors to implement Provincial Reconstruction Teams (PRTs) and other reconstruction and development projects, particularly those which serve counterinsurgency objectives, has blurred the line between aid agencies, development organisations and the military. This may have dire consequences for the Afghan civilian population – particularly once international military forces withdraw.[71]

There is little evidence that PRTs do actually bring about improved stability. The use of PRTs may also generate counterproductive effects. Sometimes when PRT projects are implemented in insecure areas in an effort to win "hearts and minds," they put individuals and communities at risk. A study conducted by CARE, the World Bank and the Afghan Ministry of Education in 2009 found that many community members believed that PRT-constructed schools in insecure areas were at higher risk of attack by anti-government forces than other schools.[72]

There is an inherent tension between counterinsurgency (COIN) strategies and the core principles of humanitarian organisations. The tactic of locating troops closer to villages often places Afghans in harm's way and their presence is not necessarily seen as a source of protection.[73]

Although there are many different understandings of PoC, everyone seems to agree that PoC is ultimately the responsibility of the government. This implies that any serious attempt of providing sustainable protection requires close cooperation with the host government and other official and

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[70] ——— "Nowhere to Turn: The Failure to Protect Civilians in Afghanistan," 15.
[71] ——— "Nowhere to Turn: The Failure to Protect Civilians in Afghanistan," 18.
[72] ———Marit Glad, "Knowledge on Fire: Attacks on Education in Afghanistan, Risks and Measures for Successful Mitigations," (CARE/Afghan Ministry of Education/World Bank, 2009).
[73] Jackson, "Nowhere to Turn: The Failure to Protect Civilians in Afghanistan," 10.

civil institutions. In Afghanistan, ISAF engages heavily with Afghan security forces, but has been criticised for not engaging sufficiently with the Afghan civilian government. Many activities with the aim of achieving immediate support for the military engagement have been implemented without broader consultation with local and international actors involved. This approach will most likely lead to unexpected and unfortunate outcomes because they are not sufficiently adapted to the local environment. As an example, the majority of PRTs still do not report to the Afghan government, at national or provincial levels, on their activities.[74]

3.2.3   Role of the military

NATO is a military alliance. In a NATO-led PoC-operation, such as Operation Unified Protector in Libya, military forces played the leading role. A military lead during the most violent phases of conflict is not necessarily negative, depending on the nature of the operation. According to Sewall, most tactical PoC-tasks will be familiar to military practitioners: convoy escort, direct fires, and detainee operations, no fly zones, protected enclaves or separation of forces are already known tactics of war.[75]

An obvious challenge for NATO in terms of providing sustainable protection is the lack of civilian capacities. In this regard, NATO is entirely dependent on close cooperation with civilian actors. The operation in Kosovo has shown NATO as an important pillar of the comprehensive international civilian-military response. Operation Unified protector in Libya had protection as the main priority. NATO members may also in the future intervene specifically to prevent or halt widespread violence against civilians.[76]

While there is general acknowledgment in the UN that PoC deserves special attention, Sewall argues that there is a lack of recognition in NATO that operations to halt mass atrocities represent a unique operational challenge. She mentions specifically the lack of an operational doctrine that could guide commanding officers and help them "understand the dynamics and demands of responding to mass atrocities."[77] This gap is similar for both organisations.

3.3 EU

Over the past decade, the EU has developed an ambitious approach to peace and stabilisation operations under the umbrella of the Common Security and Defence Policy (CSDP). EU engagements in the Balkans and in the DRC demonstrate that the organisation is able to activate a rather complex civil-military structure when needed. Operation Artemis in the DRC in 2003, when the EU provided much needed military muscle to a UN operation in crisis, demonstrated that the EU was able to respond rapidly to a protection crisis. EULEX in Kosovo – a rule of law

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[74]———— "Nowhere to Turn: The Failure to Protect Civilians in Afghanistan," 19.

[75] Sarah Sewall, "Complex Operations: the challenge of responding to mass atrocity," in *Complex Operations: NATO at war and on the margins of war*, ed. Christopher M. Schnaubelt, *NDC Forum Paper* (Rome: Nato Defence College (NDC), 2010).

[76] ———— "NATO and Complex Operations: the challenge of responding to mass atrocity," 116.

[77] ———— "NATO and Complex Operations: the challenge of responding to mass atrocity," 117.

mission – is very different from Artemis and operates in a post-conflict environment. These two operations may be used as representations of the flexibility often said to be inherent to the EU as an actor in peace and stabilisation operations.

There are several existing EU guidelines and checklists on topics related to PoC, including: (1) mainstreaming of human rights, (2) women, peace and security, (3) sexual and gender based violence, (4) children and armed conflict, and (5) international humanitarian law. In addition, the EU links PoC to other strategies and instruments such as: (1) combating the illicit accumulation and trafficking of small arms and light weapons (SALW), (2) the European Instrument for Democracy and Human Rights (EIDHR), and the (3) Instrument for Stability (IfS).

The EU has not come as far as the UN in terms of providing specific doctrines, guidelines, tools and training for its practitioners to provide protection of civilians in peace and stabilisation operations. There are emerging initiatives, though, and the latest effort is found in the Draft Revised Guidelines on the Protection of Civilians in CSDP Mission and Operations from 2010.[78] Although the title alludes to this not being official EU guidelines, the document is now approved by the EU Council and will indeed inform future planning for EU operations. The new guidelines will replace the guidelines on PoC from 2003.[79]

CSDP operations have developed significantly in this time period, both in numbers and the scope of tasks they are meant to perform. The overall aim of the 2010 PoC-guidelines is to propose a way forward for strengthening PoC in EU operations. It does this by assessing the extent to which the PoC "concerns and implementation of UNSCR 1894 (2009) are considered during the planning and conduct of CSDP missions and operations and the conceptual developments and experience of other organisations."[80]

3.3.1 Definitions

The draft EU guidelines do not, however, provide an official definition of what the EU means by PoC, although they are quite specific in describing how the organisation understands PoC. It leans both on a "rights based understanding", by referring to International Humanitarian Law and human rights law, and a concrete definition from MONUC, the UN operation in the DRC. The latter being quite specific:

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[78] Council of the European Union, "Draft Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations," (Brussels: European Union, 2010).

[79] ——— "Draft guidelines on protection of civilians in EU-led crisis management operations," (Brussels: European Union, 2003).

[80] ——— "Draft Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations."

All activities aimed at ensuring the safety and physical integrity of civilian populations, particularly children, women and other vulnerable groups, including IDPs [Internally Displaced Persons]; preventing the perpetration of war crimes and other deliberated acts of violence against civilians; securing humanitarian access; and ensuring full respect for the rights of the individual, in accordance with relevant national and international bodies of law, i.e. human rights law and international humanitarian law.

The EU guidelines candidly states that "the concept of PoC as such has not been explicitly mentioned in the mandates of CSDP missions or operations."[81]

3.3.2   Activities

Since the EU guidelines are meant to provide both an assessment of the existing experience and measures on implementation of PoC in CSDP missions and operations, as well as provide specific EU guidelines, it comes forth as both a policy document and a strategy, and is thus not very clear on its main purpose.

In the first part, or the assessment, the guidelines broadly relates to earlier and ongoing PoC-initiatives, both internally in the EU and amongst external actors. It shows clearly that the EU leans heavily towards the UN and its lessons learned, concepts, and processes with relevance to PoC. However, it does look specifically at the EU. Several EU operations and missions that include "provisions relevant to the PoC in their mandates" are mentioned, but not thoroughly assessed.[82]

The EUFOR Artemis operation in the DRC in 2003 may be the most concrete example of an EU mission with a clear task of protecting civilians. Others that are mentioned with provisions relevant to PoC are: the EU Civ-mil support to the African Union Mission in Sudan (AMIS), EUFOR Chad/ Central African Republic (RCA), EUFOR Althea in Bosnia, EULEX Kosovo, EUMM Georgia, and EUPOL RD Congo.

In the second part, the document provides the actual EU-guidelines, which is a structured framework for how to consider PoC in CSDP missions and operations at all phases. It follows the following structure: 1) Advance planning, 2) Operational Planning, 3) Conduct of Operations, and 4) Lessons identified.[83] In a CSDP mission/operation with a PoC mandate, the Draft Revised

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[81] ——— "Draft Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations," 4.
[82] ——— "Draft Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations," 3.
[83] The advance planning part includes: 1) Early warning and situation analysis, 2) exploratory missions, fact finding missions and planning teams, and 3) crisis management concept/strategic options/initiating military directive. The operational planning part includes: 1) Concepts of operations (CONOPS) and 2) Operation Plan (OPLAN). The Conduct of operation part includes: 1) Reporting, 2) supportive measures to contribute to the PoC, and 3) training. Finally, the lessons identified part basically states that PoC aspects should be included as a specific item for lessons learned processes.

Guidelines lists the following operational tasks: monitoring the implementation of a peace agreement and ceasefires;

- creating conditions conducive to safe, timely and unimpeded delivery of humanitarian assistance;
- ensuring freedom of movement and route security (including for refugees/IDPs);
- public order management;
- monitoring (including of the human rights situation) and reporting;
- police and military patrols;
- mentoring and training of local military or police structures to ensure the PoC; and
- stabilisation of a post-crisis situation through DDR and SSR.

3.3.3   Role of the military

The guidelines are not specific about the role of the military. When describing the operational planning phase, the guidelines refer to the importance of including PoC-considerations in the CONOPS and OPLAN, but do not explain how PoC should be included. It also lists several 'operational aspects', such as monitoring the implementation of peace agreements and ceasefires, patrols, public order management, mentoring and training of local security forces. How this should improve PoC specifically is not clarified. Also, during the conduct of operations phase the guidelines state nothing about the role of the military.

The guidelines clearly underline the importance of clarifying the roles and responsibilities between various actors involved in PoC, not only between NATO, ICRC, AU and OSCE, but also internally in the EU. The document also states that the EU should be well placed for developing a coordinated approach to the PoC in the "broadest sense."[84] Currently, the EU finds itself somewhere in between NATO and the UN in terms of being able give PoC practical meaning. It has evolved quite far in its acknowledgement of the importance of PoC, but the organisation has few lessons learned to build on from its own operations, and has up until now not been able to integrate PoC as a specific effort in its mandates.

3.4   Conceptual challenges

As highlighted above, the UN is currently the international organisation which is driving the development of PoC-policies, doctrines, strategies, concepts, planning and training tools forward. This does not imply that the UN has solved all major dilemmas related to protection. A major challenge, which has been discussed already, is the lack of a more unified position of what PoC entails for the UN as a whole. Moreover, most, if not all, UN operations lack core capabilities in order to fulfil their ambitious PoC-mandates. But despite inconsistencies, the organisation has been able to develop a more practical approach to protection. One way of coping with the internal friction is the UN's referral to its 'culture of protection' which is vague enough to allow for a wide array of interpretations while still keeping a focus on PoC. At the time of writing, there are

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[84] Council of the European Union, "Draft Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations," 6.

other ongoing processes, not treated in this report, that aim to support military planners in future UN operations in more detail, such as the consultation draft on 'Resource and Capability Requirements for Implementation of Protection of Civilians Mandates in UN Peacekeeping Operations. This document introduces a matrix of resources and capabilities TCCs will require to implement PoC-mandates.[85] It is still too early to assess the impact of this effort, but this underlines the proactive approach in the UN Secretariat towards developing useful PoC-tools.

NATO lacks specific PoC-concepts, guidance and tools. This does not imply that NATO does not undertake protection-related tasks. NATO has been concerned with developing its counterinsurgency approach as a result of the complex challenges it faces in Afghanistan. As this report, and others, has shown, protection of civilians in COIN operations is treated as a means towards an end and not as an end in itself.

The EU has also set out to develop PoC-strategies and concepts. The efforts so far are mainly embodied as analytical papers and lessons learned documents. In other words, the EU lacks a comprehensive conceptual and practical approach to PoC at the moment. With the exception of Operation Artemis in the DRC in 2003, the EU has few operational experiences to lean on in order to develop strategies and concepts for PoC. This may be why the UN approach is often referred to in EU documents treating PoC. The EU's CSDP approach is very ambitious, and the potential for a comprehensive approach to PoC seems to be a possibility within the EU's approach to peace and stabilisation operations. However, the EU has so far not been able to deploy a credible integrated or civilian-military mission, and it remains to be seen how the EU's approach to PoC will develop in practice.

4   Comparing mission-specific PoC-challenges

Although the wording of the clauses that address Protection of Civilians in UN Security Council resolutions have been very similar to date, the ways in which different missions have implemented these mandates have varied.[86] This is because the contexts within which these missions operate differ, and each mission is thus required to develop a unique strategy through which to achieve the common principles and aims, in its unique setting.

This chapter compares the Protection of Civilians strategies of three different UN peacekeeping operations, i.e. the missions in the Democratic Republic of the Congo (MONUSCO)[87], Darfur (UNAMID) and South Sudan (UNMIS).[88] The anticipation is that mission-specific PoC-strategies

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[85] United Nations, "Resource and Capability Requirements for Implementation of Protection of Civilians Mandates in UN Peacekeeping Operations – Draft for consultation", 18 February 2011 (Version 2.4).

[86] This chapter is based on a NUPI-paper entitled: "Mission-Wide Strategies for the Protection of Civilians: A Comparison of the Strategies of MONUC, UNAMID and UNMIS", by Cedric de Coning, Walter Lotze and Andreas Øien Stensland, dated July 2010.

[87] On 1 July 2010 MONUC was renamed the United Nations Organisation Stabilization Mission in the DRC, or MONUSCO

[88] From 9 July 2011, UNMIS has terminated and been re-activated as the United Nations Mission in South Sudan, or UNMISS, following the secession of South Sudan.

will differ in approach and form, given the distinct challenges faced by each mission. However, there are most likely shared experiences, challenges and best practises that can inform future refinements in strategy in these missions, and the development of similar strategies in other missions. In order to meaningfully compare the three mission-wide strategies, this section will consider three aspects: (1) conceptualization and operationalisation, (2) prioritisation and the use of force, and (3) integration and coordination.

4.1 Conceptualisation and operationalisation of protection

Apart from conceptual nuances, all three mission strategies have conceptualised protection around three dimensions:

    (1) Security-focused or direct protection,
    (2) Securing humanitarian access, and
    (3) Building an environment conducive to longer-term protection.

All three mission strategies recognise that protection can only be achieved through cooperation with the local authorities, as well as through concerted action across the political, security, rule of law, humanitarian, development and social reconciliation dimensions. MONUSCO's Protection of Civilians Strategy of March 2009 contains the most comprehensive definition of PoC. It was presented earlier in the report (page 36), but it is useful to repeat it:

> all activities aimed at ensuring the safety and physical integrity of civilian populations, particularly children, women, and other vulnerable groups, including IDPs; preventing the perpetration of war crimes and other deliberated acts of violence against civilians; securing humanitarian access; and ensuring full respect for the rights of the individual, in accordance with relevant national and international bodies of law, i.e. human rights law and international humanitarian law.

All three strategies address aspects of operationalisation, but there is a lack of clear direction as to how the goals and objectives can be transformed into measurable results. The system-wide strategy for the DRC makes a good attempt at formulating measurable results, but more detailed benchmarks would be necessary to meaningfully monitor impact. The UNAMID Directive is very clear about how the different mission components should react to possible scenarios and the UNMIS Strategy addresses the mechanisms that need to be established to ensure that predictable coordination structures have been established to ensure a holistic protection system. Each strategy can learn from the strengths and weaknesses of the other.

The UNMIS Security Concept contains useful guidance on the operationalisation of the security component of the mission, including sections dealing with potential threats and aggressors, thresholds and consequences and a four phased security concept (1-Assurance, 2-Pre-emption, 3-Intervention and 4-Consolidation). The UN System-wide Strategy for the Protection of Civilians in the DRC has a clear set of measurable results as well as a detailed set of critical tasks, each with associated actions: the (1) harmonisation of data gathering and analysis at a system-wide level, (2) anticipation, mitigation and prevention of protection risks, (3) contribution to remedial

actions, and (4) provision of support to the establishment of a protective environment. These actions may provide a framework which can help inform practitioners, but the strategy still lacks depth in order to provide detailed guidance for military planners, commanders and blue helmets on the ground.

4.2   Prioritisation and the use of force

All three mission strategies place a very high priority on protection, and all three recognise that their local counterparts have the primary responsibility for protection. However, all three also have a direct protection mandate, implying that UN forces may also be responsible for protecting civilians when local security forces are not willing or able to do so. This dual role of supporting the local authorities and potentially acting directly – sometimes against local authorities that may themselves be engaged in violations against civilians – is very difficult to reconcile, and none of the strategies give enough attention to how these, at times conflicting roles, need to be managed.

These missions have, at times, been required to choose between maintaining consent (and thus being able to continue to invest in building an environment conducive to protection) and acting forcefully to protect civilians in specific cases. The UNMIS Security Concept seems to be most cautious when it comes to the potential use of force, whereas the UNAMID Directive, where there is no credible peace process in place, is most consistent with decisive action, including the use of force, to deter or respond to protection breaches. For instance, the UNMIS Security Concept clearly sees the use of force to protect civilians as an extraordinary act of last resort, and one that requires such 'utmost caution' as to dissuade any initiative on the part of the tactical level commanders. All three strategies could be more upfront about how to manage this dilemma inherent to the protection mandate.

4.3   Integration and coordination

All three mission strategies make references to how they are interconnected to other related policy, strategy and planning frameworks, and there thus seem to be a solid understanding of the need for policy coherence in these missions. However, in practise, the management structures of the security-protection dimension and the humanitarian access dimension does not always seem to be as integrated as it should be. In all three cases the strategy documents could give the Special Representative of the Secretary-General (SRSG) a more direct role in overseeing the implementation and monitoring the progress of the implementation of the Protection of Civilian strategies.

For instance, in the case of UNMIS, the lack of an integrated mission implementation framework under the leadership of the SRSG, that bring the humanitarian and military dimension together, may result in the humanitarian and security dimensions operating independently of each other and with little cross-communication, especially at the mission HQ level. The fact that there are two separate strategy documents in UNMIS, the so-called mission-wide Strategy and a separate Security Concept, seem to indicate that this is, in fact, the case.

4.4 Mission-specific challenges in UN operations

The most serious tensions that emerge are those between the missions and the local authorities on the one hand, and those between the security and humanitarian actors on the other. The tensions between the missions and their local counterparts are caused by two factors. Firstly, the missions are deployed on the condition of host country consent and mandated to support the local authorities. Secondly, missions are authorised to use force, including potentially directly against their local counterparts. This tension is not resolvable but can be managed politically through clear and ongoing communication channels with local authorities so that they are aware of the mission's mandate, approach and policies.

The tension between the political actors (including military and other security forces) and humanitarian dimensions are also deeply rooted. However, past experience has shown that this tension can be managed through ongoing communication, coordination, and sometimes through joint training, joint planning and joint monitoring and evaluation. The aim is not so much to arrive at a common approach, as it is to bring both sides to a point where they respect the role and contribution of the other and therefore recognise the need to coexist and coordinate. Future mission strategies should not shy away from these core tensions, but be explicit about the efforts that will be applied to address and manage these tensions.

All three strategies have demonstrated a lack of appreciation for the social capital of host communities to manage their own protection. Most local societies will have developed coping strategies for protection before the deployment of the mission, and will continue to apply such approaches after the mission has withdrawn. The Protection of Civilians strategies of the missions should be more sensitive to how they can support local protection capacities, and they should also be more sensitive to the unintended consequences of mission actions, and be more proactive in monitoring the impact they are having, including potential side effects. On the first point, local outreach is already a core part of some PoC-efforts: The Joint Protection Team model in MONUSCO – in principle – seeks to identify and support community protection capacities. The JPTs are both meant to create a division of labour between the various mission components, but also serve as a means to improve communication between the mission and vulnerable communities. On the last point of measuring impact, there is still a long way to go before adequate methods are developed.

Lastly, the three strategies reflect varying degrees of an integrated approach. The system-wide strategy of the UN in the DRC seems to be the most integrated of the three. It appears to have achieved a security-humanitarian nexus with a cooperative approach to protection without threatening the independence of the humanitarian actors. The UNAMID Directive and Strategy also reflects a thorough multidimensional approach, but the strong drafting role of the humanitarian section is of concern, and it would have been more encouraging if the Directive and Strategy was more reflective of a common effort. UNMIS, with its two separate strategy documents, one reflecting the security approach and the other a broader political and humanitarian approach, is probably the least integrated of the three strategies.

5 PoC in the AU

The African Union (AU) has only recently commenced with the development of protection of civilians concepts and strategies for peace support operations. Although the AU has to date conducted four peace support operations; the African Union Mission in Burundi (AMIB), the African Union Mission in Sudan (AMIS), the African Union Mission to Somalia (AMISOM), and the African Union Electoral and Security Assistance Mission to the Comoros (MAES), only the AMIS operation in Darfur from 2004–2007 held an explicit protection mandate.

5.1 A brief history of PoC in AU operations

The first mission to be launched by the AU was the African Union Mission in Burundi (AMIB), which was deployed from April 2003 to May 2004 to supervise, observe, monitor and verify the implementation of a ceasefire agreement which had been signed in August 2000, and to promote the consolidation of peace in Burundi. Initially, the mission consisted of 41 observers, and was later expanded to consist of over 3,000 troops from South Africa, Tanzania and Mozambique.

In June 2004 the UN took over from AMIB through the establishment of the United Nations Operation in Burundi (ONUB), which on 1 January 2007 was replaced by an AU Special Task Force, mandated to facilitate the implementation of the Dar es Salaam peace agreement, signed in June 2006. The Special Task Force was comprised of a South African battalion which had previously served under AMIB and then ONUB, before being re-hatted under the new AU mandate. The UN in turn established the United Nations Integrated Office in Burundi (BINUB), tasked with promoting the implementation of the peace agreements and providing support to the peacebuilding process in Burundi. The operations in Burundi were deployed following large-scale human rights violations and violence directed towards the civilian population. The protection of civilians was therefore a major concern to the African Union, but still, no protection of civilians mandate was provided to its operations.

AMIB was designed to guarantee the physical safety of the political leadership, and not that of the population at large. Indeed, AMIB's mandate was not backed up with the ability to use force, as the rules of engagement (ROE) were based explicitly on notions of self-defence. Despite this short-coming, however, and without a mandate to protect civilians at risk, senior AMIB officials did decide to re-draft the ROE to allow the use of force to protect civilians in imminent danger of serious injury or death, for instance in cases of genocide and mass killings along ethnic lines. However, this type of force required prior authorisation from military and civilian officers, and as such, preventive actions were never seriously considered.

Immediately following the deployment of AMIB, the AU deployed a mission to Darfur to monitor a ceasefire agreement which had been brokered between the Government of Sudan and armed movements engaged in a conflict in the region. Following the signing of the Humanitarian Ceasefire Agreement for Darfur in April 2004, the AU in August of that year deployed the African Union Mission in Sudan (AMIS), tasked with monitoring and supporting the implementation of the ceasefire agreement. Upon initial deployment, the AU mission consisted of

fewer than 100 observers. However, recognising the gravity of the situation, the AU increased the AMIS presence to include troops, police and, gradually, civilians, and by 2005 the force had been increased to over 7000 strong. While a transition into a UN operation had been planned for September 2006, this was postponed to January 2008, when AMIS was transformed from an AU operation into a hybrid UN/AU operation (The United Nations/African Union Mission in Darfur (UNAMID)).

Initially, AMIS did not have a protection mandate, and was mandated only to observe violations of the ceasefire agreement. Given the rapidly deteriorating security situation in Darfur, AMIS received a protection mandate. The mission was mandated to:

> protect civilians which it encountered in its immediate vicinity under imminent threat, where this was feasible within the resources of the mission, it being understood that the protection of the civilian population remained the responsibility of the Government of Sudan.

Despite the growing evidence of grave violations of human rights and international humanitarian law being committed, AMIS was not provided with a more robust protection mandate. In addition, despite the existence of a protection mandate, no protection strategy was developed to implement the mandate, and the rules of engagement and use of force directives were not amended accordingly. Therefore, despite the existence of a protection mandate, this was not operationalised or mainstreamed into the work of the mission at an operational and tactical level. Nevertheless, despite the absence of concepts and strategies, AMIS did implement physical protection activities, designed and carried out by the military component of the mission. Here, activities included the protection of internally displaced person (IDP) camps, the conduct of fire-wood patrols, protection of market places and wells, the patrol of migration routes on a seasonal basis, and other activities designed to protect civilians at risk. Protection activities were therefore conceived of and implemented along an understanding of protection of civilians as protection from physical harm. The responsibility for the implementation of protection activities was therefore largely handed to the military component of the mission.

While the AU was concurrently operating AMIS, and had taken over responsibility once more for the peace support operation in Burundi, a mission was also deployed to Somalia. In March 2007 the AU deployed the African Union Mission in Somalia (AMISOM), tasked with supporting dialogue and reconciliation by assisting with the free movement, safe passage and protection of all stakeholders involved in a national reconciliation congress. AMISOM was also tasked with providing assistance to the implementation of the National Security and Stabilisation Plan, and with contributing to the creation of the necessary security considerations to enable the delivery of humanitarian assistance. While initially mandated with a force strength of 8000 peacekeepers, by 2011 this was increased to a force of 12 000, given the deteriorating security situation in Somalia. By the end of 2011, AMISOM did not have a protection of civilians mandate. Instead, the mission had been tasked in its mandate to adhere to the principles and standards of international humanitarian and human rights law in its operations. Indeed, AMISOM has been criticised for

causing collateral damage and the Security Council has urged the mission to undertake efforts to prevent civilian casualties during operations.

Shortly after establishing the AMISOM mission, the AU deployed the African Union Electoral and Security Assistance Mission to the Comoros (MAES) in May 2007. The mission initially comprised 300 soldiers and police, tasked with providing security assistance during a tense election period. However, tensions soon erupted when one of the islands in the Comoros federation made a unilateral move towards secession. Failing to secure a political solution to the crisis, the AU in October 2007 imposed sanctions on leaders of the secessionist movement. Yet when sanctions failed to bring a negotiated settlement to the conflict, the AU in March 2008 deployed 1,500 troops from Sudan, Tanzania and Senegal (with logistical support provided by Libya) to conduct a military operation aimed at restoring the rule of law, and bringing to an end secessionist attempts. Despite the fact that the operation conducted an offensive on islands in the Comoros, no protection mandate was provided to MAES.

5.2   Development of PoC-Guidelines for AU missions

Given the challenges faced by AU missions in relation to the protection of civilians, as well as the deployment of AU missions into operating environments where the protection of the civilian population is of major concern, the AU Commission in 2010 developed Draft Guidelines for the Protection of Civilians in African Union Peace Support Operations. These draft guidelines were developed to provide guidance at the strategic level, and are intended to assist in the formulation of guidance at both the operational and the tactical levels. Further AU guidance therefore still needs to be developed to assist missions in the design and implementation of protection strategies and activities.

In the AU context, 'protection of civilians' is understood as all the activities undertaken to improve the security of the population and people at risk in the area of operations of the mission, and to ensure the full respect for rights of groups and of the individual recognised under regional instruments, including the African Charter of Human and People's Rights, the African Union Convention for the Protection and Assistance of Internally Displaced Persons, and the Convention Governing the Specific Aspects of Refugee Problems in Africa, as well as international law, including humanitarian, human rights and refugee law.

A 'protection mandate' refers to the sum of all aspects of protection concerns reflected in the mandate of a peace support operation, including physical, legal and other protection tasks aimed at enhancing the level of protection afforded to civilians in the area of operations of the mission. Several elements of the AU approach to the protection of civilians should be noted. For one, action taken by the AU in relation to the protection of civilians should support and complement the efforts of host nation authorities, as appropriate, and should enhance the capacity of the host state to achieve the security of its civilian population and to prevent abuses against them from being committed. In addition, the protection of civilians requires a multi-dimensional and coordinated approach within the mission, with clear and differentiated roles and responsibilities for the military, police and substantive civilian components of the mission, which recognises the

protection activities of the host state authorities, affected civilian populations and external protection actors.

To attain the development and implementation of a comprehensive protection of civilians approach, the AU makes use of a tiered approach to protection. The tiered approach combines both short-term and long-term approaches to protection, and clusters protection activities around four pillars of engagement; (1) protection as part of the political process, (2) protection from physical violence, (3) rights-based protection, and (4) the establishment of a protective environment.

Protection as part of the political process is deemed key to the success of the protection efforts of an AU peace support operation. As such, the mission's work is geared to supporting the host state to ensure the protection of its civilian population, and therefore the inclusion of protection concerns in a peace process. Supporting peace processes that provide for justice and accountability are deemed the best form of civilian protection a peace support operation can contribute to.

Where protection from physical violence is required by the mission, four phases of engagement are envisioned, in particular by the military component of the mission. It is important to note that these phases are not conceived of in a sequential approach, and may co-exist across the mission area simultaneously.

The first phase is prevention. Here, measures are taken to discourage groups from undertaking hostile activities, for instance by conducting patrols, "hearts and minds" activities, information-gathering, and show of force activities. Prevention activities are designed to minimise the risk of the use of violence.

The second phase is pre-emption. Here, measures are taken to preclude or defeat an imminent threat, or to gain advantage over a spoiler group before it is able to launch a violent activity. Pre-emptive activities could include the tactical deployment of troops, the gathering of weapons, or the restriction of movement of spoilers. In this context, it is important to note that an assessment of imminent threat is based on time (it is about to happen) and indication (factual information which can be verified).

The third phase is response. Here, the proportionate use of force designed to neutralise or render ineffective a spoiler group after the outbreak of violence. Measures may include the use of force in self-defence, the use of force to put a halt to acts of violence committed against the civilian population, or the use of force to neutralise the ability of an actor to use violence. Importantly, higher-level authorisation from the AU Commission or the Peace and Security Council, as well as from the police and troop contributing countries, may be required in cases where the Rules of Engagement (RoE) and the Directives on the Use of Force are not clear.

The final phase is consolidation. Here, activities necessary to manage a situation after violence has been used are undertaken. This can include denying threatening groups the ability to restore fighting capability, through disarmament, and the deployment of forces to protect affected and vulnerable groups.

The concept of rights-based protection is mainstreamed by the AU in all the activities of a peace support operation. As such, a rights-based approach to protection involves the monitoring and reporting of human rights violations in the area of operations of the mission, and the provision of support to the development of local capacities to promote and protect human rights. Measures can include conducting investigations into human rights abuses, the dissemination of reports of violations, supporting the establishment of transitional justice mechanisms, and providing technical expertise to host state and civil society human rights organisations to promote the implementation of human rights standards.

Finally, the establishment of a secure environment is a comprehensive and broad tier, which includes peacebuilding measures over the longer term. This usually commences with activities aimed at early recovery, and should lead to sustainable solutions over the long term, which are not reliant on external support. While closely aligned to the rights-based protection tier, measures aimed at establishing a secure environment should include protection approaches which are sustainable over the long term. In this phase, military tasks could include disarmament, demobilisation and reintegration (DDR) activities, security sector reform (SSR), capacity-building for local security actors and other measures aimed at establishing a secure environment for the long term. It is important to point out that the guidelines have not been implemented yet and thus not been put to the test.

5.3   Towards AU mission specific approaches to PoC?

These tiers provide an AU framework approach upon which mission-specific protection strategies can be based. The tiers and the activities falling within each tier are to be pursued in a continuous, concurrent and mutually supportive manner. For example, protection from physical violence will support the observance of a rights-based approach to protection and self-sustaining solutions within the secure environment tier. Self-sustainable solutions will in turn support a rights-based approach and protection from physical violence. The tiers and the activities falling within each tier should not be read as implying a sequential approach; rather the protection activities under each tier will be conducted in parallel with one another.

While the AU employs a multi-dimensional approach to peace support operations, clear military-led activities can be identified in the protection from physical violence tier. In particular, military assets are to be used to deter, prevent, and respond to specific and non-specific threats to the civilian population, and to consolidate the security situation following the use of violence.

While the AU has developed guidelines on the protection of civilians, to date no AU mission has developed a protection of civilians strategy. Therefore, the guidelines have not been utilised to develop protection of civilians approaches or activities at the operational or tactical levels.

Nevertheless, in October 2010 and again in May 2011 the Peace and Security Council instructed the AU Commission to mainstream the Draft Guidelines on the Protection of Civilians into the work of AMISOM. In September 2011 the United Nations Security Council welcomed the progress made by AMISOM to reduce civilian casualties, urged the mission to continue in its efforts to prevent civilian casualties, and encouraged the AU to develop an effective approach to the protection of civilians in the mission, in line with the decisions of the Peace and Security Council. Since that time, significant progress has been achieved in mainstreaming protection of civilians considerations into the work of AMISOM. In addition, protection of civilians considerations have come to feature strongly in the planning for new operations in the AU context. It is therefore anticipated that the guidelines will inform future AU thinking on the design and implementation of protection of civilians strategies in future peace support operations, and that further work will be undertaken to give operational meaning to the concept. However, much more work is required to transform policy ambitions into operational and tactical guidance, and to ensure that the AU becomes more effective at protecting civilians at risk in its operations.

6   NGO approaches to PoC

The global NGO community is composed of literally thousands of international, national and local level organisations of varying quality, reach and focus. As such there is no single philosophy or approach to protection that is universally embraced by the entire NGO community. The operational definition of protection most widely accepted within the NGO community is that developed by the ICRC, and recently adopted by both the Inter Agency Standing Committee (IASC) and the Protection Cluster Working Group.[89] It states that "protection" encompasses:

> (A)ll activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law, i.e. human rights law, international humanitarian law, and refugee law. Human rights and humanitarian organisations must conduct these activities in an impartial manner (not on the basis of race, national or ethnic origin, language or gender).[90]

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[89] The Inter-Agency Standing Committee (IASC) is a unique inter-agency forum for coordination, policy development and decision-making involving the key UN and non-UN humanitarian partners. The IASC was established in June 1992 in response to United Nations General Assembly Resolution 46/182 on the strengthening of humanitarian assistance. General Assembly Resolution 48/57 affirmed its role as the primary mechanism for inter-agency coordination of humanitarian assistance. (http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-about-default)
The PCWG, which is chaired by UNHCR, is a broad-based participatory forum that includes on equal basis UN human rights, humanitarian and development agencies as well as non-governmental and other international organizations active in protection. PCWG is the main forum at the global level for the overall coordination of protection efforts by human rights, humanitarian and development agencies and organizations working in complex emergencies, natural disasters and other similar situations. (http://www.humanitarianreform.org/Default.aspx?tabid=541
[90] Sylvie Giossi (ed.) Caverzasio, "Strengthening protection in war: a search for professional standards: summary of discussions among human rights and humanitarian organizations: workshops at the ICRC, 1996-2000" (Geneva: International Committee of the Red Cross (ICRC), 2001).

This definition is consistent with the "rights based approach" discussed earlier in the DPKO/DFS Operational Concept on the Protection of Civilians in UN Peacekeeping Operations.[91] It emphasises the focus on traditional humanitarian principles, and the centrality of international humanitarian and human rights laws in the NGO protection approach. Broadly interpreted, this definition encompasses a wide range of activities including emergency humanitarian relief (for example, life saving assistance such as food, water, and shelter in a crisis), development (agricultural projects, education, infrastructure, etc.) and advocacy activities.

While many groups view discrete activities – such as emergency relief provision or education projects – as being protective in and of themselves, principles of protection have also been elaborated as a way to analyse and improve the effectiveness of all humanitarian[92] programming, and to ensure that aid efforts "do no harm".[93] The most influential of these standards have been developed by the Sphere Project.

The Sphere Project began in 1997 at the initiative of a number of humanitarian NGOs and the Red Cross and Red Crescent Movement in an effort to define professional standards for the delivery of humanitarian assistance. It is built on the philosophy that humanitarian assistance is a right, not a gift. As such, the Sphere Standards seek to make organisations delivering humanitarian assistance accountable to beneficiaries through the establishment of clear, transparent professional standards.[94]

The Sphere Handbook – formally the Humanitarian Charter and Minimum Standards in Humanitarian Response – is the industry standard for the delivery of safe, effective, accountable humanitarian assistance. As such, its guidance on the mainstreaming of protection considerations into all humanitarian activities is a point of reference for all professional humanitarian NGOs. The Sphere Handbook highlights four core protection principles;

1. Avoid exposing people to further harm as a result of your actions.
2. Ensure people's access to impartial assistance – in proportion to need and without discrimination.
3. Protect people from physical and psychological harm arising from violence and coercion.
4. Assist people to claim their rights, access available remedies and recover from the effects of abuse.[95]

Taken together, these principles encompass the full range of NGO activities.

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[91] United Nations, "DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations."

[92] It should be noted that not all NGOs are humanitarian. Development assistance is political in nature and therefore not considered to be humanitarian in that it is not neutral or impartial. While some of the organisations discussed below do engage in development activities, it can be argued that all subscribe to humanitarian principles and philosophies in some or all of their work.

[93] The Sphere Project, *Humanitarian Charter and Minimum Standards in Humanitarian Reponse*, vol. 2011 Edition (Practical Action Publishing, 2011), 44–47.

[94] ——— "What is Sphere?", http://www.sphereproject.org/content/view/91/58/lang,english/

[95] ——— *The Sphere Handbook*, 25–47.

They can either inform the implementation of NGO programs – for example, when building an IDP settlement, take the safety of the area into consideration – or form the basis of stand-alone protection activities in and of themselves – as is the case with programs aimed at educating people about their rights and improving access to justice.

6.1   The role of NGOs in PoC

As protection actors, Non-Governmental Organisations (NGOs) collectively have a tremendous impact on the protection agenda, and have been closely involved in the evolution and debate about what constitutes protection and which entities are best placed to implement protection in the field. NGOs participate actively in the UN discussions in Geneva and New York, helping to shape the attitudes of government and UN policy makers and the language of protection -related UN resolutions and other policy documents.

Part of this influence is derived from the sheer size and spending power of the NGO community. As independent entities, the large, international NGOs (INGOs) access funding from individual donors, private companies, and foundations, as well as governments. NGOs are also major implementing partners for UN agencies such as UNHCR and UNICEF. Taken together, "NGOs, and primarily INGOs, program half or more of the relief assistance in any given emergency."[96]

The 12 largest INGOs program roughly 90% of the overall NGOs funds available internationally. The largest of these are CARE, Oxfam, Médecins sans Frontières (MSF), World Vision and Save the Children.[97] All of these engage in both concrete (operational) protection efforts and advocacy on an international scale. Importantly, amongst the five largest NGOs it is possible to identify a range of operational priorities and philosophical approaches to protection.

Top five largest NGOs
World Vision is the world's largest faith-based NGO. This organisation engages in long-term poverty alleviation projects as well as emergency relief activities with a particular focus on the protection of children. It has the single largest budget of any NGO in the world, with an operating budget of over $1 billion dollars in 2010.[98]

The organisation is known for its distinctly Christian orientation and has sometimes been criticised for being evangelical in its activities. The World Vision website states that "educational activities based on Christian values may occasionally be included in World Vision projects ..."[99] however, the organisation does not require that beneficiaries convert to Christianity in order to benefit from its programs.

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[96] Elizabeth G. Ferris, *The politics of protection: The limits of humanitarian action* (Brookings Institution Press, 2011), 100.

[97] ——— *The politics of protection: The limits of humanitarian action*, 99.

[98] World Vision, "Financial highlights", http://www.worldvision.org/content.nsf/about/ar-financials?Open&lpos=bot_txt_2009-Annual-Review#FinancialHighlights

[99] ——— "Frequently Asked Questions". http://www.wvi.org/wvi/wviweb.nsf/maindocs/B59C94637940E8B98825737800734A3C?opendocument#7.

World Vision takes a cross-cutting approach to protection and incorporates protection considerations into all aspects of its work. World Vision Australia – concerned that protection issues were not being "systematically identified and addressed in humanitarian response"[100] – undertook a study that culminated in the *Minimum Agency Standards for Incorporating Protection Into Humanitarian Response*.[101]

CARE is an NGO that dedicates the majority of its resources to poverty alleviation and long-term development assistance, with a particular focus on empowering women. CARE is also engaged, to a much lesser degree, in the provision of emergency relief in times of crisis.

Recognising that women and children suffer disproportionately from poverty, CARE places special emphasis on working with women to create permanent social change. Women are at the heart of CARE's community-based efforts to improve basic education, prevent the spread of HIV, increase access to clean water and sanitation, expand economic opportunity and protect natural resources. CARE also delivers emergency aid to survivors of war and natural disasters, and helps people rebuild their lives.[102]

CARE's activities range from the development of sustainable agricultural initiatives and access to safe water, to strengthening local access to health (particularly child and maternal health) and education through local capacity building and financial support.

Save the Children is a leading child protection NGO with programs that "focus on the most vulnerable children while aiming for the safety and well-being of all children." Importantly, Save the Children empowers children to protect themselves and to create change in their communities by encouraging their leadership in protection programming:[103]

> Working with governments, international organisations, and local community partners, we strive to create lasting change with improvements in policy and services that protect children whether in a natural disaster, conflict, or development setting.[104]

The organisation's signature programs include the creation of child-friendly spaces in times of conflict, the reunification of separated children with their families, and awareness-raising campaigns to reduce instances of child trafficking. Save the Children also runs programs designed to address the particular psychosocial needs of children affected by conflict.

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[100] Louise Searle and Kate Sutton, "Standards to incorporate protection into humanitarian response: do they work?" in *Humanitarian Exchange Magazine* (2011).

[101] This project was undertaken with the support of CARE, Oxfam Australia and Caritas Australia, all of which undertook field testing of the Standards.

[102] CARE, "What we do", http://www.care.org/careswork/whatwedo/index.asp

[103] Save the Children, "Protecting children", http://www.savethechildren.org/site/c.8rKLIXMGIpI4E/b.6191697/k.F89E/Protecting_Children.htm

[104] ——— "Protecting children."

Médecins sans Frontières (MSF) is an organisation that delivers emergency medical assistance "to populations in distress, to victims of natural or man-made disasters and to victims of armed conflict."[105] MSF is known for providing high quality medical assistance in areas that are often considered too difficult or dangerous for other organisations – including UN agencies – to work in. MSF has been called the "conscience of the humanitarian world"[106] and the organisation is known – and sometimes criticised – for a refusal to compromise traditional humanitarian principles and ideals. The organisation's work focuses narrowly on medical assistance during periods of crisis, rather than expanding into capacity building and development efforts like many of their peer organisations.

MSF also has a strong tradition of advocacy, or 'temoinage'. As Dr. Jamed Orbinski put it "silence has long been confused with neutrality, and has been presented as a necessary condition for humanitarian action. From its beginning, MSF was created in opposition to this assumption. We are not sure that words can always save lives, but we know that silence can certainly kill."[107] As such, advocacy, as well as direct medical interventions, has always been central to MSF's protection approach.

While civilian protection – as defined by the ICRC – clearly guides MSF's work, there has been some expressed scepticism expressed about the value of the "protection dialogue" in its current, popular form. Marc DuBois, Executive Director of MSF UK, has argued that;

> The rise of the humanitarian protection establishment has created a new enemy: the 'protection gap'. In places like the Democratic Republic of Congo (DRC) and Darfur, we are called upon to fight this new enemy, to fill this gap. We must correct our analysis: it is not the lack of protection activities or legal protections *in the first instance*, but the surplus of violence that is the primary problem… Our humanitarian-centric analysis of this 'gap' amounts to misdirection, and it is the perpetrators who gain, followed by those authorities responsible for ensuring the protection of people.[108]

By making "protection" the responsibility of external actors, DuBois argues that those people with the real responsibility to civilians – host state governments and those people perpetrating violence – are let off the hook, and humanitarian actors are distracted from their primary, if remedial, role.

MSF has come out strongly against the use of force for "humanitarian" means, and is particularly vocal in its opposition to the "militarisation" of humanitarian activity that it perceives in the Responsibility to Protect (sometimes referred to as 'humanitarian military intervention").

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105 Médecins sans Frontières, "About MSF," http://www.msf.org/msf/about-msf/about-msf_home.cfm.
106 David Rieff, *A bed for the night: Humanitarianism in crisis* (Simon and Schuster, 2002), 83.
107 Médicins sans Frontiéres, "MSF Nobel Acceptance Speech", http://www.msf.org/msf/articles/2000/11/the-nobel-peace-prize-speech.cfm
108 Marc DuBois, "Protection: Fig leaves and other delutions", *Humanitarian Exchange Magazine*, no. 46 (2010).

The use of military operations as a protection tool is always controversial within the NGO community, but MSF is the most consistent high-profile voice in opposition to this approach.

Oxfam, like CARE and World Vision, is engaged in both poverty alleviation and short-term humanitarian assistance. Oxfam is also known for excellent policy guidance and advocacy efforts, and has engaged in one of the most holistic NGO efforts to frame, influence and implement civilian protection priorities. This will be discussed in much greater detail in the case study below.

Other Protection Leaders

Two additional international NGOs – out of the top five in size and reach – that are known to have strong protection expertise and programming are the Norwegian Refugee Council (NRC), and the International Rescue Committee (IRC). NRC is known within the NGO community as a specialist organisation in civilian protection,[109] particularly in emergency relief contexts. Working in five core issue areas – shelter, camp management, emergency food security, education and access to legal assistance – NRC's programs are representative of all four of the Sphere Handbook's protection principles.

The U.S. based IRC engages in a range of humanitarian activities, with a particular focus on the protection and empowerment of women, children and youth. IRC programs address issues such as the medical, psychological and social consequences of sexual and gender based violence. Youth programs include–among others – the rehabilitation and community reintegration of former child soldiers.[110]

Non-operational protection NGOs

All of these are 'operational' organisations; NGOs with field based activities that provide direct assistance to populations at risk. In the field of protection there are two other types of actors that have significantly influenced the overall protection agenda; Advocacy NGOs and the large NGO Coalitions.

Advocacy NGOs

Advocacy NGOs are organisations that focus exclusively on analysing protection needs and gaps in delivery of assistance, and putting pressure on national and international policy makers as well as aid providers to operate more effectively. Importantly, these organisations do not have field based programs of their own.

Two internationally influential advocacy organisations with a specific protection focus are Amnesty International and Human Rights Watch (HRW). Human Rights Watch engages primarily in national and international level 'elite' advocacy. Amnesty International engages in

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[109] Sophia Swithern. "Reclaiming mainstreaming: Oxfam GB's protection approach in DRC," no. 39 (2008).

[110] International Rescue Committee, "IRC Child & Youth Protection and Development Programs", http://www.rescue.org/our-work/child-youth-protection

professional, high-level advocacy as well, but the organisation is best known for its capacity to mobilise international public pressure in order to bring about positive change. Both of these organisations work to promote the human rights dimension of protection – identifying and reporting violations of International Human Rights Law and making recommendations to governments, international institutions and other responsible entities as to how these violations can be prevented or resolved.

Humanitarian advocacy is largely the remit of the operational NGOs, however Refugees International (RI) is a US based humanitarian advocacy organisation with a focus on identifying gaps in the delivery of humanitarian assistance to refugees, IDPs and host communities. RI has been particularly influential in the development of protection concepts, standards and training for UN peacekeepers.

NGO Coalitions and Associations
NGO coalitions have evolved as a way to pool collective knowledge, coordinate activities, and to amplify the overall impact of NGO advocacy. There are a number of large NGO coalitions have been vocal both with regards to country-specific protection concerns – such as in DRC or Sudan – as well as the overarching policy debates within donor governments and the United Nations. The most prominent NGO coalitions are ICVA (The International Council of Voluntary Agencies), and InterAction (American Council for voluntary International Action).

The most broad based of these is the Geneva-based ICVA. ICVA is a standing invitee of the Inter Agency Standing Committee alongside such organisations as the International Committee of the Red Cross and the World Bank. "As the only global humanitarian NGO network, membership in ICVA gives NGOs unique opportunities to engage with other actors and …to make sure the voices of southern NGOs are heard on the international policy level."[111] ICVA is particularly active in the Geneva policy community – the seat of international humanitarian activity – bringing member perspectives and information to bear on the decisions and attitudes of high-level humanitarian policy debates.

The Washington DC-based InterAction is both a member organisation of ICVA and an IASC standing invitee in its own right. InterAction's membership is made up of US-based NGOs which focus on emergency relief and development. InterAction staff, as well as the combined staff from member organisations, target US policy makers primarily, in an effort to boost funding, raise awareness, and shape the US policy position of issues of international protection.

6.2   Case study: OXFAM GB protection programming in the DRC

Although Oxfam is not a "specialist" protection organisation it has long been one of the leading NGO voices on the issue of protection. The organisation has actively incorporated protection into its programming since 2002. In 2005 Oxfam released *Protection into Practice*, a short report that sought to define Oxfam's perception of protection, to share protection related challenges that the

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[111] About ICVA, http://www.icva.ch/about.html

organisation had encountered, and to posit some solutions and general guidance to give shape and direction to this sometimes amorphous issue.

Oxfam built upon this, and further established itself as a standard setter in 2009 with the publication of *Improving the Safety of Civilians: A Protection Training Pack*, a training tool that has been praised by protection professionals. The introduction to *Improving Safety* asserts that there are "…two sides to protection: first ensuring that humanitarian action does not expose civilians to further risks, and second, proactively using humanitarian action to improve the safety of civilians."[112] This neatly encapsulates Oxfam's dual approach to protection, and is reflected in the programs and activities that the organisation has undertaken in the Democratic Republic of Congo.

Oxfam GB – Protection activities in DRC

A strategic commitment was made in 2006 to incorporate protection considerations more systematically into Oxfam's core humanitarian activities in the Democratic Republic of Congo. After a decade and a half of acute insecurity, the civilians of eastern DRC continue to face daily threats to their physical safety, their freedom of movement, their health and their livelihoods. In a March 2011 speech, Kirsten Hagon – Head of Office for Oxfam International in New York – summarised the protection concerns that persist in eastern DRC:

> In many communities people are regularly imprisoned without reason, women are raped by armed men and civilians, and girls are enticed or forced into prostitution. Displaced people have to pay renegade soldiers to pass to safety as they flee rebel attacks. ...In some areas women tell us that on the way to market they have to pass through so many 'barriers' that sometimes had nothing left to sell when they arrived to market. In a subsistence, cash economy, where people live day to day, not only do families go hungry, but women are at huge risk of exploitation and rape – after all if they have no goods or money what do they have left to 'pay' their way through all these barriers? [113]

It is in this context that Oxfam has both mainstreamed protection into its traditional humanitarian and poverty alleviation activities (access to water and sanitation, food security, education and livelihoods) and has developed protection specific projects to reduce the vulnerability of civilians to protection threats.

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[112]Oxfam GB, "Improving the safety of civilians: A protection training pack", (Oxfam, 2009).

[113] Hagon, Kirsten, Oxfam GB. Speech at the Asia Pacific Civil Military Center of Excellence, Canberra, Australia, May 2011.

Protection Mainstreaming

Oxfam GB staff are trained to recognise protection threats in the course of their day-to-day work and interactions. Depending on the source and nature of the protection threat, Oxfam staff follow up in one of three ways;

(1) By referring the issue to a competent authority or another organisation suited to addressing the issue at hand (or by providing information proactively regarding useful services and support.);

(2) By engaging in local-level advocacy to build awareness of the issue and call for action on the part those people or bodies in a position to resolve the protection problem;

(3) Or – if the protection threat emanates from the design or implementation of an Oxfam program – they might decide to adapt the program itself to reduce risk and protect beneficiaries.[114]

Effective protection mainstreaming requires considerable training – to ensure that technical experts are aware of protection threats beyond their own areas of expertise – and time consigning. It can also be difficult for staff to draw clear lines between the referral of protection issue to a competent point of contact, and the management of protection cases. Another challenge for staff is distinguishing between the protection monitoring that they have been asked to incorporate into their work, and the more legalistic human rights reporting.

Protection Programming

In addition to the mainstreaming of protection consideration into Oxfam's core programs, the organisation has also undertaken to establish dedicated protection programs – programs dedicated entirely to the detection and resolution of civilian protection challenges.

Oxfam staffs undertake regular protection surveys to give Congolese communities the opportunity to express their concerns about security threats, identify changes in the security environment, and share their ideas about their own protection.[115]

Oxfam has also supported the establishment of local Protection Committees in 33 locations in North and South Kivu. These committees are comprised of local volunteers – men and women – who are elected from within their communities. They receive training in protection monitoring, sensitisation and advocacy techniques, and relevant local laws. Protection Committees also receive a small amount of financial support – phone credits, and funds for the transport of victims of violence in need of medical attention, for example – so that they may respond to the protection needs that they themselves have identified within their communities. [116] These issues range from issues of rape and other sexual and gender-based violence, forced labour, arbitrary detention and beyond, and the priority issues vary tremendously from location to location.

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[114] Oxfam GB Internal Program Assessment Document.

[115] Oxfam GB Internal Program Assessment Document.

[116] Oxfam GB Internal Protection Program Description Document.

Protection Committees have shown some success at changing local attitudes – for example, encouraging men not to abandon their wives when they have been the victim of rape, or persuading local military leaders to remove roadblocks where civilians are routinely taxed or worse.[117] Protection Committees also communicate protection issues and priorities to Oxfam staff – orally, to reduce the risk to Committee members – and these reports form the basis of Oxfam's reports to the protection cluster, as well as the organisation's local level advocacy efforts.

Protection Advocacy

In addition to the local level advocacy that Oxfam staff support and engage in themselves, the organisations maintains staff in key capitals and policy arenas in order to influence the international protection dialogue and advocate for increased political engagement, additional humanitarian and development resources, and to influence the development and promulgation of overarching protection policies.

In 2008 Oxfam issued the report *For a Safer Tomorrow: Protecting Civilians in a Multipolar World*. This was an ambitious international campaign that challenged actors from the local, national, regional and international levels to develop better protection structures and implement higher standards for civilians everywhere.

6.3   The influence of NGOs on protection of civilians

The international reach, local-level understanding, and the sheer range of protection activities undertaken by the NGO community makes them indispensable to civilian protection efforts in conflict and environmental protection crises around the globe. Furthermore, the capacity of NGOs – operational and advocacy focused, individually and in coalition – to influence protection policy decisions at all levels has assured that the NGO perspective has helped to shape the over-arching protection dialogue for over a decade. Though the NGO community has no official mandate to protect, many of the institutions most responsible for civilian protection – including governments and UN bodies – would be unable to implement their programs without the support and implementing power of these independent actors.

7   Implications for military contributions to PoC

In preparation for future operations, military planners in troop contributing countries will benefit from a deeper understanding of various international frameworks under which military contributions will be deployed. This report has shown that there are major differences between all the major PoC-actors, on all three levels of analysis: discourses, concepts and mission specific challenges.

The report shows that the UN is currently the most visible international organisation within the field of protection. The UN has taken an active approach to PoC and is slowly moving towards a

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[117] Oxfam GB Internal program assessment document.

practical content of this evolving international norm. Its direct approach to protection is founded on core premises of the UN Charter which also facilitates a 'culture of protection' which permeates the UN system. For the UN, protection of civilians has become an end in itself. During the last decade, the organisations has followed up with wide ranging reform efforts and specific concept development and is now the most sophisticated protection actor among the major international organisations.

This development is not without pitfalls. The UN is faced with several challenges including; a lack of a unified definition of PoC, unrealistic expectations about what the UN can actually deliver in the field, highly ambiguous language in mandates and concepts, ambivalent practice concerning the use of force, and a general lack of core military capabilities in order to fulfil its ambitious mandates. Despite these gaps, the UN continues to drive the PoC agenda forward.

For the military planner it is important to be aware that within the UN system, there are several guiding documents and emerging training and planning tools that will be valuable in the planning and pre-deployment phases. Few of them treat the military role in much detail, but in sum they are able to provide a broad understanding the UN approach to PoC. Finally, the planners should also be aware of the inherent tensions within the UN system with regards to protection. These may have direct implications for how UN troops are perceived and utilised in operations.

Within NATO, protection of civilians is not seen as an end in itself. The alliance employs an indirect approach to protection. Based on COIN approaches, the population centric approach in Afghanistan is a means to defeat the insurgency. So far it seems like NATO is able to improve its own record in avoiding collateral damage, but less able to stop civilians from being killed by insurgents. It is too early to evaluate the effects of NATO's aerial campaign in Libya.[118]

A core challenge for NATO to provide protection in stabilisation operations is the lack of a substantial civilian component. As such, the alliance is not suited to achieve a comprehensive civilian-military approach which seems to be a precondition to provide protection on the ground. The future of PoC in NATO thus remains uncertain, although the operation in Libya might be an indication of things to come, where more limited (and more military) protection operations are launched in order to protect.

With regards to NATO's approach to population centric operations, most military planners know these well. However, the report has shown that NATO does not have a *direct* approach to PoC, and there are no specific concepts dealing directly with protection, despite the organisations leading role in both Libya and Afghanistan. When so much emphasis is put on providing protection to civilian populations, there seems to be a gap between practices and concept

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[118] However, at the moment it does not seem that the dispute about the legitimacy of the intervention in Libya has been as damaging for the overall momentum of the PoC agenda as first anticipated. Rather, the UN troop contributing countries have signaled continued support for development of the UN PoC agenda. See Security Council Report. 2011. "Protection of Civilians in Armed Conflict." Cross-Cutting Report. New York.

development within NATO. Military planners should be aware of this gap when tasked with planning for future operations.

The EU has also deployed operations where PoC is at the core of the mandate. Operation Artemis in the DRC was mainly concerned with protection issues. This operation was solved through military means only, and it remains to be seen whether the EU will be able to deploy more comprehensive civil-military operations in the future.

There are several positive signs on the conceptual developments within the EU, as the organisation is in the process of developing its own specific approach to PoC. Although it leans quite heavily on UN experience and practices there are important differences between the two. For one, the EU is more willing to use force in operations and is also less sceptical of linking R2P with PoC. The EU also is less sceptical of using military force to protect, as shown in the DR Congo.

Norwegian troops and officers are likely to cooperate with EU operations in the near future. For this reason it is helpful to be aware of conceptual developments within the EU regarding the approach to PoC.

For the same reasons, Norwegian military planners could benefit from following the concept developments and practices of the AU. First of all, future UN operations in Africa will very likely cooperate closely with the AU and the two organisations are developing similar PoC-concepts. Secondly, it is not unreasonable to expect that future operations will involve training and support for AU-troops, which also will include PoC-concepts and operations.

The AU has clearly acknowledged the need to develop its own approach to PoC and has already given a specific PoC-mandate to one of its operations, AMIS (Sudan, 2004–07). While the AU has developed guidelines on the protection of civilians, no AU mission has to date included a protection of civilians *strategy*. The AU operation in Somalia might be the first to develop such a strategy, clearly a case where improved protection is needed. The AU also suffers from severe capability gaps in order to provide credible protection. Still, the AU is in the process of developing its capabilities for complex conflict management and shows that it takes the PoC-issue seriously. These are encouraging signs from the continent which sees the most international operations with protection challenges and operations.

This report has also shown the important role played by NGOs in relation to protection of civilians. The NGO community play a role that is distinct from the role of military actors. NGOs have a greater understanding of the second order effects of protection inputs, since they have longer experience than most military actors, and they often operate in areas both long before and long after military interventions, giving them (often) better relationships with local communities, greater understanding of social, cultural and political dynamics, and better access to understand the needs of the population. In addition, the NGO-community has wide international reach and a weighty influence on PoC-discourses. NGOs can influence protection policy decisions directly on

a global scale. They can provide in-depth understanding of specific protection challenges on the ground in literally every ongoing conflict. In short, the NGO community is very valuable to global protection efforts.

Military planners should be aware of this large pool of knowledge and practical experience on PoC in the global NGO community. Despite ideological differences and existing tensions, there is a lot of potential for practical cooperation to PoC in the field. This may also include the planning phase and the pre-deployment phase of an international operation, regardless of which international framework Norwegian forces will operate under. It seems like the time is right to open a deeper dialogue with the humanitarian community when drafting military concepts and strategies.

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