

Conflicting means, converging goals: Civilian protection and SSR'

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Introduction

The protection of civilians (POC) has always been fundamental to the UN's understanding of the relevance of security sector reform (SSR) in post-conflict contexts: even the very first reference to SSR in a 2005 Security Council discussion stated that reform of the security sector and POC (among other agendas) should be priorities in post-conflict environments.² Since then, mandates, general guidance, and mission strategies have increasingly asserted a positive and mutually conducive relationship between POC and SSR, with both POC and support to SSR emerging as core priorities in a growing number of UN peacekeeping missions.³ Over ten years after the first joint reference to POC and SSR, major peacekeeping operations with both elements in their mandates have included the UN Mission in Liberia (UNMIL), the UN Operation in Côte d'Ivoire (UNOCI), the UN Stabilization Mission in Haiti (MINUSTAH), the African Union/United Nations Hybrid Operation in Darfur (UNAMID), the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the UN Interim Security Force for Abyei (UNISFA), the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), and the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA).

UN peacekeeping mandates tend to assume an inherent compatibility between POC and international support to SSR, yet experience reveals that implementing the two simultaneously often causes friction. While both POC and SSR share the ultimate goal of improving human security, the idea that SSR always, everywhere, and necessarily contributes to the immediate goals of POC is a widespread misunderstanding. Conflating the two agendas has allowed potential risks and unintended consequences to go unnoticed.

Existing guidance posits that POC and SSR intersect at the point of making people feel safe, but the tensions that exist in implementing them side-by-side are

exacerbated by the fact that there has never been a clear explanation of how these two agendas interact in practice. Failing to acknowledge the tensions between these apparently complementary activities leads to poor policy and practice in both POC and SSR support, creating risks to civilians and to the credibility and legitimacy of peacekeeping operations. It also leads to missed opportunities in both POC and SSR, because recognizing and resolving these tensions would maximize the benefits of aligning these two related but separate agendas.

This chapter begins with an overview of existing UN policy linking SSR to civilian protection, arguing for a clearer distinction between these elements in peacekeeping contexts. The remainder of the chapter describes two major sources of friction between POC and SSR in practice, before turning to the natural convergences between these two agendas, and finally, presents ways to mitigate tensions arising out of their implementation.

Existing UN frameworks linking POC and SSR

In the years since the connection between POC and SSR was first asserted in a UN context, their relationship at the level of implementation has been neither explicitly articulated nor effectively operationalized. Thus, in 2014, UN Security Council resolution 2151 on SSR recognized only rather vaguely “the interlinkages between security sector reform and other important factors of stabilization and reconstruction, such as . . . the protection of civilians.”⁴ In some peacekeeping mandates, the two agendas are grouped together, such as in the 2004 mandate that established the UN peacekeeping operation in Haiti, which positioned both POC and SSR under the “Secure and Stable Environment” umbrella.⁵ In others, these agendas are entirely separate, as in the 2010 mandate for MONUSCO, the peacekeeping operation in the Democratic Republic of the Congo (DRC), where the train-and-equip aspects of reforming the army and police are categorized as SSR under the heading of “Stabilization and Peace Consolidation”, while activities related to preventing security force abuses are listed as “Protection of Civilians.”⁶

This lack of consistency regarding the relationship between POC and SSR stems from the fact that both became part of UN mandates before a policy definition and approach were established. Progress in defining SSR was made relatively quickly between its first explicit inclusion into the UN context in 2004 and the first UN Secretary-General’s report on SSR only four years later.⁷ In contrast, POC was first included in a UN peacekeeping mandate in 1999, yet still remains an agenda in the making: while its status as a moral priority is clear, confusion over its policy application and prioritization in UN peacekeeping operations persists.

POC first became a major issue for UN peacekeeping in the 1990s, following massive failures to protect civilians, most notably in the Rwanda and Srebrenica atrocities. In the wake of these events, the Security Council recognized that UN peacekeepers needed to take proactive measures to protect civilians in their areas of deployment, both to respond to a moral imperative and to preserve the credibility and legitimacy of peacekeeping. As a result, the Security Council began issuing POC mandates for peacekeeping operations without having defined what this meant in practice. The lack of guidance about how to operationalize and implement POC created confusion on the ground, as peacekeepers were uncertain what was required of them and what actions were permitted under a POC mandate.⁸

To address this confusion, the UN Department of Peacekeeping Operations (DPKO) and Department of Field Support (DFS) put forth a draft operational concept on POC in 2010 that offered a working definition. Then, in 2015, an official policy on POC was finally produced. The 2015 policy defines POC as consisting of three tiers:

- **Tier 1** – *Protection through dialogue and engagement*: e.g., supporting local or national reconciliation efforts, mediating peace negotiations, and reporting on the protection of civilians.
- **Tier 2** – *Provision of physical protection*: e.g., conducting deterrent activities, physically intervening between perpetrators and civilians, and implementing early warning systems and conducting conflict analyses to identify potential hotspots.
- **Tier 3** – *Establishment of a protective environment*: e.g., promoting the rule of law, facilitating humanitarian assistance and advocacy, and supporting SSR.⁹

Links between POC and SSR may plausibly feature across Tiers 1 and 2 of civilian protection. For example, the mission may support dialogue or mediation efforts that touch on the future of state security forces (Tier 1), or the mission could engage in military cooperation with state security forces against perpetrators of violence against civilians (Tier 2). However, the only *explicit* link between POC and SSR made in the 2015 policy definition posits SSR as one activity (among others) that contributes to building a protective environment under Tier 3. The policy thus frames SSR as a component of POC (see Figure 1).

This framing of SSR as a constituent element of POC may mark the first time in the history of UN peacekeeping that this relationship has been unambiguously defined. However, a notable weakness in the draft operational concept of 2010 was carried into the 2015 policy insofar as Tier 3 of POC – the establishment of a protective environment – is so broad that it creates confusion about what activities constitute POC and, further, about the relationship between POC and other peacekeeping mission activities.

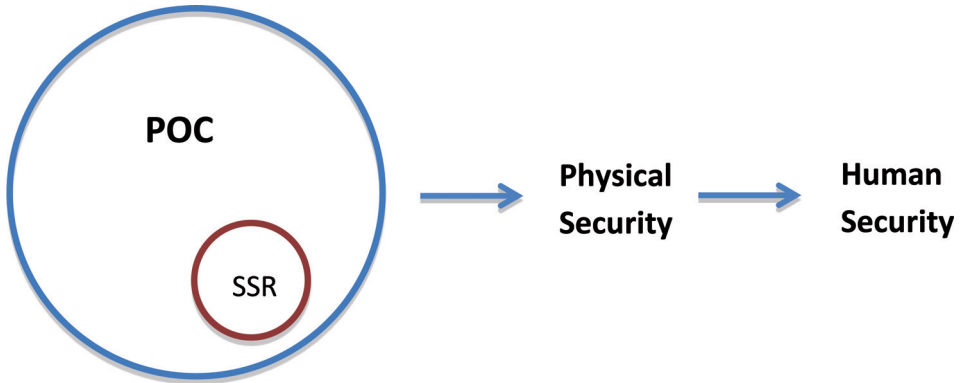


Figure 11.1: SSR as a component of POC: POC contributes to physical security, which in turn contributes to the ultimate goal of human security

This very broad interpretation also contradicts more traditional understandings that POC comprises activities undertaken *directly by components of a peacekeeping operation* to prevent, interrupt, or mitigate violence against civilians. The 2015 DPKO/DFS framework places these more traditional activities largely within Tiers 1 and 2. Tier 3 of the 2015 policy broadens the definition of POC beyond this narrower, traditional sense to include activities that facilitate the protection of civilians *by other actors* (such as the host-state government). Expanding the definition in this way makes POC so wide-ranging that, in theory, nearly all peacekeeping tasks could be said in some way to constitute POC.¹⁰

The problem with this characterization of POC is that it offers little guidance to practitioners as to how policy should be implemented on the ground. It is unclear what the Security Council means when it issues a mandate that instructs a peacekeeping operation to prioritize POC while also supporting SSR, as it did the peacekeeping operation in the DRC, for example.¹¹ How should personnel, assets, and resources be allocated? Which specific tasks should be undertaken first?

The 2015 policy thus inherited the same problem that Alison Giffen pointed out in the 2010 DPKO/DFS draft concept: it “asserts that the three tiers are mutually reinforcing, but does not discuss the dilemmas and trade-offs that are likely to arise during planning and implementation of the three tiers,” particularly the potential problems missions may face when working closely with host-state governments that are also engaged in abuses against civilians.¹² In light of this, a formulation that limits POC to activities performed directly by peacekeepers to prevent or limit harm to civilians (thereby making it distinct from many SSR activities) provides practitioners with more helpful guidance on implementing POC and SSR simultaneously.

If POC is understood more narrowly to include only *direct* interventions by peacekeepers to protect civilians, then not all SSR activities qualify as POC activities.

By this definition, POC and SSR are separate but overlapping agendas (see Figure 2), and this overlap is restricted to activities carried out by UN peacekeepers that:

- a) reduce the level of violence perpetrated by security forces (e.g., training on human rights, international humanitarian law, and how to minimize civilian casualties during operations; vetting of security forces; political negotiations and advocacy to remove abusive elements from security forces; and support for efforts to uphold high standards of discipline, oversight, and accountability in security forces); or
- b) improve the ability of host-state security forces to support peacekeepers to protect civilians from immediate physical violence (e.g., training and equipping state security forces for the specific purpose of making them more effective and accountable in combined operations with peacekeeping forces in order to boost the capacity of peacekeepers to protect civilians from violence).

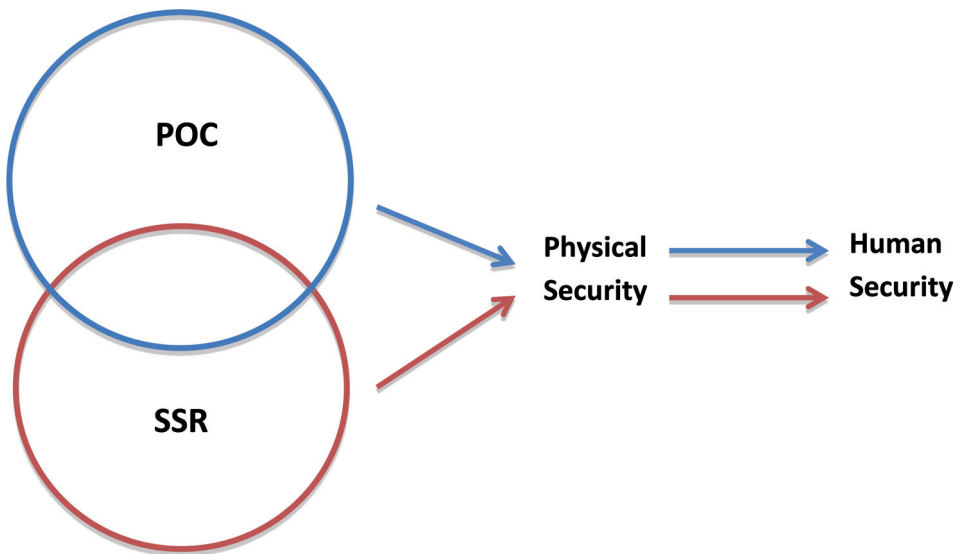


Figure 11.2: POC and SSR are separate but overlapping agendas, both of which contribute to physical security, which in turn contributes to the ultimate goal of human security

This narrower definition of POC highlights specific areas of overlap where POC and SSR components could coordinate more closely or jointly implement activities in a peacekeeping context. It also accommodates the fact that POC and SSR mission components may have different short-term objectives that could steer their activities in different directions (a point to which we return later). Indeed, even the 2015 DPKO/DFS policy seems to acknowledge that activities in Tier 3 of POC, including SSR, are not treated *in practice* as subsets of POC, when it says that these activities are

“sometimes presented as separate mandated tasks under country-specific resolutions . . . and are generally planned for independently of the POC mandate.”¹³

Defining POC more narrowly also recognizes the reality that the UN is not the only or most important SSR actor in many contexts. SSR must be led by national actors, but typically entails the support and close cooperation of bilateral and regional actors aside from the UN. While a UN mission has the scope, responsibility, and moral obligation to implement a comprehensive POC strategy across its own operations, realistically it is only a supporting actor in a larger national SSR strategy that usually includes support from other partners. The variety of domestic and international actors supporting national SSR agendas, and the typical lack of coordination among them, means that a mission typically has little or no direct influence over how support to SSR affects its own POC strategy.

Drawing a distinction between POC and SSR in policy does not mean that protecting civilians is unimportant to the SSR agenda. In fact, people-centred security is a core tenet of SSR. As a result, conflict sensitivity and a “do no harm” approach are fundamental principles of SSR implementation, reflecting its origins as a development-driven agenda.¹⁴ Since Do No Harm Analysis in the context of SSR is meant to “help understand the impact that an assistance program could have on the relationships between actors in a fragile state environment,” highlighting POC within the framework of existing SSR assessment methodologies offers an opportunity to better align the two agendas and avoid potential contradictions between them.¹⁵

Distinguishing between POC and SSR agendas in this way also lays bare the flaws of approaches to implementation that assume improvements in security sector effectiveness alone provide for civilian protection over the long term. This assumption typically underpins POC and SSR activities that focus on enhanced training, equipment, and operational capacity. However, an integrated reading of the UN policies on POC and SSR should lead to the conclusion that *greater effectiveness is linked to better governance*. Improving the training, equipment, and operational capacities of security actors are important elements of an SSR strategy, yet these activities alone cannot lead to long-term and sustainable improvements in public security provision or civilian protection because they do not institutionalize improved capacity or address issues of accountability and impunity related to the security sector’s use and abuse of force.

Experience from SSR shows that better public security results from an approach to reform that squarely anchors the use of force by the host state within a framework of democratic civilian control, rule of law, and respect for human rights. In the absence of such a strategy, stand-alone capacity-building activities conducted in the name of POC actually risk making the security sector more dangerous over time, since improved capacity can as easily be used to abuse as to protect; and stand-alone efforts establish no institutional safeguards to prevent such abuse. This dilemma is

a trap that SSR explicitly seeks to avoid by emphasizing the importance of both accountability and effectiveness; nevertheless, poor SSR implementation tends to skew reform towards train-and-equip activities in practice. Thus, the policy-practice gap remains when it comes to implementation.

Distinguishing between POC and SSR demonstrates that strategies to systematically improve the accountability of the security sector must be given as much attention as security sector effectiveness, not only because this is the goal of SSR but also because it is necessary to ensure civilian protection in the long term. A policy approach that clearly differentiates between the two agendas would help practitioners to identify and avoid these tensions. It would also help to improve existing UN frameworks linking POC and SSR.

One of the only policy guidance frameworks that addresses the risks of conducting POC while supporting SSR is the UN human rights due diligence policy (HRDDP), which is intended to ensure that the UN closely monitors at least those parts of the security sector to which it is providing support. Since monitoring security forces for human rights violations can be an important role for UN peacekeeping operations in preventing and deterring abuses, the policy constitutes a bridge between POC and SSR activities. The HRDDP “sets out measures that all United Nations entities must take in order to ensure that any support that they may provide to non-United Nations forces is consistent with the purposes and principles as set out in the Charter of the United Nations and with its responsibility to respect, promote and encourage respect for international humanitarian, human rights and refugee law.”¹⁶ It requires UN entities to perform a risk assessment prior to providing support to a security force, whether directly or indirectly, and prohibits a UN entity from providing support where there are grounds to believe that the security force is likely to commit grave violations. In cases where security forces are already committing such violations, the HRDDP requires UN entities first to work with relevant authorities to stop these abuses and, if this fails, to suspend support.

The HRDDP framework was deliberately designed to be flexible so that it could be adapted as appropriate to various contexts, and UN peacekeeping operations in different countries have implemented it in different ways and to different extents. For example, while the UN Mission in South Sudan (UNMISS) made little progress on implementing the HRDDP in its first three years, having collected sparse information on perpetrators by its change of mandate in 2014,¹⁷ MONUSCO in the DRC maintained and proactively populated a robust database of grave violations of human rights committed by all in-country actors, including members of the security sector. During the July 2012–June 2013 reporting period, MONUSCO created “1,062 profiles of high-ranking individuals serving in Democratic Republic of the Congo security services” and recorded information about “3,079 alleged perpetrators of human rights violations” in order to implement its policy of conditionality.¹⁸

Despite its flexibility, the HRDDP can compel a mission to withdraw support from the security sector altogether, even at the expense of other POC and/or SSR objectives, and particularly if support is being exploited by the host-state government. This was true, for instance, when tensions arose between MONUSCO and the DRC Government in early 2015. In that case, MONUSCO's Force Intervention Brigade had planned a joint offensive with the Congolese armed forces against the Democratic Forces for the Liberation of Rwanda (FDLR) rebel group (one of the most notorious armed groups in the country), but MONUSCO suspended the offensive because the DRC government selected two generals accused of serious human rights abuses to participate in the operation.¹⁹

Although the HRDDP bridges POC and SSR policy, it does so without clearly defining either, or the terms for their joint implementation. The HRDDP explicitly states that guidance on SSR developed by the SSR Task Force must be consistent with the HRDDP, but it offers no advice on how to support SSR while ensuring POC.²⁰ Moreover, the aspects of SSR that are defined in the HRDDP are limited to technical, programmatic, and financial capacity building of security forces. Yet the activities most intimately related to fostering good governance of the security sector – such as training and sensitization, standard setting, and compliance with human rights and international legal norms and standards – are not included in the HRDDP risk assessment framework.

While it may seem far-fetched that training on international humanitarian law or human rights law could cause harm to civilians, the problem lies in the assumption that interventions in the interest of good governance (such as support for democratic processes and institutions) are inherently benign and pose no potential risks. The chances of such interventions succeeding or failing ought to be accounted for in HRDDP risk assessments because both outcomes could have potentially egregious effects on human rights and POC. For example, attempts to change lines of control within security institutions through new norms and rules often trigger violent reprisals. Similarly, encouraging security sector personnel to report abuses in the absence of a system that can guarantee minimum accountability and protect whistle-blowers recklessly endangers individuals who do report abuses as well as the larger agenda for reform.

The lack of clear guidance on implementing the HRDDP in the context of SSR was carried over into the 2015 DPKO/DFS policy, which refers to implementation of the HRDDP as a means to prevent violations of humanitarian, human rights, and refugee law and minimize the collateral damage caused by security forces (be they of the host state, the UN, or any other international affiliation). Preparing a “standard operating procedure” for implementing the HRDDP, is thus a key element of in planning for risk mitigation in the context of a POC action plan, which is itself part of a comprehensive POC strategy that missions are required to develop

and oversee through a strategic management group on protection.²¹ While this may sound like progress in terms of institutionalizing a response to the likely dilemmas of supporting SSR in potentially dangerous contexts, the fundamental frictions between POC and SSR have not been resolved. And, because it remains unclear as to how the HRDDP should be implemented with regard to SSR, the 2015 DPKO/DFS policy only formalizes the current practice of allowing each UN peacekeeping mission to improvise. In other words, this approach institutionalizes ad hoc responses to the potential conflicts between POC and SSR, in effect shifting responsibility to field staff to reconcile whatever dilemmas may emerge in implementation as they arise.

At the time of writing it remains too early to gauge the effects of the DPKO/DFS 2015 policy on POC in practice. But until more specific guidance is developed, it seems unlikely that implementing the HRDDP will “strengthen the POC mandate implementation and provide peacekeeping operations with leverage to influence behaviour and establish harm mitigation measures,” as the POC policy intended.²² These types of risks and the lack of practical guidance on how to respond to them are just some examples of why it is important for UN policies to address the frictions that can arise in implementing POC and SSR simultaneously. To that end, the next section identifies two specific ways that POC and SSR can clash in the context of UN peacekeeping operations.

Friction between POC and SSR in implementation

While the POC and SSR agendas share the same goal of human security, the lack of clarity and consistency in approaches to implementation leads to friction between them. This stems from two main differences between POC and SSR in the context of UN peacekeeping, related to their timelines and the ways in which they treat relationships with host-state governments.

Conflicting short- and long-term objectives

POC activities are intended to be short-term measures by which external actors seek to ensure the immediate security of civilians from physical violence during a peacekeeping mission, whereas SSR is a long-term agenda for institutional change on the part of the host government. The differences between the short-term focus of POC and the long-term focus of SSR can create tensions and missed opportunities. For example, a POC mandate promotes the existing tendency of international actors to support short-term SSR activities that focus on developing the capacity and integrity of state security forces without developing or reforming the governance institutions that would make them credible security providers. In this way, efforts to protect civilians from immediate physical threats may strengthen incentives to

conduct poor SSR. Thus, even though the three tiers of POC policy may be intended to integrate seamlessly, in practice, POC is typically broken down into distinct categories with conflicting time frames.

The short-term nature of POC interventions may particularly encourage missions to prioritize train-and-equip activities by framing “successful” SSR as an exit strategy for the mission. POC-focused missions may prioritize the development of state security forces sufficiently capable of taking over the task of civilian protection thus allowing peacekeepers to withdraw; and in fact, some peacekeeping operation mandates explicitly link POC and SSR in this way. For instance, UN Security Council resolution 2098, which authorized the Force Intervention Brigade – an unprecedented military unit within the UN peacekeeping operation in the DRC with a special mandate to protect civilians proactively by “neutralizing” foreign armed groups – specified that the Brigade would fulfil its protection function only until a rapid reaction force had been developed within the Congolese army with the capacity to take over its duties.²³ Resolution 2147 further instructed the mission to prioritize the establishment of this rapid reaction force “as a first step” in its efforts to support military reform.²⁴

An immediate focus on POC can also complicate approaches designed to foster sustainable improvements in security sector accountability. While POC guidance identifies training on humanitarian law and POC norms for local security forces as a way of preventing harm to civilians, this training alone does little to protect civilians if a police officer or soldier has no reporting procedure, no means of communication or transport, and, crucially, no support from the command hierarchy in providing accountability for abuse that is reported. The failure to grasp the import of such intersections goes some way in helping to explain why isolated short-term interventions, like training for security sector actors, have not translated into an accountable and non-abusive security sector and hence better POC over a longer timeframe in peacekeeping contexts such as the DRC.

Conflicting relationships with the host-state government

The simultaneous implementation of POC and SSR support mandates can also expose tensions in relationships with host-state governments. In theory, both POC and SSR recognize that state security forces may abuse a population, and both agendas try to prevent such abuse. However, SSR activities require strong ties to the state security sector that can undermine the ability of a peacekeeping operation to protect civilians in certain circumstances. In addition, because SSR principles emphasize national ownership of reform processes, peacekeepers are put in a difficult position if asked to judge whether host-state governments have crossed a line in discriminatory behaviour and whether a mission should disengage in response. While

grave abuses distinguish themselves by their scale and seriousness, and clearly call for a proportionately serious response, more minor abuses of force and authority are a reality of poor service provision in an unreformed security sector that also threatens civilians.

In practice, the distinction between supporting SSR and becoming complicit in dysfunctional security provision may be slight. In Burundi, for example, external actors found themselves deeply engaged in supporting reform processes within a police force that was also increasingly accused of committing politically motivated extrajudicial killings. While tolerating such abuse is obviously out of the question for external supporters of SSR, punishing these acts by withdrawing support and ending reform altogether would arguably have made the situation worse, by removing the last vestiges of external influence and the most likely means of preventing future abuses.²⁵ Crafting a response to these intolerable human rights violations that took a strong stance against impunity without jeopardizing promising elements of the ongoing reform programme proved a delicate challenge for the external actors that supported SSR in Burundi, and one that is typical of the dilemmas that arise in any SSR environment.²⁶

There may also be tensions related to how peacekeepers involve state security forces in peacekeeping operations. While SSR cannot advance without national political will, POC must advance always and especially when national political will to provide civilian protection is lacking. SSR agendas are premised on national responsibility (with international support) and no international actor can credibly advance SSR if a host government decides against it. In contrast, POC makes peacekeepers directly responsible for physical protection insofar as they are capable, by making police and military components of the mission responsible for this task under Tier 2. This obligation to protect civilians applies regardless of whether the host nation is disposed to fulfil its primary moral responsibility to protect its own population. Although both POC and SSR aim to enhance human security, this difference in approaches creates tensions between a POC mandate that encourages peacekeepers to take direct action and an SSR agenda that prioritizes encouraging and facilitating national security forces to respond themselves. This friction can arise in operational contexts when the multiple responsibilities of UN security personnel become blurred, and especially when the crucial distinction between security provision and security reform is lost. In situations where troops provide security as well as training and advice, it may not always be possible to tell when the line has been crossed that makes an agent of civilian protection into an unwitting and unwilling accessory to civilian abuse.

The danger of conflicting responsibilities between POC and SSR is perhaps greatest, and most often underestimated, in the case of the UN Police (UNPOL), because UNPOL personnel are often deployed to handle both security provision

and security reform tasks at once. For instance, in situations where the UN does not have executive police authority (which is frequently the case), UNPOL provides law enforcement in cooperation with host-nation police forces, with a goal of simultaneously providing support, advice, and mentoring to build national police capacity. This arrangement can be complicated when national police are abusive of civilians by either intention or neglect, and the POC imperative would require UNPOL personnel to act immediately to stop such abuse. Neither POC nor SSR support policies offer adequate guidance for such situations, leading to the chaotic operationalization of both agendas. This helps to explain how a police force such as the Liberian National Police has continued to threaten the population with high levels of petty corruption and abuse despite close mentoring by UNPOL personnel.²⁷

These experiences demonstrate that continued support to SSR when national security forces are abusive of the civilian population risks doing dramatic harm to the people whose safety is at stake, as well as the credibility of UN actors charged with their protection. However, it is also clear that simply withdrawing support at any sign of human rights abuses leads to disengagement and the loss of future influence over reform and, ultimately, civilian protection. This suggests that POC and SSR align better when a range of constructive responses exists to confront the abuse of civilians by host-nation security forces. This range should define a spectrum of responses that has full disengagement with reform only at its extreme.

The following section outlines some points of convergence between POC and SSR on which better UN strategies for tackling abuse and impunity may find footing, and discusses opportunities for better aligning these agendas in implementation.

Reinforcing convergences in implementation

An approach to POC and SSR that treats them as separate but overlapping agendas provides opportunities to implement both in more complementary ways. Tasks that constitute both POC and SSR support include: the vetting of security forces, training for these forces on human rights and international humanitarian law, and monitoring and reporting on abuses by these forces. These activities could be undertaken jointly or with coordination by the POC and SSR components of peacekeeping operations such that they reinforce both agendas.

Vetting security forces

SSR in post-conflict contexts usually requires audits of new and existing personnel within the security sector to ascertain whether a record of human rights abuses should disqualify them from service. Vetting of state security forces can also be a critical aspect of the POC agenda to prevent abuses against civilians, both by

removing individuals who are likely to reoffend and by deterring other individuals from committing abuses.

The involvement of UN peacekeeping operations in vetting can range from a strong implementation role to a more limited support role. Several missions, such as MINUSTAH in Haiti, have been authorized to vet the state security sector directly (in that case, the Haitian National Police).²⁸ Some missions, like UNMIL in Liberia, have not been explicitly authorized to conduct vetting but interpreted their mandates to include it. In the DRC and Côte d'Ivoire, UN missions are mandated to support their respective host-state governments in developing vetting mechanisms for the security sector,²⁹ and the operation in CAR is mandated to support vetting "through the provision of strategic policy advice and coordination of technical assistance and training."³⁰

From an SSR perspective, this is only likely to contribute to POC if the vetted forces are also given sufficient institutional support to resist pressure towards corruption and human rights abuses. A clean record can quickly be compromised in the absence of institutionalized measures for accountability, such as internal controls, disciplinary mechanisms, and codes of conduct. Moreover, robust mechanisms for external oversight are required to ensure the credibility and integrity of the system – which, besides professional and apolitical civilian management structures within the executive branch of government, include parliamentary oversight and control, independent specialist oversight bodies such as ombuds institutions and human right commissions, and public scrutiny by civil society and the media. POC provides an added incentive to emphasize these oft neglected institutional aspects of reform in UN support to SSR.

Training security forces on human rights and international humanitarian law

While training tends to be over-emphasized in SSR support at the expense of more governance-focused reforms, it is nevertheless essential to a comprehensive and people-centred approach to security provision and reform. The goals of both POC and SSR can be better served if training provided in the context of SSR is adapted to address POC issues, by improving awareness of human rights protections and international humanitarian law.

In cases where a peacekeeping mission supports SSR by other actors, the mission's POC priorities may help to reinforce the centrality of a people-centred approach to security provision in a reform sector that tends to be dominated by technical elements of security training. When funding ran short in US-sponsored basic training for the first class of recruits to the new armed forces of Liberia, it was the international humanitarian law and civics lessons that were cut from the curriculum to make up the shortfall.³¹ Barely six years later, this force was accused of abuse of civilians the very

first time it deployed on active duty. This does not mean that the absence of civics lessons directly caused the abuse that followed years later (the immediate catalyst was more likely a break in supply lines); but it shows that an institution that did not prioritize POC in its own training failed to foster the development of a force inclined to provide it.

Training on human rights and international humanitarian law cannot be viewed as effective POC or SSR unless it is linked to performance and accountability measures; and without such measures to institutionalize new norms and standards, there is little reason to believe that training alone will contribute to improvements in POC or SSR. Nonetheless, training often constitutes a one-off intervention, decontextualized from existing conditions within the security sector and disconnected from other relevant POC and SSR activities. In the July 2012–June 2013 reporting period, for instance, UNMISS conducted 71 training sessions on human rights and protection for 2,090 participants from “the SPLA, the South Sudan Police Service and other security organs of the Government, including at the state level.”³² This was a considerable effort that reached a large number of participants, but effectively provided only brief instruction on these concepts for the individuals who attended the sessions. This kind of ad hoc training misses opportunities to link new expectations for individual behaviour to internal institutional measures for integrity and oversight, direct oversight by independent external authorities, or even public scrutiny by media and civil society.

By contrast, in the same reporting period, the activities of the UN Operation in Côte d’Ivoire (UNOCI) included not only individual training sessions like those provided by UNMISS, but also regular daily activities including the “provision of advice . . . to the police and gendarmerie academies, including modules on gender and protection of minors.”³³ Moreover, UNOCI made efforts to address human rights training in a more sustainable way by carrying out “several training-of-trainers sessions, including on gender issues and the protection of minors”³⁴ – interventions that could at least contribute to the possible future institutionalization of new norms and standards. These examples demonstrate the need to institutionalize training on POC-related subjects if such measures are to qualify as both POC and SSR.

Mitigating friction in implementation

We have argued that treating POC and SSR as separate but overlapping agendas helps to identify ways to reinforce their convergences. It also helps to identify potential points of friction that stem from their different approaches to promoting physical security. Ensuring that POC and SSR activities respond to the perceptions of

communities to strengthen a mission's impartiality offers an entry point to mitigating this friction.

Community responsiveness

Community responsiveness is fundamental to POC, and protection strategies that do not incorporate information about the needs, perceptions, and priorities of communities under threat are less likely to succeed. Not only do communities often have critical information about how to combat threats, but their perceptions affect how they react to protection interventions.³⁵ The UN Secretariat formally recognized this in 2010 when it issued guidance requiring that all peacekeeping operations with a mandate to protect civilians engage communities in the development, implementation, and assessment of protection strategies. The 2015 DPKO/DFS policy on POC similarly emphasizes that community engagement is necessary for successful protection.³⁶

Community responsiveness is also central to SSR methodologies that pursue reforms based in the principles of good governance, to improve inclusiveness, participation, transparency, and accountability. This promotes a culture of service within the security institutions under reform, and supports reform that is rooted in real community needs and is responsive to actual concerns and threat perceptions. In practice, this has meant that UN SSR missions have supported broad-based and inclusive consultation on SSR strategies and visions for national security, that community perceptions have become integral indicators in SSR evaluation, and that service-focused reform strategies have been developed (for example, supporting access to justice, community policing, or public complaints mechanisms, among others).

Community responsiveness not only improves the success of both POC and SSR interventions, but also helps align the two operationally. For example, if a particular community is extremely distrustful of the police force due to its history of abusing the population, and a peacekeeping operation is seen to be working closely with the police for SSR purposes, the community may grow to distrust the peacekeeping operation. Without the trust of communities, peacekeeping operations have a very difficult time trying to protect civilians because community members are less likely to give peacekeepers important information about threats or to cooperate with a protection plan peacekeepers propose.

If peacekeeping operations instead conduct POC and SSR activities in order to respond to the perceptions and priorities of communities, this tension could be mitigated. Peacekeepers could respond to community distrust of the police, for instance, by working on reforming other branches of the security sector that are better trusted while conducting human rights monitoring of the police. Engaging with the community to ascertain why the police are distrusted and subsequently

focusing SSR activities on resolving the specific issues raised would build confidence in peacekeepers. And community security meetings could offer a chance to gain feedback from community representatives and ensure that the efforts of peacekeepers to reform the police are perceived as constructive rather than as bolstering abusive or illegitimate security institutions.

One important way for peacekeeping operations to improve community responsiveness is to incorporate community perceptions of peacekeepers and the state security sector into the monitoring and evaluation of POC and SSR interventions. These perceptions do not necessarily have to be obtained by an expensive or time-consuming process (such as a large, statistically representative survey) if this is not feasible; they could instead be gathered through interviews or focus groups with a diverse sample of a community.³⁷ This would allow peacekeepers to determine whether their POC and SSR efforts are responsive to the priorities and needs of the community or whether these efforts are perceived as ineffective or even unwelcome.

Monitoring and internal reporting of human rights violations also provide a source of information that can help UN missions respond better to community needs. This type of monitoring and reporting is a requirement under the HRDDP, but peacekeeping operations may monitor and report on human rights violations by security forces more broadly, beyond the individuals or units to whom the mission is providing support. Public reporting of this kind can encourage community responsiveness but may also be a very sensitive matter, as peacekeeping officials have sometimes been expelled for publicly reporting on government violations of human rights. For this reason, some peacekeeping operations employ this option selectively and strategically while others use it more regularly, depending on the environment and the mission's relationship with the host-state government. For example, the Human Rights Section of MINUSTAH in Haiti has put out biannual reports on the human rights situation in the country as well as specific reports condemning human rights abuses by the Haitian National Police (such as on alleged torture and killings).³⁸ Leveraging existing monitoring, reporting, and evaluation offers a potential means to improve the link between POC and SSR by making both processes more responsive to the community's experiences of security.

Impartiality

Impartiality is one of the fundamental principles of peacekeeping³⁹ and is critical to the success and legitimacy of a mission. It can also help mitigate friction between POC and SSR support activities by clarifying the relationship between the peacekeeping operation and the host-state government. In the context of missions mandated to protect civilians, adherence to the principle of impartiality (and the perception of impartiality) is particularly important and requires that

mission components protect civilians from physical violence regardless of their identities, characteristics, or affiliations and regardless of the source of that violence. If peacekeepers were perceived as protecting only people of a particular ethnicity, or protecting against abuses committed by only one side of a conflict, it would be extremely difficult to secure the trust needed to protect all civilians effectively and would turn POC into a partisan tool rather than a moral imperative.

SSR support, like all peacekeeping activities, requires impartiality; yet, this standard can be difficult to uphold in practice when dealing with a security sector that is itself discriminatory. Maintaining a strong and clearly defined adherence to the principle of impartiality can help to ensure that peacekeepers are not confused about their responsibilities when it comes to protecting civilians against violence perpetrated by state security actors. Peacekeepers should understand that even if they are mandated to work together with state security forces, the principle of impartiality requires them to protect civilians against violence perpetrated by those security forces just as much as if that violence had been perpetrated by a non-state actor. This means, for example, that UNPOL personnel providing technical assistance to a national police force should not see themselves solely as mentors or trainers but also as watchdogs on the lookout for violence perpetrated against civilians by the police.

The DPKO/DFS policy on UN Police in peacekeeping operations and special political missions states that the “promotion, protection and respect for human rights must be incorporated into every aspect of the work of United Nations police,” and that UNPOL officers must “be prepared to raise issues of human rights if confronted with violations.”⁴⁰ However, it can be difficult in practice for UNPOL officers who have been working closely with particular units to speak out directly against abuses they witness. They should receive training on how to recognize human rights abuses, how to respond in the moment to violence perpetrated by police officers, how to report incidents of violence (for example, to the mission’s human rights division), and how to follow up with the relevant actors afterwards to ensure these abuses do not occur again. This should also apply to UN peacekeeping personnel working with any other part of the security sector.

Clarity about the principle of impartiality can help guarantee that any support a peacekeeping operation provides to the security sector in the context of violence perpetrated by state security forces does not undermine the population’s trust in peacekeepers as protectors. The civil war in South Sudan in the period 2013-14 illustrated the critical role that impartiality can play in this respect. UNMISS originally had both POC and SSR support mandates; but after the political conflict turned violent in December 2013 and led to widespread attacks on civilians by both government and opposition forces, the Security Council emphasized the importance of UNMISS remaining impartial and, in May 2014, revised its mandate to prioritize POC strongly and suspend state-building and SSR support activities, allowing only

a limited engagement with the South Sudanese police for specific purposes. The extreme circumstances of the conflict, which included atrocities perpetrated by state armed forces and police as well as opposition forces, meant that any SSR support from UNMISS in the midst of ongoing attacks against civilians and impunity for violators would inherently compromise the mission's impartiality and thus its legitimacy.

Conclusion

The UN peacekeeping experience shows that attempting to protect civilians while supporting SSR often creates conflict despite assumptions about the intrinsic alignment of these efforts. While POC and SSR may share the same ultimate objective – to improve security for civilians – there can be tensions in implementation arising from the competing short- and long-term goals, and their different approaches to working with host-state governments. The notion of SSR support as a subset of POC, as advanced by the 2015 DPKO/DFS policy on POC, reinforces the false assumption that POC and SSR activities are inherently compatible. The alternative interpretation we propose, which frames POC and SSR support as separate but overlapping agendas, enables peacekeepers to identify where and how the two agendas align and conflict, and thus encourages them to find ways to reinforce convergences and mitigate tensions.

Activities such as the vetting of security forces, the provision of sustained training on human rights and international humanitarian law, and the monitoring and reporting of abuses all overlap across POC and SSR support, inviting joint or coordinated planning for these activities. Ensuring that POC and SSR efforts are responsive to the perceptions and priorities of local communities, and that peacekeepers clearly understand and reinforce the principle of impartiality, can also help to mitigate tensions that arise.

Still, the interaction between POC and SSR support is complex, and it can be very difficult for peacekeepers to know how to respond when POC and SSR goals appear to be in opposition. While UN Security Council resolution 1894 instructs peacekeepers to prioritize POC over other mission activities in terms of allocating resources, it does not offer enough detail to help resolve many dilemmas that peacekeepers face on the ground.⁴¹ UN guidance that acknowledges these complex challenges could help to better equip peacekeepers to manage tensions on the ground between the agendas of POC and SSR support. The United Nations, and the DPKO in particular, could take the following steps to encourage a mutually reinforcing relationship between POC and SSR.

Develop SSR-specific guidance on the link with POC: A new Integrated Technical Guidance Note (ITGN) on SSR should be developed to explain the links between

tasks that peacekeepers undertake themselves to protect civilians and SSR support offered to host-state governments.

Assess the POC impact of SSR activities: It is important to ensure that SSR components of peacekeeping operations account for the potential effects of their activities on POC. This could mean, for example, explicitly including POC dimensions in SSR Do No Harm Analyses and mapping studies, or preparing for potential changes to the balance of power within security sectors with adequate measures to guarantee POC in response to both intended and unintended consequences.

Clarify and strengthen the response of peacekeepers to security sector abuses: Peacekeepers must have clearer guidance about how they should respond in the moment and after the fact if they witness or learn about security sector abuses (including preventive measures). Standard operating procedures developed to implement the HRDDP should address this issue and training should be provided to peacekeepers. Regular assessments of a mission's overall posture should ensure that its relationship with the government does not compromise the perception of its impartiality when it comes to protecting civilians against abuses by security actors.

Emphasize a community-responsive approach: Both the POC and SSR components of peacekeeping operations should receive regular feedback about the perceptions and expectations of the population as to security and safety. This should be the starting point for the development of POC strategies and SSR support. Community perceptions should guide POC and SSR needs assessments, programme design and implementation, and monitoring and evaluation.

Emphasize governance-focused SSR: The contradictions between POC and SSR support are greatest when a focus on operational capacity building of security forces leads to neglect of measures to improve accountability. POC interventions that overemphasize technical capacity tend to pit short-term order against sustainable long-term security if SSR does not provide for the necessary internal controls and independent external oversight mechanisms that make POC and SSR compatible. Emphasizing accountable and effective state security provision is the only way to enhance POC.

Notes

¹ This chapter is a revised and updated version of: F. Chappuis and A. Gorur, "Reconciling security sector reform and the protection of civilians in peacekeeping contexts," *Civilians in Conflict Issue Brief No. 3*, DCAF and Henry L. Stimson Center, Geneva and Washington, January 2015.

- ² See Statement by President of the Security Council (S/PRST/2005/20), 26 May 2005. The relevant section reads: “The Security Council underlines that priorities in the post-conflict environment should include, where appropriate: protection of civilians; disarmament, demobilization, repatriation, reintegration and rehabilitation of former combatants; security sector and economic and social reform; the end of impunity; establishment and re-establishment of the institutions of Government, the rule of law and transitional justice, respect for human rights; and economic revitalization.”
- ³ See for example UN Department of Peacekeeping Operations and UN Department of Field Support, “Protection of civilians: Coordination mechanisms in UN peacekeeping missions,” 2012, 56. It asserts that UN peacekeeping missions’ SSR components are among those for which “added value should be considered in the context of POC strategy.” See also UN Security Sector Reform Task Force, “Security sector reform integrated technical guidance notes,” 2012, 74. It advises SSR actors to draw “impetus and support” from POC operational concepts.
- ⁴ UN Security Council Resolution 2151 (S/RES/2151), 28 April 2014.
- ⁵ UN Security Council Resolution 1542 (S/RES/1542), 30 April 2004.
- ⁶ UN Security Council Resolution 1925 (S/RES/1925), 28 May 2010.
- ⁷ Implicit references to SSR became increasingly common after 1999 with UN interventions in Kosovo, Timor-Leste, and Sierra Leone, but the first official use of the term “security sector reform” appeared in UN Security Council resolution 1565, adopted 1 October 2004 (S/RES/1565) as part of the mandate for the UN Organization Mission in the Democratic Republic of the Congo. See Heiner Hänggi and Vincenza Scherrer, eds., *Security Sector Reform and UN Integrated Missions: Experience from Burundi, the Democratic Republic of Congo, Haiti and Kosovo* (Geneva: DCAF, 2008), 9.
- ⁸ For more, see Victoria Holt, Glyn Taylor and Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations* (New York: UN Department of Peacekeeping Operations and Office for the Coordination of Humanitarian Affairs, 2009).
- ⁹ UN Department of Peacekeeping Operations and Department of Field Support, “Policy on the protection of civilians in United Nations peacekeeping,” 2015. The definition adopted in this policy is based on the previous working definition adopted in the 2010 draft operational concept.
- ¹⁰ Justin MacDermott and Måns Hanssen, *Protection of Civilians: Delivering on the Mandate through Civil–Military Coordination* (Stockholm: Swedish Defence Research Agency, 2010), 28–29. See also Alex J. Bellamy and Paul D. Williams, “The new politics of protection? Côte d’Ivoire, Libya and the responsibility to protect,” *International Affairs* 87 (2011): 825–850.
- ¹¹ See also UN Security Council Resolution 1894 (S/RES/1894), 11 November 2009. In para. 19, it instructs that “mandated protection activities must be given priority in decisions about the use of available capacity and resources” in any mission with a POC mandate. This instruction is difficult to interpret if almost all mission activities constitute POC.
- ¹² Alison Giffen, *Enhancing the Protection of Civilians: From Policy to Practice* (Queanbeyan: Asia Pacific Civil-Military Center of Excellence, 2011), 7.
- ¹³ UN Department of Peacekeeping Operations and Department of Field Support, “Policy on the protection of civilians in United Nations peacekeeping,” para. 30.
- ¹⁴ On the origins of SSR as a development-driven agenda, see Albrecht Schnabel and Vanessa Farr, eds., *Back to the Roots: Security Sector Reform and Development* (Geneva: DCAF, 2012).
- ¹⁵ DCAF International Security Sector Advisory Team, “Do No Harm Analysis,” <https://issat.dcaf.ch/Learn/Resource-Library/SSR-Glossary/Do-No-Harm-Analysis>. See also UN Security Sector Reform Task Force, “Security sector reform integrated technical guidance notes,” 64; Alan Bryden and Rory Keane, *Security Sector Reform: What Have We Learned?* (Paris: OECD, 2010); Michaela Friberg-Storey, et al., *Security Sector Reform Assessment Framework* (Stockholm: Folke Bernadotte Academy, 2012); and *Handbook on Security System Reform* (Paris: OECD, 2007), 52.

- ¹⁶ United Nations, “Human rights due diligence policy on United Nations support to non-United Nations security forces” (A/67/775–S/2013/110), 5 March 2013.
- ¹⁷ See Alison Giffen, et al., “*Will They Protect Us for the Next 10 Years?*” *Challenges Faced by the UN Peacekeeping Mission in South Sudan* (Washington, DC: Stimson Center, 2014), 25. Following revision of the UNMISS mandate of May 2014, which had been issued in response to the outbreak of civil war in December 2013, UNMISS was no longer able to support South Sudanese security forces beyond limited engagement with the police to relocate displaced persons safely away from UNMISS bases. This engagement was to be done in compliance with the HRDDP. UNMISS’s subsequent efforts with regard to the HRDDP were, therefore, focused on investigating the background of those police officers with whom they were beginning to re-engage.
- ¹⁸ United Nations, “Budget performance of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo for the period from 1 July 2012 to 30 June 2013” (A/68/686), 23 December 2013, 25.
- ¹⁹ These events may also be interpreted as an example of the policy being shrewdly manipulated for political purposes, since the DRC government had long been accused of delaying operations against the FDLR and may have deliberately appointed the generals knowing that the HRDDP would prevent MONUSCO from being able to carry out the joint operation. From remarks made at “UN Peacekeeping in the Democratic Republic of Congo: Successes and Lessons Learned,” hosted by the Better World Campaign and United Nations Association, Washington, DC, 18 March 2015.
- ²⁰ The UN SSR Task Force developed guidance notes for UN-wide SSR, but these do not provide specific guidance on the relationship between SSR and POC. See UN Security Sector Reform Task Force, “Security sector reform integrated technical guidance notes.”
- ²¹ UN Department of Peacekeeping Operations and Department of Field Support, “Policy on the protection of civilians in United Nations peacekeeping,” Part IV(i), also para. 57.
- ²² *Ibid.*, para. 31.
- ²³ UN Security Council Resolution 2098 (S/RES/2098), 28 March 2013.
- ²⁴ UN Security Council Resolution 2147 (S/RES/2147), 28 March 2014, para. 5(f).
- ²⁵ This scenario is not hypothetical; in South Sudan, SSR activities were halted because the new mandate issued after the outbreak of civil war in December 2013 required a near-complete disengagement from the security sector. Mission staff who were previously engaged with these activities complained that the sudden suspension of activities cost them access to and influence over police and military actors. See Lisa Sharland and Aditi Gorur, *Revising the UN Peacekeeping Mandate in South Sudan: Maintaining Focus on the Protection of Civilians* (Washington, DC: Stimson Center and Australian Strategic Policy Institute, 2015).
- ²⁶ In this case, the bilateral donors supporting SSR eventually chose to withdraw access to certain aspects of the reform programme that were perceived by some national stakeholders as perks, such as overseas travel for training. As the situation deteriorated in the context of a deepening political crisis, support was eventually withdrawn entirely. From public remarks made by an independent expert involved with the reform programme at “SSR+G: Reviewing Germany’s contribution to SSR” conference, Berlin, 4 May 2015.
- ²⁷ Human Rights Watch, “*No Money, No Justice: Police Corruption and Abuse in Liberia*” (New York: Human Rights Watch, 2013).
- ²⁸ UN Security Council Resolution 1542 (S/RES/1542).
- ²⁹ UN Security Council Resolution 2147 (S/RES/2147), para. 5(e), authorizes MONUSCO to “provide good offices, advice and support to the Government of the DRC to enable the development and finalisation of a clear and comprehensive SSR implementation roadmap including benchmarks and timelines to establish effective and accountable security institutions, including vetting mechanisms.” UN Security Council Resolution 2162 (S/RES/2162), 25 June 2014, para. 19(e), authorizes the UN Operation in Côte d’Ivoire (UNOCI) to “offer support to the

- development of a sustainable vetting mechanism for personnel that will be absorbed into security sector institutions.”
- ³⁰ UN Security Council Resolution 2149 (S/RES/2149), 10 April 2014, para. 31(a). This activity is not one of the initial priorities identified for the UN Multidimensional Integrated Stabilization Mission in the CAR; the mandate authorizes it “as conditions permit and requests the Secretariat to begin planning for these tasks.”
- ³¹ International Crisis Group, *Liberia: Uneven Progress in Security Sector Reform* (Brussels: ICG, 2009).
- ³² United Nations, “Budget performance of the United Nations Mission in South Sudan for the period from 1 July 2012 to 30 June 2013” (A/68/616), 21 November 2013, 23.
- ³³ United Nations, “Budget performance of the United Nations Operation in Côte d’Ivoire for the Period from 1 July 2010 to 30 June 2011” (A/66/616), 16 December 2011, 33.
- ³⁴ *Ibid.*
- ³⁵ Alison Giffen, *Community Perceptions as a Priority in Protection and Peacekeeping* (Washington, DC: Stimson Center, 2013).
- ³⁶ UN Department of Peacekeeping Operations and Department of Field Support, “Policy on the protection of civilians in United Nations peacekeeping,” 2015.
- ³⁷ 35 See Aditi Gorur and Alison Giffen, “Engaging community voices in protection strategies: Annexes on lessons learned,” Stimson Center, Washington, DC, 2013.
- ³⁸ Available from www.ohchr.org/EN/Countries/LACRegion/Pages/HTReports.aspx.
- ³⁹ UN Department of Peacekeeping Operations and Department of Field Support, “United Nations peacekeeping operations: Principles and guidelines,” 2008, 31. For more information on the meaning of the term “impartiality” in the context of UN peacekeeping, which has changed significantly over time, see Dominick Donald, “Neutral is not impartial: The confusing legacy of traditional peace operations thinking,” *Armed Forces and Society* 29, no. 3 (2003): 415–448.
- ⁴⁰ UN Department of Peacekeeping Operations and Department of Field Support, “Policy on UN Police in peacekeeping operations and special political missions,” 2014, 7.
- ⁴¹ UN Security Council Resolution 1894 (S/RES/1894).