Diagnostic Tool and Guidance
on the Interaction between field Protection Clusters and UN Missions

Global Protection Cluster

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Introduction

The Diagnostic Tool and Guidance was developed by the Global Protection Cluster based on a series of consultations held with field Protection Clusters and members of the Global Protection Cluster (GPC), including the Areas of Responsibility (AoRs) on Child Protection, Gender-based Violence, Mine Action and Housing, Land and Property.[1] The consultations highlighted the consensus that Protection Clusters need to interact effectively with UN peacekeeping and special political missions (hereafter UN missions[2]) in order to achieve the best possible protection[3] outcomes.

Reducing risks faced by affected populations during humanitarian crises, armed conflict, a volatile post-conflict environment and/or violent political crises, and cultivating an environment conducive to protection, often requires a multi-disciplinary and multi-stakeholder approach. Protections Clusters therefore need to develop and maintain diverse relationships, including with UN missions. Given their significant capacities, such as uniformed military and police personnel, good offices and integrated human rights components, UN missions have an important role to play in protection and pro-active engagement by the Protection Cluster should be pursued to ensure the best possible coordination of efforts and impact. Such engagement can take many forms and engaging with a UN mission is not synonymous with humanitarian actors endorsing its policies or decisions. It is not a question of 'if' but 'how'.

The consultations also highlighted, however, concerns among Protection Cluster members about the implications such engagement might have in some contexts for their neutrality, impartiality and independence, and/or perceptions thereof, and subsequently their ability to negotiate access and deliver assistance. This Diagnostic Tool and Guidance recognizes that the specific purpose and means of interaction between field Protection Clusters and UN missions should be tailored to the specific context in which both operate.

Guiding Principles

Field Protections Clusters can provide an effective forum for facilitating the interaction between humanitarian actors and UN missions for issues having significant impact on protection. The following principles should guide field Protection Clusters and their member agencies in their relationship with UN missions.

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[1] Input was received from field Protection Clusters in Afghanistan, Burundi, Côte d'Ivoire, DRC, Haiti, Libya, oPt, Sudan (Darfur), South Sudan and Somalia.

[2] This refers to UN peacekeeping and/or special political missions only and not to other types of UN mandated missions such as fact-finding, assessment missions, etc.

[3] This paper uses the IASC definition of protection of "*all activities aimed at obtaining 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)*".

- Adherence to the humanitarian principles of humanity, neutrality, impartiality and operational independence.
- Respect for the diversity of mandates, approaches, expectations and *modus operandi* among actors contributing to protection outcomes.
- Participation and dialogue to share information in a transparent, effective and timely manner, respecting the principles of confidentiality and protection of victims, witnesses, and sources of information, to coordinate action and address outstanding challenges.
- Promotion of consensus decision-making and speaking in unison, or at least in a coordinated manner, as the Protection Cluster.
- Commitment to ensure that protection activities undertaken are planned, implemented and reviewed in accordance with applicable international laws, norms and standards.

The Role of the Global Protection Cluster
The Global Protection Cluster can provide field Protection Clusters with:
- Advice, guidance and training.
- Sharing of best practices, information and resources.
- Targeted field technical or rapid deployment support missions upon request.
- HQ level liaison and advocacy in support of the field, including ensuring that protection considerations are integrated in briefings to the Security Council in advance of mandate renewals and feed into broader UN mission planning processes at HQ level, briefings for UN Member States and Regional Organisations in various forums, etc.

Objective and Scope
This Diagnostic Tool and Guidance is intended to facilitate discussion and decision making among field Protection Cluster members, by providing a series of guiding questions that should be considered when examining the context in which the cluster operates and the nature of the UN mission, and what implications these might have for its interaction with the UN mission. Ultimately, it should assist the field Protection Cluster to proactively shape its engagement with a UN mission with a view to achieving the best possible protection outcomes. The answers to and dialogue around these questions can help to identify areas of consensus or sensitivity and assist the field Protection Cluster to articulate and decide how it can most effectively and appropriately interact with UN missions.

It is meant to build upon and be used in conjunction with broader protection assessments and analyses typically undertaken by Protection Clusters when developing their strategy. Answers to many of the questions listed below may therefore already be clear from the latter. The outcomes of these discussions should provide a clear sense of what the Protection Cluster seeks to achieve through its interaction with the UN mission, the areas of convergence and comparative advantage and modalities for addressing any areas of sensitivity. This should then be clearly incorporated within the Protection Cluster strategy.

This Diagnostic Tool and Guidance is specific to field Protection Clusters' interaction with *UN* missions, although it may also serve as a guide for situations where Protection Clusters have not been activated but where similar protection sectoral coordination is taking place alongside UN missions[4].

A. Questions for Consideration

Part A poses a series of questions to facilitate an understanding of the UN mission's mandate, structure and relationships. It also includes questions about domestic actors, and the relationships that both the UN mission and field Protection Cluster have with them. These questions offer food for thought, and are intended to stimulate discussion around a range of issues. Some questions may be easily answered and some may require further dialogue with the UN mission to ascertain. This guidance note will not necessarily address all the issues raised by these questions. A final set of questions pertains to relationships with foreign, armed actors such as regional or stabilizations missions, if and where these are present. This guidance note does not address engagement with national security forces or non-state armed actors, or with missions of regional organizations or stabilization missions that are not led by the UN, including those that may be parties to a conflict. Rather, these questions are included to facilitate a better understanding of how field Protection Clusters can work with UN missions to influence these actors to achieve positive protection outcomes.

Questions about mission mandate: What is the mission's mandate? What is the mission's role in ensuring protection for specific groups such as survivors of gender-based violence or children? What is the mission's role or activities with regard to mine action or housing, land and property rights? What has the mission identified as strategic priorities and how is protection addressed among them? How does the mission communicate its role on protection? How does the mission engage with parties to the conflict and with local communities and what influence does it have on them? Does the mission engage with all parties to the conflict? Is the mission specifically mandated to support the host government? Does it support its security forces? Is the Government committing or complicit in human rights and humanitarian law violations, or a source of violence against the affected population? Is the mission mandated to support a peace agreement or process? Does that peace agreement or process have widespread support or is it contested? By whom? Does the mission have the mandate to provide logistical support to a military non-UN mission deployed in the country? Does the UN face 'legacy' or reputational risks in the country? Is the mission mandated to or does it conduct offensive or peace enforcement operations? Where the mission conducts military operations, how are protection risks to or adverse impacts on civilians arising from operations communicated or addressed? How do Protection Cluster members maintain their adherence to humanitarian principles?

Questions about mission actors: Which components (civilian, police and military) of and actors within the mission are engaging on or are relevant to protection and how? Does the mission have a human rights component, Child and/or Women Protection Advisors? Does the mission have a Protection of Civilians strategy? What mechanisms/forums, both at national and field levels, does the mission have to coordinate or take decisions on protection internally, if any? Who are the decision makers within the mission on protection, in addition to the SRSG? What other (non-protection focused) coordination mechanisms exist

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within the mission that are relevant to protection (e.g. JOC or crisis cell) and are these open to mission external actors? Under which DSRSG are the relevant mission protection components located?

Questions about UN integration arrangements: What are the UN integration arrangements? What does the integrated strategic framework (or like document) state regarding protection? Is there structural integration, i.e. is there a triple hatted DSRSG/RC/HC? What is his/her role on protection vis-à-vis that of another DSRSG (e.g. political or rule of law)?

Questions about the Protection Cluster and its members: Who is represented in the Protection Cluster (i.e. UN entities, I/NGOs, government, civil society, mission components)? Are members engaged in humanitarian programming only, or also in early recovery, peace-building, human rights or development activities? Do members interact with the mission regularly outside of the Protection Cluster context, in other meetings or forums? To what degree do Protection Cluster members or broader humanitarian actors rely upon mission resources, civilian or military (e.g. armed escorts, transport or logistics)? Are there specific areas for which the Protection Cluster seeks support? Are there specific issues of concern or sensitivity with the UN mission the Protection Cluster seeks to address? Are these areas or issues unique to the Protection Cluster or experienced by other clusters as well?

Questions about relationships with domestic actors: If there are actors perpetrating violence or posing other threats to the population, how do they view the UN mission, the broader UN, the humanitarian community and various segments of the population? Do they differentiate between military, police and civilian UN actors? Do they represent, or how closely are they linked to, the host state government? What position has the UN mission taken vis-à-vis these actors? Who is engaging with these groups and why? What challenges does interacting with these groups pose? Does the UN mission have links to these parties that enable them to influence their behaviour or is their interaction constrained in any way?

Questions about relationships with regional or stabilization missions, where applicable: Who are the external armed actors intervening on the ground? What is their mandate to use force and where does it stem from? What is their objective in using force, i.e. are they seeking to neutralize an enemy or keep the peace between parties to conflict? How is that force being used, i.e. offensive, defensive, deterrence? What are their rules of engagement/what guides their conduct of hostilities? What are their capacities? Are there mechanisms in place to assess and mitigate the impact of operations on civilians and civilian infrastructure? Do these forces operate under a UN mandate? Is the United Nations providing material or other support to these forces? Does the UN mission have established relationships with the force that can be used to influence their behaviour? Are these military actors providing relief or development assistance? How are these actors perceived?

B. Implications and Parameters for Engagement

Part B examines the potential implications of issues raised during the question phase and provides guidance, including about specific types of interaction under Part C.

UN missions are often mandated to carry out a broad range of activities in support of enhancing the protection of affected populations,[5] including:

- Interventions to protect civilians under imminent threat of physical violence
- The promotion and protection of human rights, including through human rights monitoring and reporting, advocacy, technical guidance, training, capacity building, etc.
- Implementation of Security Council resolutions on children and armed conflict including monitoring and reporting under SCR 1612 and support to juvenile justice
- Conflict-Related Sexual Violence monitoring and reporting under SCR 1960
- Helping to create conditions conducive to humanitarian operations
- Helping to create a safe and secure environment conducive to the voluntary return of IDPs and refugees
- Support to the rule of law   • DDR   • Security Sector Reform
- Mine Action   • Support to non-UN military forces deployed in the country

The field Protection Cluster should identify <u>all</u> elements of the mission's mandate to (i) understand the full scope of their role; (ii) to determine how specific elements of their mandate can best contribute to protection and complement field Protection Cluster objectives and activities, and (iii) identify those mission actors responsible for the different mandate activities. While much attention is often given to the important role of uniformed personnel in responding to possible threats of physical violence, the potential contributions of a mission to achieve protection outcomes may stem from other mission capabilities and mission tasks. As such, engagement with the mission must go beyond this specific task.

Protection of civilians under imminent threat – a mandate specific to peacekeeping missions
DPKO has developed an *Operational Concept on the Protection of Civilians* that helps to frame the role of UN peacekeeping missions to enhance the protection of civilians along three tiers of work: 1) Protection through political process; 2) Providing protection from physical violence and; 3) Establishing a protective environment. These three tiers have "clear synergies with the three levels of responsive, remedial and environment building protection activities"[6] found in the ICRC "egg" protection model, and it's worthwhile to examine what activities undertaken by the mission in these three areas can strengthen and complement the work of the field Protection Cluster. Where possible negative impacts are identified or foreseen, measures that can be taken by either the field Protection Cluster or the UN mission to counteract them should also be identified.

A peacekeeping mission is considered to have a protection of civilians (PoC) mandate when it has been tasked to "protect civilians under imminent threat of physical violence" and thus it approaches its protection of civilians mandate far more narrowly than the IASC definition of protection or the protection of civilians agenda of the UN Security Council. Mandates linked to protection against imminent threat of physical violence often carry caveats such as "without prejudice to the primary responsibility of the Government" or "where the Government is unwilling or unable". Furthermore, the consent of the parties and the non-use of force except in self-defence or defence of the mandate are key principles of peacekeeping.

For these reasons, peacekeeping forces will generally first advocate for host government authorities to meet its obligations or secondly support the government authorities in its own response before considering the use

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[5] See *Security Council Aide Memoire for the consideration of issues pertaining to the protection of civilians in armed conflict* (2011).
[6] V. Metcalfe, S. Haysom and S. Gordon, Trends and challenges in humanitarian civil-military coordination, HPG Working Paper (May 2012), p. 26.

of force to intervene on behalf of an affected population at risk. This is especially the case where a mission is explicitly mandated to support the host government. While humanitarian actors may function in a 'substitution mode' in the delivery of services, PC members need to understand that UN peacekeeping missions are less inclined to substitute for government authorities in terms of using or implying the use of force. Furthermore, UN peacekeeping missions do not have sufficient troops or resources to protect all persons at all times or necessarily to support or respond to the broader range of protection concerns captured under the IASC definition.

It is important to have an accurate and realistic understanding of the mission's military capacities, e.g. the number of locations or patrols it can realistically undertake, etc. This information should not be assumed but be gleaned from military actors themselves. It is also essential to prioritize requests when seeking support from a UN mission's military component and to be as specific as possible on what support is sought. Relations with the military component of a mission are also guided by broader humanitarian civil military guidelines.[7]

UN special political missions are not mandated to intervene militarily where civilians face "imminent threat of physical violence" given they have no military peacekeepers, although they will have a political role to play in addressing the situation..

> *Useful references:* Security Council resolutions specific to the mission; DPKO/DFS, *Operational Concept on the Protection of Civilians in UN Peacekeeping Operations* (2010); DPKO/DFS, *Framework for the Development of Comprehensive POC Strategies in UN Peacekeeping Operations* (2011); mission-specific PoC strategies; UN, *The Use of Military and Civil Defence Assets in Support of Humanitarian Activities in Complex Emergencies* (MCDA Guidelines, 2006); IASC, *Updated Guidelines on the Use of Armed Escorts for Humanitarian Convoys - IASC Non-Binding Guidelines* (2013); Country Specific CMCoord Guidance, Country Specific UN Mission SOPs and Fragmentation Orders (FRAGOs) for armed escorts.

Broader mandated tasks
Most UN missions are mandated to undertake a variety of tasks that fall under the broader IASC definition of protection and that support and/or have synergies with the work of the Protection Cluster.

As of June 2013, eight UN special political missions and seven peacekeeping missions have **human rights** mandates,[8] including promotion and protection of human rights through activities such as human rights monitoring and reporting, advocacy, technical guidance, training, capacity building, etc. In addition, even without an explicit human rights mandate, the centrality of human rights has been gradually recognized in cornerstone UN documents and policy, laying the foundations of multidimensional peacekeeping operations or special political missions.[9] The policy framework contains two fundamental requirements. The first provides that all UN mission staff have a responsibility to promote and protect human rights through their

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[7] OCHA Civil-Military Coordination (CMCoord) Officers, where available, can be a valuable resource in identifying or communicating with military interlocutors within the mission, advising on existing policy and helping to formulate responses.
[8] UNAMA (Afghanistan), UNAMI (Iraq), UNSOM (Somalia), BNUB (Burundi), BINUCA (Central African Republic), UNIOGBIS (Guinea-Bissau), UNIPSIL (Sierra Leone) and UNSMIL (Libya); UNAMID (Darfur/Sudan), MONUSCO (DRC), UNMISS (South Sudan), UNOCI (Cote d'Ivoire), MINUSTAH (Haiti), UNMIL (Liberia), and MINUSMA (Mali).
[9] 1997 SG reform report; 2000 Brahimi report; 2005 SG report In Larger Freedom, 2005 SG Decision on Human Rights in Integrated Missions.

functions. This applies to the senior leadership as well as all mission components and their staff – including military and police – who are required to understand how issues of human rights are affected by their work and how they can be advanced through their tasks and activities. The second provides that human rights law be the "rule-book" for UN missions' activities. Core human rights functions are undertaken by UN Missions' Human Rights Components, whose Head is the in-country representative of the High Commissioner for Human Rights.

Many missions are tasked to address the specific protection needs of children and may have **Child Protection Advisors** that undertake activities such as training personnel on the protection, rights and welfare of children, monitoring and reporting on grave violations against children as part of the SCR 1612 Monitoring and Reporting Mechanism (MRM) and in coordination with UNICEF, engaging with government and armed groups to develop action plans to end child recruitment and other grave violations, and reporting to the Security Council on children in armed conflict. **Women Protection Advisors** are increasingly being deployed within UN missions to address conflict-related sexual violence (CRSV). They may be deployed as advisors within the SRSG's office and be imbedded within the human rights and gender sections of the mission. Their activities include to coordinate implementation of the SCR 1960 Monitoring, Analysis and Reporting Arrangement (MARA), dialogue with parties to conflict to gain commitments to address CRSV, training and capacity building within the mission, and advising on and integrating CRSV considerations within the mission.

Civil Affairs components are also useful interlocutors for Protection Clusters. Civil Affairs Officers may serve three roles depending on the mission mandate: cross-mission representation, monitoring and facilitation at the local level; conflict management, confidence building and support to the development of political space; and support to the restoration and extension of state authority. Within peacekeeping operations, Civil Affairs staff work closely with civil society actors and local communities and contribute to the mission's assessment of threats and vulnerabilities to affected populations and its PoC strategy. In some contexts, Civil Affairs may be called on to provide an early warning function on conflict at the local level – particularly in relation to the protection of civilians by relaying information on potential risks and threats to civilians to other civilian elements of the mission and uniformed components. More broadly, Civil Affairs also contributes to protection by supporting reconciliation and conflict management at the local level, promoting the use of dialogue to address triggers for violence against civilians and advocating for the peaceful resolution of conflict.

The recent DPKO/DFS *Comparative Study and Toolkit on Protection of Civilians – Coordination Mechanisms in UN Peacekeeping Missions* outlines the roles played by various mission components in support of protection of civilians mandates, while specific policies such as those referenced below provide more detail.

> *Useful references*: OHCHR/DPKO/DFS/DPA, *Policy on Human Rights in United Nations Peace Operations and Political Missions* (2011); DPKO/DFS *Policy on mainstreaming the protection, rights and well-being of children affected by armed conflict in UN Peacekeeping Operations* (2009); DPKO/DFS, *Civil Affairs Handbook* (2012); DPKO/DFS, *Justice Components in United Nations Peace Operations* (2011).

The Principle of Integration

The Secretary-General's 2008 Policy Committee Decision on Integration reaffirmed integration as the guiding principle for all conflict and post conflict situations where the UN has a Country Team and a multi-dimensional peacekeeping operation or political mission/office, referred to as "integrated presences".[10] The aim of integration is to enable the United Nations to maximize its collective impact and the impact of its individual components in support of countries emerging from conflict, concentrating on those activities required to consolidate peace. It is a principle rather than a structure, and can take different forms. At a minimum, integration requires the UN system to (a) develop a common understanding of the situation, (b) agree, jointly, on when, where, and how to respond to the key priorities for peace consolidation, and (c) once the consensus is reached, monitor and report jointly on progress towards those priorities. The priorities for peace consolidation and the different roles to be played are reflected in an integrated strategic framework,, which will likely include the protection of civilians as a crosscutting issue.

Research has found that UN integration arrangements have facilitated complementary advocacy efforts amongst UN humanitarian, peacekeeping and political actors that have in some instances been effective in influencing external stakeholders on protection of civilians and humanitarian access. However, they have also posed challenges, including some examples where individual UN mission leaders sought to limit engagement with non-state armed groups or limit humanitarian advocacy when it was deemed to have a negative impact on political priorities.[11] Due to such concerns, the IASC has developed a position paper to support the assessment of risks to inform mission design.[12] This paper recommends, inter alia, that in 'high-risk environments' greater caution is called for in establishing integrated arrangements that structurally subsume and/or very visibly link humanitarian actors to a political or peacekeeping mission, such as a triple hatted DSRSG/RC/HC within the mission.

All Humanitarian Coordinators (HCs) are expected to support effective humanitarian advocacy, particularly regarding access to and protection of affected populations, and elements reflecting this are included in their compacts with the Emergency Response Coordinator. This remains the case where an HC also functions as a Deputy Special Representatives of the Secretary General (DSRSG) for a UN mission. In some peacekeeping operations, triple-hatted DSRSG/RC/HCs may additionally have leadership or support roles with regard to the mission's protection of civilians mandate. Concurrently, some UN mission staff with protection roles, such as Human Rights and Child Protection Officers, often report to the DSRSG Political or Rule of Law, and thus this office will also play a role in the mission's overall efforts to support protection.

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[10] As of 1 April 2013, there were 18 countries where the principle of integration applies. DPKO is the lead department for UN peacekeeping operations in 9 countries: Cote d'Ivoire, DRC, Liberia, Mali, South Sudan, Sudan (Darfur), Afghanistan, Kosovo and Haiti. DPA is the lead department for UN special political missions in 9 countries: Burundi, CAR, Guinea-Bissau, Libya, Sierra Leone, Somalia, Iraq, Israel/oPt, and Lebanon.

[11] V. Metcalfe, A. Giffen and S. Elhawary, *UN Integration and Humanitarian Space*, (December 2011), p.3

[12] IASC Task Force on Humanitarian Space and Civil-Military Relations, *UN integration and humanitarian space: building a framework for flexibility* (2013). This paper does not depart from and should be read in conjunction with the Decision of the Secretary-General on Human Rights in Integrated Missions (2005/24); and the OHCHR-DPKO-DPA-DFS Policy on Human Rights in United Nations Peace Operations and Political Missions, which provide for structural integration as the systematic default arrangement for human rights in multidimensional and peacekeeping operations and special political missions. Furthermore, this paper does not depart from agreed IASC arrangements, whereby OHCHR, including when structurally integrated in multidimensional peacekeeping operations and special political missions, is a potential protection cluster lead alongside UNHCR and UNICEF.

Useful references: UN, *Policy on Integrated Assessment and Planning* (2013), IASC Task Force on Humanitarian Space and Civil-Military Relations, *UN integration and humanitarian space: building a framework for flexibility* (2013).

Non-United Nations Security Forces

If domestic or international security forces are receiving material assistance from UN entities, such assistance must respect the principles and measures set out in the *UN Human Rights Due Diligence Policy on support to non-UN Security Forces,* which aims to mainstream human rights in support provided by United Nations entities to non-UN security forces globally, in order to ensure that such support is consistent with the Organization's Purposes and Principles in the Charter and its obligations under international law to respect, promote and encourage respect for international humanitarian, human rights and refugee law. Where a UN mission operates alongside an international non-UN force, that mission may be a useful partner in efforts to influence adherence to international legal obligations and norms in the conduct of hostilities and to minimize the impact of hostilities on civilians.

Useful references: UN, *Human Rights Due Diligence Policy on UN support to non-UN Security Forces* (2011).

C. Types of Interaction with UN Missions

Protection Clusters may interact with UN missions in the areas outlined below. Not all of these areas of engagement will be appropriate for all types of UN missions, or at all times. For example, where a UN mission is specifically tasked with support to the host government that is engaged in armed conflict, or to support a peace process that has lost the support of substantial constituencies, the mission may not be viewed as neutral. In addition, the UN mission may be tasked with supporting a host government that is itself responsible for human rights violations and may be viewed as perpetuating harm experienced by civilians.

Where UN forces are engaged in combat operations and are themselves a party to the conflict, the UN mission is almost certain to be viewed by some actors as perpetuating harm.. In these contexts, it is essential that Protection Cluster members preserve their actual and perceived neutrality, impartiality and independence to maintain their ability to negotiate access and deliver assistance. More discreet interaction with the mission may therefore be preferable to overt, visible interaction. Information-sharing, advocacy and communications, training and scenario planning and strategic level coordination may continue to be appropriate, while visible engagement such as joint missions and use of mission assets will be less appropriate.

The Protection Cluster should be clear on the reasons why it is engaging with the mission and what specifically it hopes to achieve in doing so. This will help to identify the most appropriate interlocutor(s) within the mission and measure whether arrangements are proving effective.

Participation in coordination forums

Participation of UN mission staff in the field Protection Cluster may be relevant and appropriate given their protection roles but also in ensuring understanding of mission roles, responsibilities and capacities. A number of mission staff that undertake or support broader protection activities have already been noted above, and their participation in the Protection Cluster and relevant AORs may help to ensure regular information sharing on and coordination or complementarity of efforts. In certain cases, the Human Rights

Component of a UN mission may lead or co-lead Protection Clusters or AoRs.[13] In contexts where it is not considered appropriate to include UN mission personnel in Protection Clusters, alternative arrangements should be established in accordance with the purpose of the engagement, for example, by establishing separate opportunities to meet or appointing liaison personnel.

Interaction with uniformed military and police personnel needs to happen but their direct participation in Protection Cluster meetings may not be appropriate in all contexts, especially where uniformed personnel use force in the implementation of their mandates. In these instances, the Protection Cluster may choose to have separate meetings with uniformed personnel, either on a regular basis or on specific issues, including all or only some representatives of the cluster. The Protection Cluster might also want to develop some basic ground rules for participation by uniformed personnel, such as that they not bring arms into UN humanitarian compounds, etc. OCHA CMCoord Officers may also serve a liaison role in this regard. Similarly, decisions to use mission military assets, whether armed escorts or helicopters to more easily access remote areas, need to adhere to the principle of last resort and the implications of this use on actual and perceived neutrality, impartiality and independence need to be carefully considered.[14]

Increasingly, peacekeeping missions mandated to protect civilians are establishing internal mechanisms to plan and coordinate PoC action across military, police and civilian components. Where such forums exist, the Protection Cluster lead agency and OCHA generally participate as observers and can serve as a bridge for the field Protection Cluster. Various UN agencies and/or other Protection Cluster members may also be represented in other UN mission or UN wide forums where relevant to protection may arise and be discussed, such as information-sharing, joint planning or monitoring bodies.

Information Sharing

In situations where components of a UN mission actively participate in the work of a Protection Cluster, a direct line of communication with the mission is established. However, given that UN missions are generally large and have multiple components and sections, one cannot assume that information given or requests made to one part of the mission are communicated to another. For this reason, it is important to be specific about how questions or information are directed and how/by whom it will be conveyed.

When sharing information, the Protection Cluster should ensure confidentiality and protection of victims, witnesses, and sources of information, particularly about individual cases. The field Protection Cluster should also understand what information the UN mission shares externally and how, agree whether and under what conditions information provided by the field Protection Cluster may be transmitted and what safeguards are appropriate. This could be done through a field level protocol for information sharing with or including the UN mission that outlines basic rules and responsibilities of members and modalities for information sharing (e.g. what, when, with whom and how, including modalities for verification). The protocol should ensure the highest standard for data collection and information sharing.[15]

In addition to supporting timely responses to on-going developments in the context, these information-sharing protocols could include modalities for contributing information to broader UN reporting

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[13] See footnote 11

[14] Foreign Military and Civil Defence Assets in Support of Humanitarian Operations: What is last resort? (UN OCHA April 2012) and IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys (27 February 2013) refer.

[15] See for guidance the Global Protection Cluster Working Group's *Handbook for the Protection of Internally Displaced Persons* (2010), OHCHR, Manual on Human Rights Monitoring (2011), and ICRC's *Professional Standards for Protection Work* (2013).

mechanisms, such as the SCR 1612 MRM and SCR 1960 MARA, as well as to the UN human rights mechanisms (e.g. Human Rights Council Special Rapporteurs), Groups of Experts or Independent Experts. The field Protection Cluster, through existing inter-agency arrangements, may also contribute to country and thematic reports by the Secretary General to the Security Council, or by the High Commissioner for Human Rights to the Human Rights Council, as well as to the preparation of reports by Human Rights Components (e.g. periodic and thematic public reports). It may also share information and provide inputs on key protection trends and concerns for briefings by OCHA to the Security Council informal Expert Group on the Protection of Civilians in advance of the renewal of UN Mission mandates. When feeding into such reports, it is helpful to clarify how information is shared, under what conditions and who is responsible for, or leading, which process.

> *[Possible field examples for further development]: South Sudan Protection Cluster participation in UNMISS Joint Operations Centre.*

Advocacy and Communication
Advocacy may either be directed toward the UN mission to influence decision-making processes regarding protection issues, or be undertaken either jointly or in coordination with the UN mission to influence others, in particular state and non-state actors. Field Protection Clusters may choose to pursue discreet, private advocacy or issue public statements. When seeking to influence mission decisions or approaches, the former is generally more appropriate, at least in the first instance. Advocacy targeting the UN mission should be as specific as possible. For example, rather than asking for greater physical protection for IDPs, the precise locations or camps should be indicated, whether police or military presence is sought and whether this is inside or outside of the camp, etc.

The HC is a key support for the Protection Cluster both in terms of advocating with parties and for communicating with and within the UN mission. The latter is particularly true when the HC functions are part of the portfolio of one of the DSRSGs in the country, and, therefore, integrated in the Mission's structure.[16] Other UN staff in the mission and beyond, such as human rights components and the High Commissioner for Human Rights herself (given that the head of human rights components is also the in-country representative of the High Commissioner), also play an important advocacy role given their strategic position within the UN peace mission and access to its Senior Management Team, including military, police and civilian staff, as well as their direct advocacy role and their relationships with key national and international human rights institutions and actors and the host state.

> *[Possible field examples for further development]: Afghanistan Protection Cluster and UNAMA engagement with ISAF; Darfur Protection Working Group, UNMIS Protection of Civilians and Human Rights and UNFPA engagement with the Government of Sudan; Haiti Protection Cluster engagement with MINUSTAH following the 2011 earthquake.*

Training
DPKO/DFS launched modules on protection of civilians in the context of peacekeeping in 2011, which provide essential background on the responsibilities and tasks of peacekeeping mission on the protection of

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[16] The Resident Coordinator function is also often part of the portfolio of one of the DSRSG. As such, all representatives of UN system organisations in the country will report to the RC on matters related to the working of the UNCT. Therefore, UN entities represented at the Protection Cluster may have a reporting line with the DSRG of the mission.

civilians.[17] These are increasingly being used in pre-deployment trainings of uniformed personnel and being adapted by peacekeeping missions for induction training of all staff. At mission level, different mission components including human rights provide induction training and provide their expertise on protection of human rights standards and norms generally. OHCHR has also developed specialized training tools such as the *Training Manual on Human Rights for Military Personnel of Peace Operations*, based on an operational environment scenario and several tactical small case studies aimed at equipping military personnel with the knowledge, skills and attitude necessary to make them active players in promoting and protecting human rights in keeping with the mission mandate.

Complementary and supplementary to the above materials, which are focused on mission roles, the Protection Cluster should ensure that relevant mission staff understand the role of the Protection Cluster and the activities its members undertake and may provide training in coordination with the UN mission to that end. Protection Clusters also can and have provided specific training on issues within its expertise. Protection Clusters can also undertake scenario simulations together with UN mission staff as a practical measure to increase understanding of respective mandates, guiding principles and activities. Similarly, Protection Clusters should ensure its members understand the mandate, roles and activities of the UN mission with regard to protection, liaising with missions as needed to achieve this.

Protection Assessments, Monitoring and Analysis
Field Protection Clusters are expected to undertake protection assessments, monitoring and analysis which may be shared with UN missions to ensure a shared understanding of protection concerns, threats and vulnerabilities, as well as to flag priority areas or issues to the UN mission where it can play a complementary role. This information is particularly important in areas where UN mission presence is predominantly military, such as remote forward operating bases where civilian components of the mission are not stationed. In this context, the insight of Protection Cluster partners on the ground can be especially useful in informing the mission's understanding and response. Military actors in such contexts can face challenges in directly engaging communities themselves, including importantly women, children, older persons and persons living with disabilities, etc. The assessment of the Protection Cluster based on a participatory approach can be especially valuable.

Protection Cluster members and UN mission staff may also undertake joint assessments. This not only facilitates shared information and assessments, but also provides an opportunity to agree on action points, priorities, response strategies, etc. The use of mission assets, whether security escorts or helicopters, to more easily access remote areas, and the need to adhere to the principle of last resort with regard to military assets, is a critical point.[18] The implications of this use on perceptions of neutrality and operational independence need to be carefully considered. Where a UN mission is involved in or supporting offensive operations against a party to a conflict, the use of military assets or participation of uniformed mission personnel in joint assessments should be avoided. There should also be clarity in advance of any joint missions about who will do what and how to ensure that all members of the mission can achieve their objectives and carry out their work according to their own procedures without confusion or hindrance. It may not be feasible for UN mission staff to follow the reporting formats used by the Protection Cluster given their different reporting

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[17] http://peacekeepingresourcehub.unlb.org/PBPS/Pages/Public/library.aspx?ot=2&cat=88&menukey=_7_24
[18] The Oslo Guidelines and MCDA Guidelines describe 'last resort' as "a specific capability or asset requirement that cannot be met with available civilian assets has been identified; and foreign military and civil defense assets would help meet the requirement and provide unique advantages in terms of capability, availability and timeliness; and foreign military and civil defence assets would complement civilian capabilities".

requirements, but the basic facts of a situation should correspond.

[Possible field examples for further development]: DRC Protection Cluster "Must/Should/Could" prioritizations shared with MONUSCO

Strategy Development

Field Protection Clusters are required to develop their own protection response strategy outlining key priorities based on assessed protection needs and risks, methodologies and coordination structures. The objectives for and planned outcomes of engagement with UN missions should form part of this strategy. In addition and separately, Protection Clusters should feed into the UN peacekeeping mission's own 'PoC' strategies. Security Council resolution 1894 stipulates that "all relevant peacekeeping missions with protection mandates incorporate comprehensive protection strategies into the overall mission implementation plans and contingency plans … with the full involvement of all relevant actors and in consultation with United Nations Country teams". The *DPKO/DFS Framework for Drafting Comprehensive Protection of Civilians (POC) Strategies in UN Peacekeeping Operations* provides a template for this. Currently, only UN peacekeeping operations mandated by the Security Council to "protect civilians under imminent threat of physical violence" are required to utilize the framework and, of these, four have strategies.[19]

The framework stipulates that other UN entities in the mission area with protection mandates or programmes should be actively involved in the development of the strategy. The lead agency of the Protection Cluster and OCHA are specifically invited to participate in internal mission protection coordination structures as representatives of the humanitarian community. Protection Clusters are highly encouraged to engage in this process in order to facilitate a shared understanding of the context, threats to and vulnerability of the affected population among both mission actors and the Protection Cluster. It is also an opportunity to clarify common or distinct priorities and objectives, supporting activities and roles and responsibilities. The degree to which a UN mission PoC strategy refers to the Protection Cluster or its activities is at the discretion of the Cluster and the Mission. Engagement with a UN mission on its strategy document is not, however, a substitute for the Protection Cluster's own strategy development.

Wherever a UN mission exists alongside a UN Country Team, an Integrated Strategic Frameworks or like document must exist that identifies common priorities for peace consolidation and how, under each priority, the UN system will work together to best respond. Protection of civilians or prevention of sexual and gender-based violence may be among the thematic priorities referenced in the ISF to promote synergies and minimize overlap on thematic issues of shared concern, and thus can provide an opportunity to clarify protection-specific objectives, roles and responsibilities between a UN mission and the UN Country Team. While this is not binding upon non-UN members of a Protection Cluster, the UN Country Team must also engage with the Humanitarian Country Team in the context of integrated assessment and planning. The assessments and analyses generated by the Protection Cluster can help ensure that products such as the conflict analysis adequately capture protection concerns. The Protection Cluster can also help to ensure that the ISF complements rather than contradicts existing protection strategies.

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[19] As of June 2013, UNAMID, UNMISS and UNOCI have mission-wide PoC strategies, while MONUSCO and the UNCT have a UN wide protection strategy.

Contingency Planning

Contingency planning is still predominantly undertaken by humanitarian actors as part of overall humanitarian response planning. Protection Clusters naturally feed into this process. The field Protection Cluster may engage with a UN mission in the development of protection contingency and response planning, including to help identify and foster a shared understanding of threats and vulnerabilities, explain the responses planned by the humanitarian community and how they will be undertaken, and agree how these will be coordinated with the mission to ensure their implementation is not inadvertently undermined. Attention should be given to how the Protection Cluster will communicate with key mission contacts in case of protection emergencies and/or crises, including situations where staff may be evacuated and normal forums are no longer accessible.

Annex I: Useful References

General

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