Framework for Drafting Comprehensive Protection of Civilians (POC) Strategies in UN Peacekeeping Operations

I.   Purpose of the Framework and POC Strategies

1.   This Framework provides the parameters and key considerations for drafting comprehensive protection of civilians (POC) strategies[1], which are essential for missions to ensure the most effective implementation of POC mandates authorized by the Security Council. Comprehensive POC strategies are designed to bring coherence in approach, minimize gaps, avoid duplication and maximize the mission's ability to ensure the protection of civilians through the use of its available capacities (civilian, military, police and support elements of the mission). By clarifying the role and activities of the mission and modalities of interface with key partners, comprehensive POC strategies also ensure better coordination with other actors working on POC. Additionally, POC strategies are an important tool for senior mission leadership to ensure that missions take a pro-active approach to POC. Senior mission leadership have an important responsibility in this respect, and must remain engaged in both the development and implementation of comprehensive POC strategies. This Framework includes an annotated template for comprehensive POC strategies, which should:

- ❖ Articulate actual and potential POC risks in the mission area;

- ❖ Identify activities to be undertaken by the mission directly, or in coordination with other protection actors, to address those risks;

- ❖ Analyze the resources and capacities required to implement the POC mandates;

- ❖ Provide an overview of the protection actors, including the host government's will and ability to fulfill its responsibility to protect civilians, and the capacity of the local population to protect itself;

- ❖ Clarify roles and responsibilities within the mission and with key partners;

- ❖ Detail POC coordination mechanisms within the mission and with partners;

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[1] Security Council resolution 1894 (operative paragraph 24) calls for missions with POC mandates to develop comprehensive POC strategies, and the C34 report of 2010 (A/64/19, paragraph 149) requests the "[s]ecretariat to develop a strategic framework containing elements and parameters for mission-specific strategies to guide senior mission leadership in elaborating a comprehensive protection strategy."

❖ Ensure that the monitoring and reporting mechanisms are in place to ensure accountability and measure progress towards the achievement of the strategy's objectives;

❖ Ensure that there is a system to conduct reviews and lessons learned exercises when missions fail to protect civilians.

II.   Scope of the Framework and POC strategies

2.   This Framework is designed to guide the development of comprehensive POC strategies that apply to a UN peacekeeping operation's efforts to implement its protection of civilians mandate. The Operational Concept[2] provides the conceptual framework for the implementation of POC mandates and should act as a key reference point during the development of these strategies.

3.   UN peacekeeping operations mandated by the Security Council to "protect civilians under imminent threat of physical violence" are required to utilize this Framework. DPKO/DFS staff at headquarters should also be aware of this document. Other UN entities in the mission area with protection mandates[3] or programmes should be actively involved in the development of the strategy, as it also informs the coordination that needs to take place with UN actors in the mission area in order to develop and effectively implement these strategies. The need to address risks to civilians makes coordination on this issue all the more vital.

4.   The precise relationship and level of coordination on POC between the mission and UN actors will vary from context to context, and rests on a number of considerations, including:

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

III.   Key considerations prior to drafting the strategy

5.   As stated in the Operational Concept, the development of comprehensive POC strategies rests on the understanding that POC tasks undertaken by UN peacekeeping missions must reflect and uphold the principles of UN peacekeeping, namely, consent of the host government and the main parties to the conflict, impartiality, and the non-use of force except in self-defense and in defense of the mandate. Furthermore, missions are bound to respect and promote international human rights law, international refugee law and international humanitarian law. The Operational

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[2] DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations, April 2010 (available on the Peace Operations Intranet).

[3] It should be recognized that "protection" includes a broader range of concerns than POC, which do not fall within the scope of this framework.

Concept also recognizes that the protection of civilians is primarily the responsibility of the host government and that the mission is deployed to assist and build the capacity of the government in the fulfillment of this responsibility. However, in cases where the government is unable or unwilling to fulfill its responsibility, Security Council mandates give missions the authority to act independently to protect civilians. Bearing in mind that missions operate within the principles of peacekeeping and in accordance with the mandate, missions are authorized to use force against any party, including elements of government forces, where such elements are themselves engaged in physical violence against civilians.

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

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

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

9.   Consultation process: The development of a POC strategy requires a consultation process involving a wide range of actors, both within and external to the mission, as well as with NY Headquarters. The drafting office shall determine who should take part in the consultation process, what elements of the draft they shall be consulted on, and the methodology with which these consultations will take place. Informing those involved at an early stage would minimize unnecessary friction and possible misunderstandings over the process. The strategy would also be an opportunity to clearly situate the mission as one of many protection actors in the area of deployment and articulate the distinct roles and responsibilities of those actors.

• Host government: As the actor with the primary responsibility to protect its population, early engagement with the host government is critical in reminding them of their obligations under international law, clarifying the roles and responsibilities in relation to the mission's POC mandate, assessing the government's strengths and weaknesses vis-à-vis POC, understanding and managing the expectations of the host authorities, and articulating

the POC priorities identified by the mission and the local population. These consultations should include all government agencies involved in POC and not solely the law enforcement and security institutions. The lack of consultation with the government on POC has in some cases led to considerable political and operational challenges for the mission. Nonetheless, the political context in which the mission is deployed and the capacity and willingness of the host government to meet its obligations under international law shall be considered when determining the extent of their involvement in the consultation process.

- Non-state armed groups: Engaging non-state armed groups on protection of civilians issues may be necessary, where appropriate and security permitting. However, direct consultations with them on the strategy itself may not be required. These groups can pose distinct protection risks for civilians in the areas in which they are present, while in some cases they may provide security in the area they occupy. Therefore, they need to be informed of their obligations vis-à-vis the protection of the local population contained within international humanitarian law. The mission must determine how it will configure its response to these risks and opportunities, and how it will work with other protection actors in the mission area to this end.

- Local population: Sustained dialogue with the local population is required to identify the threats posed to them and their vulnerabilities, and to understand how the mission can support existing protection capacities within the local community. Their perception on the security situation should be one of the most important indicators in defining the success of the mission's role in providing protection. Dialogue from the early stages of a mission's deployment also provides an opportunity to understand and manage their expectations with regard to the POC mandate of the mission. Consultations with the local population should include groups at risk (women[4], children, elderly, and minorities) and key civil society groups (traditional authorities, religious groups, human rights organizations, refugee/IDP committees in camps, women's groups etc). When consulting with the population, the mission shall seek the advice of external protection partners who may have existing linkages and trust established with the communities.

- NYHQ: The mission shall receive strategic guidance and support from NYHQ when drafting the strategy, including with regard to matters related to the mandate established by the Security Council and the role of troop and police contributing countries. The parameters of the mission strategy should be discussed with the Integrated Operational Teams (IOTs) before drafting begins. The strategy should be shared in draft for comments with the Integrated Mission Task Force and the Office of Legal Affairs.

- In mission: The military, police, and relevant civilian and support components shall be part of the consultation process to ensure that POC is addressed in a comprehensive manner. The Chief of Staff and mission planning officer shall be involved to ensure the strategy is aligned with other mission planning documents. In settings where an integrated JOC and JMAC exist, these bodies should help develop appropriate analytical and mapping tools to

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[4] Given that women and men's perceptions of threats often differ, dialogue with women is essential to comprehensively analyze the situation.

inform the drafting process and provide appropriate situational awareness and reporting. The preparation of the strategy should be consulted with senior leadership of the Mission and the UN Country Team, through the integrated Senior Planning Group or equivalent.

- <u>UN protection actors, independent humanitarian organizations and NGOs</u>: Consultations with UN protection actors, independent humanitarian organizations and NGOs engaged in protection are crucial to the development of comprehensive POC strategies. Such consultation will ensure that linkages are made with their activities and that areas are identified where coordinated effort would be required (e.g. creating the necessary security conditions for the delivery of humanitarian assistance). Many of these actors usually have protection strategies in place developed by the Protection Cluster and its sub-working groups on child protection and gender-based violence. Others work independently but, depending on their mandates and working methods, are willing to consult with UN actors to varying degrees. These consultations will facilitate the mission's development of its own POC strategy and allow for the mission and other existing strategies to be better coordinated and/or linked, as appropriate.

- <u>Security Council, Troop and Police Contributing Countries</u>: It is crucial that the mission understands the Security Council's vision and expectations vis-à-vis POC. Likewise, the Council must understand the POC risks facing civilians in the mission area, and the mission's capacity to address those risks. Early consultation with the T/PCCs during the drafting of the POC strategy is also necessary to create a common understanding with them on the POC risks where their troops and police are deployed, to ascertain possible concerns and caveats that they may have, and to ensure that they understand the Council's intent vis-à-vis the mission's POC mandate.

10.   <u>Implementation matrix and timeframe</u>: The strategy shall cover a one year timeframe. It shall be focused and concise, taking into consideration past experience which has demonstrated that long and highly detailed strategies, which are not action oriented, are less effective. The strategy shall be supported by an implementation matrix (see annex I) that would facilitate translating the strategy into operational activities to be implemented by mission components[5]. Significant changes in the operating environment and/or in the Security Council mandate shall trigger a review of the strategy by senior mission leadership.

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

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[5] The military component in some of the missions have developed Force Commander Directives to further articulate its role in addressing POC issues.

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

A. **Purpose and scope of the strategy**

1. Purpose: This section shall provide a succinct statement of the purpose of the strategy in the context of the mission's POC mandate.

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

   • *Compliance:* There shall be a clear statement that compliance with the strategy is mandatory for all relevant staff within the mission, once signed off by the Head of Mission (HOM)[6]. The strategy shall also articulate the specific aspects that may involve action from other UN entities with whom the implementation of the strategy is being coordinated.

   • *POC objectives:* This section shall include a brief statement on the mission's immediate, medium- and longer-term objectives vis-à-vis the protection of civilians, bearing in mind the fact that POC can be provided through the three tiers detailed in the Operational Concept.

   > Tier 1: Protection through political process
   > Tier 2: Providing protection from physical violence
   > Tier 3: Establishing a protective environment

   • *Existing protection strategies:* It is critical that the POC strategy does not exist in isolation, but is well coordinated with other existing protection strategies[7] and planning documents, both within the mission and externally. This section shall specify their linkages. Specific attention shall be given to linking and complementing priorities identified by the host government and any existing protection strategies which may have been developed by the Protection Cluster and its sub-clusters or mission components. In integrated mission settings, the POC strategy should be explicitly linked to the Integrated Strategic Framework (ISF). The ISF is designed to articulate the UN's strategic vision in a mission context, and may include POC as a priority. However, it is not meant to include the level of operational detail articulated in the mission's POC strategy.

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[6] The HOM is the senior UN Representative and has overall authority over the activities of the UN in the mission area. As such, he/she leads and directs the heads of all mission components and ensures unity of effort and coherence among all UN entities in the mission area (DPKO/DFS Policy on Authority, Command and Control, February 2008).

[7] Linkages should also be made to the UN Conditionality Policy in supporting non-UN security forces once finalized.

• *Reviewing the strategy*: This section shall state the strategy's annual review cycle and should be linked with other mission planning processes (e.g. the Results Based Budget). Nonetheless, it shall be reviewed and revised whenever there are changes in its Security Council mandate and/or to the operating context**.**

B. Analysis of POC risks and undertaking risk assessments

3. The mission's efforts to protect civilians shall be based on a thorough analysis of the POC risks facing the population. Such an analysis shall be undertaken jointly with UN protection actors in order to ensure a common understanding and prioritization of those risks. As such, this section shall identify the priority POC risks, both actual and potential, that the mission intends to address, in coordination with other protection actors. The analysis of the POC risks shall be based on ongoing monitoring, including of the human rights and humanitarian situation, and derived from analyzing the threats posed to the population (external to the civilians themselves) and their vulnerabilities (the factors that expose civilians to the threat).

4. Inasmuch as possible, it would be important to ensure that the mission has a common understanding with the humanitarian community and host government as to the POC risks prevalent in the mission area. This does not mean that the mission would respond to all POC risks. The mission would have to prioritize risks based on their gravity and likelihood of occurrence, while taking into consideration the mission's mandate, resources and capabilities. Unless otherwise specified by the Security Council, POC mandates apply throughout the mission area, and missions should conduct risk assessments and plan appropriate responses irrespective of the source of the threat. It shall be required to constantly monitor and if necessary adjust its priority activities based on the emergence or development of newly identified risks.

POC risks = Threats (intentions and capabilities of perpetrators) x Vulnerabilities (of targets)

- In articulating the threats to the population, the following questions shall be posed: What are the actual and potential threats being experienced by the population? Is it likely that these threats will change overtime? Who are the main perpetrators?

- The vulnerabilities of civilians to the threats previously identified must be determined and stated here. These vulnerabilities should be defined based on any characteristics of the civilians that make them susceptible to those threats (e.g. refugees/IDPs, children, gender, etc.), or to certain geographical features or activities that expose them to threats.

C. POC activities

5. Activities: The activities that the mission and other UN protection actors in the mission area intend to undertake to mitigate the POC risks identified above shall be listed in the implementation matrix (see annex 1 for example). The matrix shall ensure that missions

have an agreed multidimensional response in place and shall elaborate the roles and responsibilities of different mission components and other UN protection actors. These activities shall be further reflected in individual component workplans. In integrated mission settings, the articulation of roles and responsibilities shall be consistent with those spelled out in the Integrated Strategic Framework.

6. In determining what activities will be undertaken to address the identified POC risks, it is important to bear in mind that protecting civilians can include measures across the three tiers.

D. <u>Information-gathering and sharing system</u>:

7. The mission must have in place effective information gathering and sharing mechanisms to gather and analyze data, and disseminate POC related information. This will assist in identifying deteriorating situations to ensure a timely and coordinated response. This section should also set out the principles and mechanisms for sharing sensitive information so as to ensure the confidentiality of information related to victims or incidents. These mechanisms should be consistent with existing guidance, including the Policies and Guidelines on JOC and JMAC.

8. While concerns over confidentiality and consent may limit the degree of information sharing from such assessments within the mission and with other protection actors, in particular with regard to individual cases and protection incidents, the trends and main POC concerns shall be discussed with relevant protection actors, in particular with the Protection Cluster, to arrive at a common understanding of prioritized protection risks. Due caution shall be exercised when discussing sensitive information, with other protection partners if this could potentially expose civilians to further risks.

E. <u>Early warning systems and crisis response</u>

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

- <u>Crisis response:</u> In this section, the mission shall articulate the rapid decision-making process to address POC crises, involving the relevant components[8]. It shall also clearly state how missions will consult and coordinate with external actors, especially with key government stakeholders in the event of a POC crisis. This would need to be agreed upon and understood by all concerned actors.

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[8] This decision-making process should be in line with the guidance set out in the DPKO/DSF Policy on Authority, Command and Control.

F. Analysis of mission capacities, resources and national caveats

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

11. The HOM has been directed by the Security Council to prioritize the POC activities in decisions about the use of capacities and resources.[9] As such, the issue of how resources will be allocated and which activities will be prioritized in light of the mission's responsibility to implement other mandated tasks, including ensuring the protection of UN personnel and facilities, should also be stated in this section. Such an analysis would enable the mission to manage expectations regarding what it is resourced to achieve vis-à-vis POC.

12. The gaps identified in mission capacities and resources shall lead to a realistic assessment of the mission's options to minimize such gaps. These discussions shall take place with other relevant protection partners to maximize all available resources. The following list, while not exhaustive, includes options that the mission could consider in addressing the gaps:

    At mission level:
    - Reprioritize objectives/activities;
    - Explore mobilization of resources available to external protection actors, where practical;
    - Redeploy resources and staff as required (e.g. to areas at risk);
    - Mobilize additional resources, such as through the creation of trust funds or groups of friends;

    At NYHQ level
    - Inform the Security Council and the 5th Committee of the General Assembly about the identified gaps;
    - Discuss with T/PCCs in NYHQ the possible removal of national caveats or to inquire the possibility for the contributing countries to bring additional resources;
    - Increase targeted training on POC, including on sexual violence and child protection, and the legal obligations of parties to conflict and the peacekeeping mission components themselves, to raise knowledge and awareness in pre-deployment and in-mission training through the integrated mission training centers (IMTCs).

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[9] Security Council Resolutions 1894 (2009), operative paragraph 19 and 1674 (2006), operative paragraph 16.

G. Roles & responsibilities of mission components and other protection actors

13. This section shall articulate the general POC-related roles and responsibilities of the various actors, while the implementation matrix shall go into the details regarding who undertakes which POC activity. This section shall also be consistent with existing DPKO/DFS guidance, such as the Policy on Authority, Command and Control which provides information on the relevant civilian and management structures in the mission.[10] United Nations peacekeeping personnel – whether military, police or civilian – must act in accordance with international humanitarian and human rights law and understand how the implementation of their tasks intersects with human rights, especially in pursuit of POC objectives.[11] Likewise, UN peacekeepers must abide by the Secretary-General's Bulletin on Special Measures for Protection From Sexual Exploitation and Sexual Abuse [ST/SGB/2003/13]

14. <u>With the host authorities</u>: The responsibility of the host government is critical and peacekeeping operations have an important role in supporting national actors to that end. Mapping the government's strengths and weaknesses vis-à-vis the protection of civilians is an important exercise given its primary responsibility in this area. The possible consequences of IHL and human rights violations conducted by elements of the host government shall also be clearly articulated during the consultation process. This process is necessary so that the mission can better assess where it may need to provide support to the government, or where it may need to take direct action to protect civilians. Transparency in this respect can assist in instilling confidence with government counterparts that the mission is there to act in support of the host authorities.

15. <u>With local communities</u>: Local communities can be important partners in the development of POC strategies, and sometimes have put self-protection measures in place. While the mission may not be able to enter into formal agreements with the local communities in articulating their roles and responsibilities in early warning mechanisms and information sharing activities, the mission shall not assume their lack of interest in taking on roles and responsibilities. At minimum, consultation shall take place to understand the possibilities in assigning roles and responsibilities. Consultations shall not only involve the representatives of the population or traditional authorities, but also groups who are directly at risk. However, the mission should be cognizant that there may be risks in assigning specific responsibilities to community actors.

16. <u>With non-state armed groups</u>: Since non-state armed groups encompass a diverse range of identities and varying degrees of willingness to observe international humanitarian, human rights, and refugee law standards, it is critical that the mission engage with them to discuss the protection of the populations in the areas of their control. Lack of contact

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[10] DPKO/DFS guidance documents are available in the "Peace Operations Intranet".

[11] The Secretary-General's Bulletin on the Observance by United Nations Forces of IHL of 6 August 1999 (ST/SGB/1999/13) sets out the fundamental principles and rules of international law that apply to UN peacekeepers.

with certain non-state armed groups who have control over a part of a territory has often led to perceptions by communities that the mission is associated with one party to the conflict and not the other. This, in turn, could affect perceptions of UN humanitarian agencies.

17. Within the mission: The HOM, usually the Special Representative of the Secretary-General, is ultimately responsible and accountable for the implementation of POC mandates, as well as for the development and execution of comprehensive POC strategies. S/he shall delegate the operational and technical aspects of POC implementation to the heads of components through the DSRSGs, while providing the necessary strategic direction and political support. This section shall clearly articulate the HOM's responsibility, as well as those of the Senior Leadership Team and relevant mission components. The role of the DSRSG Political/Rule of Law would be critical in supporting a comprehensive approach in implementing the POC strategy, especially in cases where protection actors (e.g. Human Rights Section and Child Protection) may be reporting to him/her. It is also important to highlight the critical role of the DSRSG/RC/HC who is responsible for coordinating the protection activities of the Humanitarian Country Team with those of the mission and vice versa. Additionally, there should be a clear articulation of the role that mission support component plays in facilitating the mission's POC activities. All mission components involved in POC implementation shall be required to clarify their roles and responsibilities. Consistent with the rules of engagement, the Force Commander has the authority to use force to protect civilians and is accountable for such use of force by the mission. Additionally, the Head of Police Component may have units under his/her command that may be authorized to use force. As such, regular consultations between the Force Commander, Head of Police Component, SRSG, and senior civilian leadership are vital.

18. With UN protection actors, independent humanitarian organizations and NGOs: In addition to clarifying the roles and responsibilities of mission components in relation to POC, the strategy shall be used as an opportunity to clarify roles and responsibilities between the mission, UN protection partners, and NGOs engaged in protection. Independent humanitarian protection and other actors, who work in the mission area, often provide assistance and protection to the same population that the mission endeavors to protect. In this respect, roles and responsibilities should be clearly articulated. This is essential to avoid blurring the lines between humanitarian, military and police actions, which could lead to diminished space for humanitarian action. This clarification should be sought through existing protection coordination mechanisms, formal or informal, which most likely would be through the Protection Cluster and/or in consultation with the RC/HC. The discussion should focus on areas, for example, where close coordination may be required between the military/police actors and humanitarian actors and the modalities for such coordination (e.g. to ensure respect for humanitarian space). This consultation would also identify those areas where a degree of separation may be required to ensure the perception, by the population and the parties to conflict, of the neutrality and impartiality of the humanitarian actors providing assistance.

H. Coordination mechanisms

19. Missions must establish POC coordination mechanisms. Effective POC coordination ensures a structured approach to the determination of priority risks and activities, the conduct of assessments, decisions on the division of labor, the sharing of information, reducing or eliminating overlaps, and ensuring accountability, and sufficient financial, material and human resources. This section shall reflect how the existing coordination mechanisms (or those that are newly established) will be used to coordinate the implementation of the POC strategy within the mission (in mission headquarters, and at the regional and local levels), with UN protection partners, with the host authorities and with local communities.

20. Mission HQ: To date, there has been no single structure designated in missions to lead POC coordination. However, experience has indicated the need to convene a group that brings together senior mission leadership to discuss situations in which civilians are or may come under threat of physical violence, including sexual violence and any other POC-related matters. The objectives of the group – which some missions have termed the Senior Management Group on POC – are to discuss strategic issues, including the prioritization of POC tasks in relation to other mandated tasks, ensure that POC is anchored in the political process, and that the allocation and prioritization of resources is transparent and agreed. This group has generally been composed of the HOM, the Deputy SRSGs, the Heads of Military and Police components, the Director or Chiefs of Mission Support and other relevant heads of mission components, as well as, where appropriate, the RC/HC, the lead agency of the Protection Cluster[12] and also OCHA. This group shall also clarify how it will provide direction and advice to the local level coordination bodies and articulate the reporting mechanisms under which it would operate.

21. Local level: This section shall highlight the structures to be established at the local level, as a counterpart to the working group in mission HQ. While missions shall determine the specific modalities of the coordination mechanism, it is recommended that the structure be placed under the local Head of Office, and include all relevant mission stakeholders, as well as other non-mission stakeholders as appropriate, so as to ensure that POC issues are addressed in full view of the mission's other mandated activities. These bodies, at minimum, would be required to report to the Mission HQ group through existing reporting mechanisms on the mission's progress made on the identified POC priority areas, including the impact of action taken, constraints in implementation, additional resources required and issues that may require decision from Mission HQ.

22. With UN protection actors, independent humanitarian organizations and NGOs: This section shall address how the mission will coordinate its POC activities with UN protection actors and other relevant actors. As stated in the paragraph under Mission HQ, the representative of the lead agency of the Protection Cluster in each location may be

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[12] The lead agency of the Protection Cluster can be UNHCR, or other protection mandated agencies/entities such as OHCHR or UNICEF.

invited to attend or regularly brief the Mission HQ and local level working groups. In turn, mission staff should regularly attend the Protection Cluster at the state level and regional/local level; this has been the main forum for coordinating the protection activities of the humanitarian and other protection actors, ensuring coordination and consistent flow of information between the two mechanisms. Appropriate channels must be identified for consultation with protections actors outside the UN family and the Protection Cluster.

23. <u>With host authorities</u>: The mission shall specify the channel it will use to regularly discuss protection of civilians issues with the host authorities, both at mission HQ and the regional/local levels.

24. <u>With local communities:</u> The mission shall determine the mechanisms through which to engage with the local communities in order to identify the threats to civilians and those who perpetrate them. As stated earlier, the mission shall consult with and seek advice from the external protection partners when setting up such mechanisms, as they may have existing linkages and trust established with the communities.

I. <u>Expectations Management</u>

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

J. <u>Monitoring and reporting on implementation of POC mandates</u>

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

27. <u>Monitoring</u>: Security Council Resolution 1894 (2009), operative paragraph 27, stressed the importance of including indicators regarding the protection of civilians to measure and review progress against agreed-upon benchmarks. This section should include who will be tasked to monitor the progress, what will be monitored and the benchmarks against which progress will be measured.

28. Reporting: Peacekeeping operations are expected to provide comprehensive reporting, in close coordination with other protection actors, on the progress being made in the implementation of POC mandates. This section shall ensure that the reporting requirements on POC are articulated and systems are in place, including offices responsible for each of the POC reporting requirements. This system shall ensure that the relevant UN documents, including the Secretary-General's reports, reflect the POC risks in the country, how they are addressed, the progress made over time and the challenges faced by the mission in addressing POC. In addition to information on POC activities undertaken by the mission (e.g. number of patrols and training delivered)[13], reports should include an analysis of the adequacy of the mandate and resources to protect civilians.

29. The following are some of the existing reporting requirements on POC, that should reflect the implementation of the mission's POC strategy:

To the Security Council:

- Secretary-General's country specific reports[14]
- Secretary-General's report on the protection of civilians in armed conflict (every 18 months)
- Secretary-General's thematic and periodic reporting on grave violations of child rights, human rights, women, peace and security
- Expert Panel reports
- Input into the Informal Expert Group of the Security Council on the protection of civilians[15]

In mission and to NYHQ:
Purpose: In mission and to NYHQ reporting are crucial for drawing attention of senior leadership on the challenges facing the mission's implementation of the POC mandates and the actions necessary to address those challenges.
- Daily, weekly and monthly Situation Reports
- Code Cables

Others:
- Public reports on the human rights situation released in accordance with the Joint Directive on Public Reporting by Human Rights components of UN Peace Operations
- T/PCC briefings

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[13] Based on the request from Security Council 1894, operative paragraph 33, guidance is currently being developed by OCHA and DPKO on the reporting on the protection of civilians in Secretary General's Country Reports.
[14] Guidance is currently being developed for this reporting activity.
[15] The Expert Group serves as an informal forum for transparent and timely discussions on protection concerns between Security Council members, particularly in the context of the renewal or establishment of peacekeeping or relevant political missions.

30. <u>Lessons learned and after action reviews</u>: Missions shall be expected to analyze critical POC crises that have occurred by carrying out lessons learning exercises and after action reviews with a view to capturing lessons for the missions. To the extent possible, external protection partners should be invited to participate in these reviews and provide input. The conclusions shall be fed into future or existing planning and operational documents, including revising CONOPS and ROE of that particular mission. Similarly, good practices should be captured on a regular basis for the practices to be shared across missions.

ANNEX I: IMPLEMENTATION MATRIX

POC risks to be addressed	Activities/Mitigating measures	Lead	Supporting Actors

ANNEX II: REFERENCES

Normative References

- Four Geneva Conventions of 1949 and the Additional Protocols to the Geneva Conventions (1977)
- Study on Customary International Humanitarian Law (ICRC/Cambridge University Press, 2005, update online: http://www.icrc.org/customary-ihl/eng/docs/home)
- Human Rights Law
- Refugee Law
- Secretary-General's 1999 bulletin on observance by UN forces of international humanitarian law   [ST/SGB/1999/13]
- Security Council Aide-mémoire for the consideration of issues pertaining to the protection of civilians in armed conflict [S/PRST/2009/1 Annex]
- Rome Statute of the International Criminal Court [ICC-ASP/2/Res.3]
- Secretary-General's Bulletin on Special Measures for Protection From Sexual Exploitation and Sexual Abuse [ST/SGB/2003/13]

Security Council Resolutions

- Security Council Resolutions 1265 (1999), 1296 (2000), 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflict;
- Security Council Resolutions 1325 (2000) on women, peace and security and 1820 (2008) and 1888 (2009) on acts of sexual violence against civilians in armed conflict;
- Security Council Resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005) on children and armed conflict

Special Committee on Peacekeeping Operations

- Reports of the Special Committee on Peacekeeping Operations A/63/19(2009) and A/64/19 (2010)

DPKO/DFS documents relevant to the protection of civilians
- DPKO/DFS Operational Concept on the Protection of Civilians in UN Peacekeeping Operations, April 2010
- DPKO/DFS Lessons Learned Note on the Protection of Civilians in UN Peacekeeping Operations, April 2010
- Holt/Taylor, Protecting Civilians in the Context of UN Peacekeeping Operations (independent study commissioned by DPKO and OCHA), November 2009

UN and DPKO/DFS Guidance documents

- Secretary-General's Note of Guidance on Integrated Missions, January 2006
- Policy: Authority, Command and Control, February 2008

- Policy: Mainstreaming the protection, rights and well-being of children affected by armed conflict within UN peacekeeping operations, June 2009
- Policy and Guidelines: Joint Mission Analysis Centre, February 2010
- Policy and Guidelines: Joint Operations Centre, February 2010
- Guidelines: UN Peacekeeping Operations Principles and Guidelines (Capstone Doctrine), January 2008
- IMPP Guidelines: Role of the Headquarters: Integrated Planning for the UN, May 2009
- IMPP Guidelines: Role of the Field: Integrated Planning for the UN, January 2010
- Field Manual Monitoring and Reporting Mechanism (MRM) on Grave Violations Against Children in Situations of Armed Conflict, 2010, UNICEF, DPKO and O/SRSG-CAAC

Other documents relevant to the protection of civilians
- Protection – An ALNAP guide for humanitarian agencies, Overseas Development Institute, 2005 (http://www.alnap.org/pool/files/alnap-protection-guide.pdf)
- Proactive Presence: Field Strategies for Civilian Protection, Centre for Humanitarian Dialogue, 2006 (http://www.hdcentre.org/files/Proactive%20Presence.pdf)
- Protection Policy, ICRC, 2008 (http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/review-871-p751/$File/irrc-871-ICRC-protection-policy.pdf)
- Enhancing Protection for Civilians in Armed Conflict and Other Situations of Violence, ICRC, 2008
- Professional Standards for Protection Work, ICRC, 2009 (http://www.themissing.icrc.org/Web/Eng/siteeng0.nsf/html/p0999)
- Handbook for the Protection of Internally Displaced Persons, Global Protection Cluster Working Group, 2010