



THE KIGALI PRINCIPLES ON THE PROTECTION OF CIVILIANS



Kigali, Rwanda | 28-29 May 2015

Introduction

The Government of Rwanda organized the High-level International Conference on the Protection of Civilians in Kigali, from 28th-29th May 2015. The conference brought together the top 30 Troop and Police Contributing Countries (T/PCCs) and top 10 Financial Contributing Countries (FCCs) to UN peace operations, UN professionals, scholars and other stakeholders. The conference was a follow-up to the High-level Summit on Peacekeeping Operations, co-hosted by the President of Rwanda, Vice President of the US, Prime Ministers of Bangladesh, Pakistan, Japan and the UN Secretary General in September 2014 in the margins of the 69th UN General Assembly in New York.

Theme of the Conference:

Protection of civilians through Peacekeeping: From Mandate Design to Implementation”.

Objective of the Conference:

“Obtain a deeper understanding of how UN peacekeepers can effectively implement the protection of civilians (POC) mandate in armed conflict”.

The conference was held to address the growing concern that peacekeeping missions have missed opportunities to protect civilians.



While missions' contingents express their frustration that they are scapegoated by those who do not understand the operational realities on the ground, and the complexities associated with protecting civilians; there exist a growing concern for a common understanding of POC.

Discussions sought to provide in-depth perspectives to:

- How can UN entities tied to peacekeeping efforts collaborate with TCCs to better match troop capabilities and national caveats with the nature of threats to civilians?
- How can the UN DPKO and TCCs strengthen pre-deployment training on POC?
- How can North-South bilateral partnerships enhance the capabilities for implementing POC mandate?
- What capability gaps hamper POC implementation in UN peacekeeping and how to address them?

Kigali Principles on the Protection of Civilians

We, the troop and police contributing countries, following the International Conference on the protection of civilians held in Kigali, from 28-29 May 2015 under the theme “Protection of Civilians through Peacekeeping: From Mandates Design to Implementation”; bringing together the top 30 troop and police contributing countries, the top ten financial contributing countries and other stakeholders; and after deliberations on how to effectively implement the protection of civilians mandates in peacekeeping operations, pledge the following:

1. To train all of our troops on the protection of civilians prior to their deployment to missions.
2. To ensure that our sector and contingent-commanders, as well as our nominees for mission leadership positions, have a high level of training and preparedness on peacekeeping operations and, in particular, the protection of civilians.
3. To be prepared to use force to protect civilians, as necessary and consistent with the mandate. Such action encompasses making a show of force as a deterrent; interpositioning our forces between armed actors and civilians; and taking direct military action against armed actors with clear hostile intent to harm civilians.





4. Not to stipulate caveats or other restrictions that prevent us from fulfilling our responsibility to protect civilians in accordance with the mandate.
5. To identify and communicate to the UN any resource and capability gaps that inhibit our ability to protect civilians.
6. To strive, within our capabilities, to contribute the enabling capabilities (e.g. helicopters) to peacekeeping operations that facilitate improved civilian protection.
7. To avoid undue delay in protecting civilians, by investing our contingent commander with the authority to use force to protect civilians in urgent situations without the need for further consultations with capital.
8. Not to hesitate to take action to protect civilians, in accordance with the rules of engagement,

in the absence of an effective host government response or demonstrated willingness to carry out its responsibilities to protect civilians.

9. To demand clarity from the UN and mission leadership on our rules of engagement, including under which circumstances the use of force is appropriate.
10. To seek to identify, as early as possible, potential threats to civilians and proactively take steps to mitigate such threats and otherwise reduce the vulnerability of the civilian population.
11. To seek to enhance the arrangements for rapid deployment, including by supporting a full review of the UN's standby arrangements, exploring a system in which earmarked units from troop and police contributing countries could be placed in readiness in order to ensure rapid troop deployment, and encouraging the utilisation of partnerships with regional organisations such as the African Union and its RECs.
12. To be vigilant in monitoring and reporting any human rights abuses or signs of impending violence in the areas in which our personnel serve.
13. To take disciplinary action against our own personnel if and when they fail to act to protect civilians when circumstances warrant such action.
14. To undertake our own review, in parallel to any after-action review, in the event that our personnel are unable to protect civilians, and identify and share key lessons for avoiding such failures in the future.
15. To hold our own personnel to the highest standard of conduct, and to vigorously investigate and, where appropriate, prosecute any incidents of abuse.



16. To better implement protection of civilians mandates and deliver on our responsibilities, we request better, regular and more extensive consultations on the mandating of peacekeeping missions. When mandates of peacekeeping missions are under review and may change, it should also be mandatory for the Security Council to consult all troop and police contributing countries deployed to the mission. We commit to bring our own ideas and solutions to these consultations that can strengthen the implementation of protection of civilians mandates.

17. To urge the Security Council to ensure that mandates are matched with the requisite resources, and to commit to support a process that addresses the current critical resource gaps in several missions. We support a more phased mandating process that can ensure a better alignment of resources and mandates.

18. Noting that any well-planned mandate implementation may be undermined by inefficient mobility, logistics or support; To call for effective support of all military plans, including contingency plans; and to commit to work with the Secretariat to review the current support arrangements, including possible transfer of authority over more of the logistical capability to the military component, where appropriate.

The governments of Rwanda, Ethiopia, Italy, Netherlands, Uruguay, Sri Lanka and Uganda have agreed to the terms of the Kigali Principles, a shared commitment by signatories to strengthen their efforts in peacekeeping operations to address the terrible plight that civilians continue to endure in armed conflicts. We call upon other significant troop- and police-contributing countries to join us in endorsing these principles to strengthen our collective efforts to eliminate suffering and advance conditions for peace around the world.



Remarks by President Paul Kagame at the International Conference on the Protection of Civilians

I wish to thank you all for joining us today. For those visiting our country, a very warm welcome to Rwanda. It is a pleasure for me to be here to open these deliberations on the protection of civilians.

This is the right time and place for this conference. And most certainly, this is the right title for it.

The central purpose of peace operations is the protection of civilians. This cannot be said often enough. It is not the protection of peace agreements or U.N. mandates, even peacekeepers for that matter, much

less the protection of politicians. The mission is to protect the ordinary people most at risk.

Africa, and Rwanda in particular, is the right place for us to meet and have this discussion.

Africa is now the biggest U.N. troop contributor. But this is nothing to boast about, given that 80 per cent of the world's peacekeepers are also deployed on the continent. So when we talk about the future of peace support operations, we are essentially talking about Africa.



As for Rwanda, the international community's decision to walk away from a genocide in progress in 1994 was not only a disgrace but a disaster that had to be reckoned with. The new norm of a 'responsibility to protect' is the outcome of this soul-searching, putting civilians at the top of the agenda where they belong.

This is also the right time for this discussion, because we are not there yet in terms of implementation and effectiveness. Deployment is too slow. Vague mandates and unclear rules of engagement many times inhibit decisive action to protect civilians. The capabilities of regional organisations need to be further enhanced.

The High-Level Summit that I had the opportunity to co-chair together with other leaders at the United Nations last September focused attention on these and other important issues.

The follow-up summit later this year is an opportunity to see how we can continue to improve and also put solutions into place. The recommendations of the High-Level International Panel on peace operations will be of critical importance to these efforts, and Rwanda extends its full support to the panel's mission.

While taking nothing for granted about how far we have come, I would nevertheless like to challenge this group to look beyond to other strategic objectives.

After all, keeping people safe from harm is the minimum standard to expect. There are two other important variables: The number of conflicts prevented, and the number of peacekeeping missions successfully ended.

To make progress towards these more ambitious metrics, we need to enrich our approach in two specific ways.

First, beyond the obvious moral imperative, there is also a practical reason why the protection of civilians is so central to peacebuilding: People need to be able to stay together, and talk to each other, for however long it takes to find lasting solutions to their own problems.

Without security, it is impossible to conduct the inclusive dialogue and consensus-building upon which every sustainable post-conflict transition rests.

This means tackling the hardest challenges first. Peacebuilding cannot be a euphemism for wishful thinking or procrastination in addressing root causes of conflict.

These convictions were the basis for Rwanda's own journey of recovery, and also informed our interpretation of the protection mandate, for example, in the Central African Republic.

Each situation must be examined carefully in its own context. Matters of national cohesion cannot be defined by others, nor can solutions be dictated and implemented from outside.

What we can do as the international community is work to create a secure enabling environment, while ensuring that the necessity to protect civilians does not get lost in ideological debates. Building on that, we can provide other necessary support.

If we don't, there will never be a good moment for the peacekeepers to return home, and the burdens on the international system will definitely continue to grow.



Second, collective action aimed at prevention is entirely compatible with national sovereignty. Sovereignty, after all, is fundamentally about responsibility for the security and well-being of citizens. The best way to protect them is to prevent conflict in the first place.

That responsibility lies first and foremost with the state concerned, but it does not stop there. Of course, military intervention is always the last option. Before that point, other forms of engagement can also be effective, provided we act early enough. We therefore need to keep improving our ability to detect, and share, critical information about threats to civilian life.

We all have a stake in more effective peacebuilding. The effects of bad governance have direct consequences on neighbours, and even the world as a whole, all the

more so as the pace of globalisation accelerates.

There is no clash between African and Western norms on this point. The Constitutive Act of the African Union authorises intervention in extreme cases. The strongest voices and quickest action nowadays come from Africa itself. When African institutions are full partners in peace operations, we can address urgent situations with the necessary speed and legitimacy.

What is clear is that the next stages on the journey must be taken by all of us together. The first step is to keep the security and well-being of citizens at the top of our agenda.

**REPORT OF THE HIGH-LEVEL
INTERNATIONAL CONFERENCE ON
THE PROTECTION OF CIVILIANS**

Kigali, 28-29 May 2015

Opening Session and Keynote Addresses



Welcome Remarks by the Minister of Defence

In his opening remarks, the Honorable Minister of Defence of the Republic of Rwanda, Gen. James Kabarebe welcomed the conference participants to Rwanda and thanked

His Excellency Paul KAGAME for finding time to open the High-level Conference. He observed that his presence attests of his personal commitment as well as that of his Government on this all-important subject: the Protection of Civilians. The Minister of Defence provided the context and rationale of the conference indicating that the Government of Rwanda (GoR) had invited the top 30 T/PCCs and top 10 Financial Contributing Countries to UN peace operations to share their experiences, best practices and challenges, in effective protection of civilians.



Statement by the UN Resident Coordinator, Mr Lamin Momodou Manneh

On behalf of the UN, the UN Resident Coordinator, Mr Lamin Momodou Manneh lauded the President and the Government of Rwanda for organizing the High-Level International Conference on the PoC; and reiterated that the President's presence at this forum attest of His personal commitment and that of his country on the PoC.

He described the conference as timely cognizant of the growing vulnerabilities and surging civilian casualties during armed conflicts

and the changing dynamics in UN peacekeeping mandate and architecture; adding that over 90 percent of UN Peacekeeping mandates now focus on the protection of civilians.

Despite this however, the UN Resident Coordinator observed that Peacekeeping Missions still struggle to deliver on protection of Civilians; and reiterated the need for the development of a holistic approach to ensure the protection of civilians, including through Justice and Rule of Law, Post-conflict peacebuilding, Security Sector Reform (SSR) among other things, given that Peacekeeping missions alone cannot be successful if they are not accompanied by a political solution on the ground.

Mr. Lamin Manneh recognized the sacrifices of peacekeepers that have put themselves at risks while protecting civilians, and lauded



the contributions made by Rwanda, considering that it is now the 5th ranked troop and police contributor to UN peace operations.

He further commended the Government of Rwanda for demonstrating strong commitment to protection of civilians, and for championing strong prevention efforts that address the root causes of conflicts while serving as a non-permanent member of the UN Security Council in 2013-2014, including by chairing the Security Council twice; as well as, chairing the Ad-Hoc Working Group on Conflict Prevention and Resolution in Africa in 2013, and the Working Group on Peacekeeping Operations in 2014.

He concluded his remarks by pledging the UN willingness to collaborate with the government and partners with a focus on conflict prevention.



Statement by the UN Assistant-Secretary General, Dmitry Titov

The Assistant-Secretary General Dmitry Titov representing the UN Secretary-General, observed that the vast majority of peacekeeping missions operate in missions with POC mandates and in the most challenging security environments; and indicated that the genocide in Rwanda and the atrocities in the Balkans have changed the perception of UN peacekeeping.

Describing the UN failure in Rwanda, he pointed out that UNAMIR faced problems of a weak mandate, a lack of resources, and an absence of the political will, including in the Security Council. The Assistant Secretary-General emphasized the need to learn from the past and observed that the protection of civilians is the priority mandate and a natural result of the moral logic of peacekeeping.

The past decade has witnessed a remarkable growth in knowledge and skills in the protection of civilians in terms of policy, military guidelines and training modules for all components as well as an action plan for their implementation; he said, and emphasized that the primary responsibility to protect remains with the host state.

He stressed further that the issues of accountability in the complex equation of protecting civilians must

be ensured; and when a situation is beyond the scope of peacekeeping, resort to a major multinational response should be undertaken. Peacekeepers must be ready to protect civilians where host states lack the capacity or adequate presence in affected areas; and protection of civilians is a mission-wide mandate and a full range of capacities is therefore essential for protection of civilians, the ASG remarked.

Lauding the important contributions of peacekeepers by citing some examples in UNAMID and MINUSCA, he pointed out that DPKO's approach to the Protection of Civilians also emphasizes close cooperation with regional and sub-regional organizations as it has been the case in those missions; and stressed that allocating sufficient resources and capabilities remains a major priority. He acknowledged that the UN missions face a greater spectrum of



threats resulting in over 100 peacekeepers being killed in the line of duty every year; and emphasized that the ultimate objective is to create a stronger, flexible, agile, delivery-oriented peacekeeping that reflects the rapidly changing world, the new threats and renewed international determination for collective action.



Remarks by H.E Jose Ramos-Horta, Chair of UN High Level Independent Panel on Peace Operations,

In his remarks, His Excellency Jose Ramos-Horta, the Chair of the High-Level Independent Panel on peace operations and Former President of Timor-Leste stressed that the genocide in Rwanda will always stand as an indictment of the leaders

of the United Nations and the international community at that time for their utter failure of moral leadership, compassion and courage in making the decisions that peoples of the world expected of them, that they expected of the United Nations, especially in Peacekeeping Missions.

He denoted that at the heart of the Panel's work was the conviction to prevent such grave atrocities from re-occurring, ensuring that the most vulnerable at any time are thoroughly protected. He then applauded the initiative to hold the International Conference as a follow up to last year's Peacekeeping Summit.

He commended the African continent for contributing more to UN peace operations than any other region; in addition to the contributions to African-led peace support operations.

His Excellency José Ramos-Horta also took the opportunity to summarize the work of the High-Level Independent Panel on UN Peace Operations, including intensive consultation process. He observed that the AU has submitted a very important and thoughtful contribution.

In their consultations with stakeholders, he indicated that the protection of civilians featured heavily and that it has become clear to the panel that protection of civilians is of critical importance; given that PoC is the measure by which most UN peace operations are judged today; and that it was felt during those consultations that UN personnel need to get out of their vehicles,

be more visible, show that they are determined to act against the groups that are threatening civilians, and, as a last resort, even put themselves at risk when the lives of civilians are threatened.

As a way forward on how the missions can deal with these challenges, he indicated that peace operations needed to be able to protect themselves in order to protect others; and that protecting civilians is not just the responsibility of uniformed peacekeepers. He observed that the challenges to logistics, mobility, and rapid response in these environments are very significant, and need to be addressed.

He highlighted that the UN's credibility is at stake when it comes to the protection of civilians under imminent threat, so it is imperative that greater work be done in this area.



In this regard, he recommended several ways to make sure peace operations deliver more effectively in implementing this mandate, including mechanisms on how the mandates are formulated, better planning, better capabilities, better mobility assets and support systems, ensuring that missions have more timely and better information on threats as they evolve, and better training and other efforts to address what some have called the “mind-set.” On this, he observed that Member States simply do not agree on whose job this is and how far missions are supposed to go with the resources that they have been provided.

His Excellency José Ramos-Horta indicated that the International community has yet to reach a point where T/PCCs are aware of the situation and dynamics on the ground, and ready to carry out the mandate; with the Security Council,

the T/PCCs and the Secretariat having a shared view on implementation and objectives; and being able to close the gap in protecting everyone.

He emphasized that planning and coordination are very important, and that analysis and planning of missions have to be strengthened and protection of Civilians has to be fully incorporated into every step of that process as a central objective of the mission.

The Secretary-General has to be as clear as possible to the Security Council on how mission efforts will be deployed and how priorities will be set, he underlined.

Session one: Analysis of Response to POC Threats



Moderator:

Mr Chrisoffer Nilaus Trao,
Analyst, Danish Institute of
International Studies (DIIS)



Speaker: *MS. Hilde Johnson,*
former Special Representative of the
Secretary General for South Sudan,
and member of the Independent Panel
on Peace Operations



Speaker: *Ms. Alson Giffen,*
Co-director, Future of peace
operations Program, Stimson
Center



Speaker: *Prof. Paul D. Williams,*
Professor at George Washington
University



Discussions in this session focused on what can be done to ensure a rapid and suitable response by the military and police components to the identified threats to civilians; and on how coordination between various components can be enhanced to enable a quicker and timelier threat analysis, as well as a more effective operational planning.

The session also discussed the current developments and remaining gaps in terms of intelligence capabilities for POC implementation; and how to strengthen reporting on POC response (successes and failures); as well as on how to better capture lessons learned from significant POC incidents.

The session also discussed the challenges faced by TCCs in distinguishing civilians from combatants; and how these impact operations.

In her presentation, Ms. Hilde Johnson, former Special Representative of the Secretary-General for South Sudan, harped on “never standing by’ as UN peace operations were criticized for being more responsive than proactive in efforts to protect civilians from threats and violence.

She affirmed that significant reform towards POC starts “at home,” meaning at the UN Headquarters where the Secretariat engages TCCs in robust and in-depth analysis on threats to civilians. This analysis must then be matched with mobility, responsiveness and adequate capabilities all in an effort to getting it right.

Poor training and ill-adapted and dysfunctional Contingent Owned Equipment (COE) also mired contingents’ prompt response to protect civilians from threat and violence, she observed.

Among her recommendations include:

- Engaging in threat analysis right from the outset of mission planning, designing and deployment. Gathering the right and accurate early warning information (both inside and outside sources) to inform speedy and prompt deployment with the objective of saving lives.
- Mobility and Assets. TCCs should ask for what is needed and not what is in the market. Deployment of good quality and functional equipments for protection of civilian purposes in peace operations, for instance control of aviation assets (night vision equipment and the use of modern technology).
- Change of mindset: willingness by TCC to respond and take risk to protect civilians without mission caveats.

Taking the floor, Ms. Alson Giffen also focused on how Protection of Civilians can be improved, referring mainly to the 2009 Secretary General's report on Protection of Civilians.

She stressed the need to revisit the definition of the concept of 'Protection' with a focus to narrowing the definition of the protection of civilians; and emphasized the need

for in-depth information gathering and more detailed analysis prior to crafting mission mandates. Frameworks can be developed to guide threat analysis to include vulnerabilities, targets; while protection actors as well as the engagement of affected communities in the information gathering processes was critical, she observed.



Ms. Alson Giffen suggested that early warning; dialogue and engagement; use of force; and prevention as tools to ensure the effective protection of civilians; and that Civil Affairs officers should be trained on POC with Community Liaison Officers' positions budgeted for in mission budgets since they play key role in information gathering and analysis and on POC.

She opined that Missions should prioritize threats since they cannot protect civilians from all forms of threats and thus should be realistic about the protection that they can provide, while at the same time strengthening international norm against impunity, she argued.

Four basket issues were identified by the resource person: understanding the patterns of displacement; typology of organized violence; Likely scenarios; and understanding local

sources of resilience.

Professor Paul Williams of Gorge Washington University summarized six conclusions that have emerged from the recent scholarly literature on protection of civilians in peace operations; and outlined five assumptions about contemporary peace operations relevant to PoC.

He concluded by proposing five arguments for discussion about the vital importance of increasing the analytical capabilities of peace operations and hard-wiring PoC analysis into all stages of the mission life cycle.

On the emerging literature on PoC, he stressed that the UN was becoming more likely to deploy peace operations in armed conflicts where the warring parties deliberately target the civilian population. PoC mandates are therefore here to stay, even if the UN Security Council

(or African Union) were to stop issuing them; and local populations would still expect protection from peacekeepers and judge peace operations on that basis.

He stressed further that the number of uniformed peacekeepers matters: Civilian protection mandates are more likely to be effectively implemented where there are larger ratios of peacekeepers to locals. The deployment of peacekeeping troops is also associated with reduced battlefield deaths, he remarked; adding that protection strategies based around the creation and defense of designated “safe areas” are likely to be unsuccessful. Consequently more thought must be given to the optimum deployment configurations and footprints of peace operations.

He stressed that in zones of ongoing violent conflict, most civilians will be

protected by their own self-protection activities rather than by foreign peacekeepers. PoC strategies must therefore endeavor to support local sources of community resilience by engaging local communities wherever possible. Poor governance structures lie at the root of most PoC challenges, yet peacekeepers are usually unable to seriously influence/change local governance structures, he argued.

On five assumptions about contemporary peace operations relevant to PoC, Paul Williams stressed that contemporary peace operations were trying to effectively implement PoC mandates – but continue to struggle because of difficult analytical and operational challenges. Some peace operations are confronted by a breed of actors that explicitly rejects the basic rules embodied in international humanitarian law (IHL) and the laws of war, including the



fundamental distinction between combatant / non-combatant; civilian / soldier. Many draw inspiration from a fanatical version of Islamic theology, which poses an additional threat to peacekeepers, whose doctrine is rooted in these rules, he argued.

He suggested that there will continue to be argument and confusion over who counts as a “civilian” as sometimes challenges arise when peacekeepers confront situations where armed forces do not always wear uniforms and where locals may openly carry arms but are not part of formal or official military institutions.

Like the previous speaker, he was of the view that peace operations cannot protect all civilians from all threats at all times due to various reasons, including resource constraints as well as the UN peacekeeping operations that are not normally configured to engage in proactive forms of combat

against warring factions.

His recommendation is that timely and accurate analysis is the only way that resource-constrained missions can prioritize their activities in order to mount an effective response to the most severe threats facing civilian populations. Information collection and analysis should therefore be accorded priority status in all stages of the mission life cycle.

PoC analysis must be part of mission planning from the first strategic assessments, during the design of Force Requirements, and must be central to the design of the Concept of Operations (CONOPS), as well as in the subsequent development of mission-wide and sectoral PoC strategies.

Accordingly, PoC analysis is a shared endeavor where coordination and information-sharing is crucial: PoC analysis cannot be confined to mission personnel alone but should include other actors:

- DPKO/DFS planners need to factor PoC risks/threats into initial assessments Wider UN Country Teams/Protection Clusters, especially if these are in the field before the arrival of a UN peacekeeping operation.
- Local communities: Peacekeepers must engage (and probably hire members of) local communities to learn about their principal threats and self-protection strategies. Analysis should identify and support local sources of resilience.

Prof. Paul Williams identified four baskets of issues that should form the core of the analytical effort as follows:

- Patterns of generic risk factors e.g. causes and size of displaced populations; patterns of hate speech in relevant media; patterns of organized criminality etc.
- Typology of organized violence in the area of operations e.g. battles, one-sided violence, inter-communal conflicts, riots/demonstrations etc.
- The “repertoires of violence” of particular armed actors (state and non-state) e.g. tactics, techniques and procedures favored by specific groups who perpetrate violence against civilians, and the concomitant most likely scenarios for violence against civilians.
- The sources of resilience of local communities. Understanding civilian self-protection mechanisms and working to support local resilience will probably be how peacekeepers help protect most civilians.



Each basket should be regularly assessed as to which risks/threats are most likely and most severe.

He also called for investment in critical reflection: more effort is required in devising suitable benchmarks and key indicators of progress related to PoC, as well as generating actionable lessons learned and best practices.

The subsequent discussions revealed consensus regarding the importance of change in mindset, and willingness to take a more proactive approach to intervene to protect civilians, even if that includes risks.

That included the need for the creation of civilian tracking response cell with the aim to protect civilian lives (joint civilian and military initiative; as well as the need to invest in critical reflections about own weaknesses in protection analysis. In this context, there was general agreement among

participants that there was a need to have a timely information sharing, collaboration and coordination between different actors in mission area in protection against violence.

Discussants also pointed out the importance of identifying early warning signs and indicators in military observation activities and reporting, with a focus on protection from violence.

They also pointed out the need to deploy more female military peacekeepers in mission areas, to easily interact with female victims of sexual violence and therefore be able to gather more information for proper course of actions to be taken.

Session 2: Responsibility of Host State vis-à-vis other Stakeholders



Moderator:

MS. Hilde Johnson,



Speaker:

Marie Louise Baricako, Member of the UN High Level Independent Panel on Peace Operations



Speaker:

Augustin Tine,
Ministre des Forces
Armees, Senegal

In this session, participants exchanged views on how the Security Council members, mission leadership and TCCs currently understand their role vis-a-vis the host state and how they strengthen their engagement with host authorities around Protection of Civilians; and the lessons learned in this regard. Augustin Tine, Ministre des Forces Armees of Senegal

indicated that PoC depended largely on the capacity and will of host countries to protect civilians.

He stressed further that the relationship between host governments and other stakeholders, mandates and ownership of those mandates were key in the success of any missions.

Marie Louise Baricako observed that every nation is responsible for protecting its own citizens from mass atrocities; and should a nation fail to protect its citizens from mass killings, either intentionally or through inability to act, it is the international community's responsibility to protect the citizens being affected.

Recalling the 'shameful' role of international community in 1994 in Rwanda, she questioned why the former was being silent when people in Burundi were being killed

in the ongoing unrest related to the constitutional issues and the seeking for a third term by the incumbent President. She rejected any notion of dialogue when populations are being killed, stressing that killing must stop before people can go for negotiations.

During the discussion, there was a general consensus that the protection of civilians remains the primary responsibility of the host government; and that it was incumbent for the government to respect international human rights instruments relating to the protection of civilians.

It was also put forward that collaboration between the different stakeholders is important in achieving POC results; and that Protection of Civilian is inherent in peacekeeping, thus the need for greater clarity on TCC tasks and capacity. Host countries' capacities have to be improved to reduce operational implications.

Session 3: POC Mandates and Guidance



Moderator:

Kwesi Aning, Kofi Annan International Peacekeeping Training Centre



Speaker:

Anr El-Sherbini, Director of United Nations Division, Egyptian Ministry of Foreign Affairs



Speaker:

Victoria Holt,
Deputy Assistant Secretary of State, United States

This session focused on how the Security Council, DPKO and TCCs ensure that existing guidance on POC mandate implementation, including specific guidance for military components, is well-understood and implementable. Participants also exchanged views on how Council Members, the TCCs and DPKO engage



constructively around POC mandate interpretation and implementation; and on how DPKO and TCCs can work together to enhance prevention and preemption of physical violence against civilians.

In her presentation, Victoria Holt stressed that the Security Council is responsible for ensuring that protecting civilians in peacekeeping is included in Missions' mandates, with more than 95% of missions mandated for that task; but that POC has been a challenge for field missions.

She indicated that the UN had taken steps in the right direction, with the development of PoC guidelines in the last five years, as well as mechanisms to implement them in the field. These included the UN in 2009-2010 cables on POC, followed by a series of DPKO/DFS guidance and policy on POC; and more recently, the PoC

implementation Guidelines for Military Components of UN Peacekeeping Missions issued on February 13, 2015.

Although missions have been directed to develop mission-wide POC strategies, these guidelines have to be understood both in the TCCs capitals and in the field, and that the capital has to connect with field realities, she stressed. She also proposed that TCCs and Council members should meet to review mission's challenges. Key TCCs should also include PoC training in core training for contingents, and not just pre-deployment training.

She indicated further that recent crises such as in South Sudan demonstrate that often peacekeepers get conflicting guidance, and subsequently are not prepared to protect civilians. Many contingents were not even familiar with UN training guidelines on PoC; while others have competing concepts.

Without a doctrine to review, proper guidance from those in leadership roles, standardized training, and assessment of lessons learned, peacekeepers are negatively impacted and unable to identify how to properly carry out the POC mandate.

Amr El-Sherbini also agreed that PoC is linked to use of force; readiness and preparation of troops; but that the use of force exceeds some mission mandates, and should not be a norm in peacekeeping operations.

He added that one of the biggest issues was that some missions have unclear POC mandates; and stressed that TCCs have to be given clear mandates on how to implement POC.

Training designed for the protection of civilians is crucial, for instance what has to be done at the tactical level on

POC. This guidance is crucial in that it has to resolve the issue of political concerns on the ground, he argued.

Among other issues, Amr El-Sherbini indicated that there was no real discussion on pre-planning with TCCs; coupled with lack of enough interpretation of mandates and TCC capacity.

He stressed further that the UN Security Council does have a real mechanism to discuss with TCCs and not enough to address the concerns of TCC/PCCs. He recommended the creation and better use of working group on TCC/PCCs.

It was pointed out in this session that the Security Council, which sets mandates, needs to have a good relationship with T/PCCs, whom implement the mandate.



It was highlighted that T/PCCS on the ground should have resources to implement UN mandate. Coordination between all actors in missions needed to be improved in protection of civilians against violence.

On effective response, the discussants also pointed out the need to give T/PCCs adequate equipment to enable them have the capability, and accurate information to respond quickly to violence.



Session 4: Enhancing the Capabilities, Training and Commitments of Peacekeepers for POC



Moderator:

Adam C. Smith, Director,
Center for Peace Operations,
International Peace Institute



Speaker:

Maj. Gen. (ret) Patrick Cammaert,
Former Military Adviser, UN Department
of Peacekeeping Operations



Speaker:

Gen. Patrick Nyamvumba,
Chief of Defence Staff, Rwanda
Defence Forces; Former Force
Commander, UNAMID



Speaker:

Col. Nazir Hussein Khan, Deputy
Director, Peacekeeping Operations,
Pakistan



This session focused on how DPKO can work with TCCs to better match troop capabilities and national caveats with the nature of the threat to civilians; and on how DPKO and TCCs can work together to strengthen pre-deployment training on PoC. Participants also exchanged views on how North-South bilateral partnerships can enhance capabilities for implementing PoC; and discussed current capability gaps that hamper PoC implementation in UN missions; and how those gaps can be overcome.

Gen. Patrick Nyamvumba stressed that POC focus is informed by the UN Charter preamble which focuses on the desire to save succeeding generations from the scourge of war; and provided the context of the POC mandate which first emerged some 16 years ago in Sierra Leone, with the Security Council mandating the protection of civilians.

He emphasized that POC mandates by the UNSC should be clear and straightforward, providing clarity on the peacekeepers' tasks at the operational level. He acknowledged however that translating UN SC mandates on the ground was a complex puzzle; and identified TCCs/PCCs deficiencies impacting negatively on the implementation of the POC mandate.

These include: deployment of dilapidated Contingent Owned Equipments (COEs) especially vehicles and APCs, deficiency in force enablers (aviation equipments, and appropriate technology), lack of proper training for the job at hand, language barriers; lack of good will and commitment by peacekeepers to intervene when there are issues that warrant the use of force; difficulties in grouping the right size of force at the right time; operational context constraints as PKO were operating

in countries with large surface areas with poor infrastructure e.g. impassable roads during some periods. He recommended that:

- TCCs should clearly demonstrate their will to protect civilians in danger even at the risk of physical harm.
- The UN DPKO / DFS should ensure that pre-deployment and in-theatre inspections of troop and police preparedness is professionally conducted and with the highest levels of integrity.
- Tough measures should be taken whenever preparedness is short of the required minimum and UN Force Commanders should be given more powers to execute some decisions.
- The leadership of the UN member states should inculcate commitment among peacekeepers and this cannot be done in a very short time because commitment is

premised on a well-grounded culture that values excellence and detects mediocrity.

- Troop and Police Contributing Countries should take tough disciplinary measures against their peacekeepers who fail to protect civilians in danger in their respective areas of operation.

He further stressed that there was a need for efficient and timely availability of logistic support to ensure self-sustainment for some time; and indicated that dedicated military aviation assets are critical for speedy transportation and deployment of forces especially in Host Countries with vast territory and poor infrastructure.

Gen. Patrick Cammaert also outlined the challenges and evolution of

peacekeeping context in the last 15 years; and argued for the deployment of tailor made force that can best implement mission mandates (lauded the initiative of the Force strategic Call in DPKO).

He further stressed that DPKO/DFS should inform TCC/SC of what is required on the ground and that TCCs should provide the missing capabilities; and be firm on refusing mission caveats;

On strengthening pre-deployment training on POC, he indicated that in-depth knowledge on the rules of engagement and mandates as well as the use of force was required; adding that finding hot spots and how to prevent and deploy to hot spots was crucial to mission success.

On Pre-deployment training, he further stressed that preparation of FC and SRSG should be mandatory,

with scenarios based training; while serious investment in Rapid deployment forces was worth exploring.

On caveats, he recommended that when TCCs pledge troops to DPKO, the MilAd DPKO should make sure that there are no caveats that will hamper the operations. DPKO should also be firm in refusing pledges in case there are unacceptable caveats. The so-called “hidden” caveats which FCs suddenly get confronted with should not also be there.

Col. Nazir Hussein Khan concurred with other panelists that mandates have to be matched with adequate resources; while TCCs should be well trained to implement mandates. He also agreed that POC mandates were unclear.

In the subsequent discussion, there was a consensus that operational

concept of POC is much broader; and that more focus should be on mission leadership training.

There was also a general consensus on the need to deploy adequate

resources to support implementation of POC mandates; while there were calls for DPKO to invest in research and development to fight emerging threats.



Session 5: POC and the Use of Force



Moderator:

Maj. Gen. (ret) Patrick Cammaert, Former Military Adviser, UN Department of Peacekeeping Operations



Speaker:

Lt. Gen. Carlos Alberto dos Santos Cruz, Force Commander, MONUSCO



Speaker:

Maj. Gen. Hassan Ibrahim Moussa, Ethiopia



Speaker:

Ms Mona Khalil, Senior Legal Officer, Office of the Legal Counsel of the United Nations

This session focussed on what can be done during pre- and post-deployment to enhance the military component's understanding of the ROE in relation to POC, and how recent incidents in which force was not used to protect civilians are understood, in contrast to situations where missions' military components successfully intervened to protect civilians.

Participants also discussed the lessons learnt and best practices in this regard; and further exchanged views on how peacekeepers can better leverage the show or use of force for credible deterrence, as well as the legal protections for peacekeepers who use force to protect civilians.

Lt. Gen. Carlos Alberto dos Santos Cruz highlighted that the core business of POC is to protect people against threat; and that taking action

to protect civilians against threats is a legal and moral obligation. While the use of force is the responsibility of the Force Commander in coordination with the SRSG, the concept of proportionality has to be explained to the soldiers, and troops have to be prepared for the job, he stressed.

He highlighted further that the problem of the absence of technology and the lack of knowledge on the use of available technology oftentimes hampered their operations, and that troop adaptability and the need for boots on the ground to reach out to the threat targets were essential in effective implementation of PoC mandates; adding that there was a need for clarity in mandates with tasks explicit and realistic. The UN should pay attention to the profiles of the leadership at all levels on the ground, he recommended.



Mona Khalil also concurred with previous speakers that PoC policy provides for the use of force where appropriate; but that this language was confusing and needed to be clarified, especially how TCCs interpret the use of force in their respective pre-deployment training.

She stressed that while the international community has acquired the robust mandate, it is still working towards obtaining the robust assets; and it is only beginning to understand the necessity of a robust mindset. In order to make good on the promise and live up to the expectations, these three (robust mandate, robust mindset and robust assets) should be ensured.

Highlighting some of the factors that have weakened the resolve and/or inhibited the willingness to use force, Miss Mona Khalil stressed that there appears to be a lack of familiarity

or lack of misunderstanding of the demands of the POC mandate and the extent of the authority accorded to UN PKOs. The standard formulation of the authority to use all necessary means, up to and including deadly force is coupled with various provisos that are used wittingly or unwittingly to narrow the scope of intended action.

Major. Gen. Hassan Ibrahim argued that threat identification is important to inform the use of force and force being used as last resort. While Force should be used as a deterrence to threat and should be used in self-defense; the use of force should be well elaborated to TCCs. Use of force is not a show of force and needs highly committed peacekeepers, he indicated.

In the interactive session, there was an agreement that POC requires the use of force but that robustness to implement the POC mandates

encounters some counter sentiments from host governments. Use of sub-regional brigades was recommended as the best approach to use of force to effectively implement PoC, given their geographical proximity, and local knowledge.



Closing Remarks by Gen. James Kabarebe, the Minister of Defence, Republic of Rwanda

Closing the conference, Honourable Gen. James Kabarebe, the Minister of Defence of Republic of Rwanda thanked all participants for honouring the invitation for the conference from the Government of Rwanda.

He pointed out that although the programme had been very tight, all accounts pointed to a very productive conference on Protection of Civilians; the first ever international conference of T/PCCs on the subject matter.

He concluded that there was wide agreement from the conference on the need to move beyond doing business as usual, to adopting a more robust and proactive approach to the protection of civilians; which should be the overarching goal of all UN Peacekeeping operations.

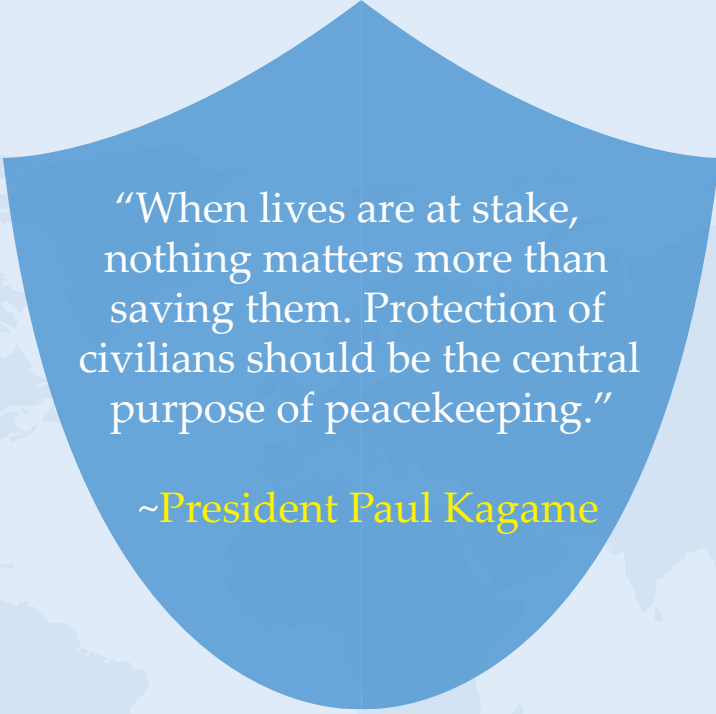
The honourable Minister of Defence indicated that the way forward was the endorsement of the 'Kigali Principles on POC' on voluntary basis; and that these principles serve as the basis for discussion in the September 2015 High-Level meeting on peace operations.





You can find more information such as the presentations of the different panelists, the list of participants, photos and videos of the International Conference on Protection of Civilians that took place in Kigali, Rwanda on 28-29 May 2015.

Click on www.civilianprotection.rw



“When lives are at stake,
nothing matters more than
saving them. Protection of
civilians should be the central
purpose of peacekeeping.”

~President Paul Kagame



International Conference
on the Protection of Civilians