Mainstreaming the Responsibility to Protect in Peace Operations

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1. Executive Summary

This paper explores the potential for implementing the 'Responsibility to Protect' (RtoP) principle through peace operations. The protection of civilians from mass atrocity crimes has become a key contemporary challenge for international institutions. The last decade has witnessed the unprecedented development of norms and practical pathways for addressing the past failures of the international community to prevent and halt mass atrocities. Most notably, perhaps, the RtoP principle captures the commitment of the world's governments to bring substance to the all too often repeated promise of 'never again'. At the same time, the practice of peace operations have similarly grown and evolved at an unprecedented rate, to the point where there is now a widely recognised problem of overstretch and an inhibitive mismatch between what peace operations are expected to do and the means at their disposal to achieve it. The political, financial and operational challenges which underpin this condition seem to exceed and resist the solutions forthcoming. This has led some commentators to suggest that peace operations are at the brink – in danger of systematic failure, jeopardising their legitimacy and risking a retreat from the modality as witnessed in the mid-1990s. [1] Given all this, it would seem at first glance that the additional layers of political and operational complexity promised by implementing the RtoP is not what the peacekeeping apparatus needs at this juncture. However, nowadays, the international legitimacy of, and public support for, peace operations is closely linked to the fundamental task of protecting civilians from harm.[2] UN peace operations do not therefore have the luxury of ignoring the burdens of protection set out under the RtoP. In addition, peace operations present the international community with a legitimate and ready-made vehicle for implementing the RtoP in many of the places where it is most needed. In their various manifestations, peace operations provide three crucial avenues for translating the RtoP from words to deeds. First, as an option to weak and vulnerable states to recognise and fulfil their sovereign responsibility towards populations on their territory by inviting, consenting to and cooperating with international efforts. Second, an entry point for the international community to provide wide-ranging assistance when a state is unable to meet its fundamental protection obligations. Third, a collective mechanism for responding in a timely and decisive fashion when states are manifestly failing to protect those in its care.

This paper examines what peace operations can do to institutionalise and implement the RtoP. This involves answering two central questions: how do peace operations already contribute to the RtoP and how might their capacity be augmented to strengthen their contribution? We argue that peace operations provide protection through a number of channels, both directly and indirectly. These can be summarised in three main categories: 1) assisting troubled states to build the necessary capacity to protect their populations; 2) providing *indirect* protection to endangered civilian populations and 3) providing *direct* protection. In each area, we argue, peace operations already make an important contribution to implementing the RtoP but that this could be augmented in important ways. In addition, we argue that protecting civilians from harm is at the core of legitimacy, credibility and popular support for

peace operations and the peace processes they support.[3] Hence RtoP constitutes a partner and facilitating norm rather than a parasite or burdensome addition. To do this, the paper is organised into four parts. The first examines the background and evolution of RtoP. The second section provides a brief overview of the challenges confronting contemporary peace operations. The third section evaluates the three roles of peace operations in turn. In concluding, we look at what needs to be done in order to mainstream RtoP effectively in peace operations. The main argument is that the RtoP and peace operations are symbiotic and mutually reinforcing. Notwithstanding systemic challenges, peace operations offer a legitimate and ready-made vehicle for moving the RtoP from principle to praxis. At the same time, the RtoP constitutes a facilitating norm for harnessing political will and buttressing the legitimacy and credibility of contemporary peace operations.

2. RtoP: From Idea to Norm

One of the few real achievements of the UN's 2005 World Summit was the adoption of the 'responsibility to protect' principle. As agreed by UN Member States, the RtoP rests on three equally important and non-sequential 'pillars'. First, the responsibility of the state to protect its population from genocide, war crimes, ethnic cleansing and crimes against humanity, and from their incitement.   Second, the international community's duty to assist the state to fulfill its responsibility to protect.   Third, the international community's responsibility to take timely and decisive action, through peaceful diplomatic and humanitarian means and, if that fails, other more forceful means, in a manner consistent with Chapters VI (pacific measures), VII (enforcement measures) and VIII (regional arrangements) of the UN Charter, in situations where a state has manifestly failed to protect its population from the four crimes.[4]   In April 2006, the UN Security Council reaffirmed RtoP and indicated its readiness to adopt appropriate measures where necessary (Resolution 1674, 28 April 2006).   In early 2009, the Secretary-General issued a report on implementing the RtoP.   The Secretary-General's report was subsequently discussed by the General Assembly in an Interactive Informal Dialogue held in July 2009.   Most states that contributed to the dialogue welcomed the Secretary-General's report, reaffirmed their commitment to the 2005 agreement and endorsed the three pillars of RtoP.   Subsequently, the General Assembly adopted a unanimous resolution noting with appreciation the Secretary-General's report and deciding to continue its consideration of the RtoP.[5]   Most recently, the Security passed Resolution 1894 (11 November 2009), once again reiterating the World Summit commitment to the RtoP.

RtoP's intellectual and political origins lay in older ideas about 'sovereignty as responsibility' and their rearticulation in various forms in the 1990s as a response to the commission of genocide, mass atrocities and forced displacement in that decade.   Sovereignty has always entailed both rights and responsibilities. Even theorists most associated with the defence of unbridled sovereign power conceded this point.   Thomas Hobbes, for example, insisted that the sovereign's authority was based on an unwritten contract between the state and the individual whereby the individual sacrificed his/her natural freedom in return for security. This entitled the sovereign to take whatever measures it thought necessary for the preservation of the peace, but the contract was broken if the sovereign posed an existential threat to the individual.[6]   Between the eighteenth and twentieth centuries, this idea was enumerated as the principle of 'popular sovereignty' – the idea that sovereignty derives from 'the people', who have a fundamental right to determine their own form of government.   First enunciated in the English, American and French revolutions, this basic idea provided the basic legitimising principle for decolonisation and opposition to white minority rule.[7] Indeed, in the aftermath of the Second World War this idea became one of the basic organising principles of world politics.[8]   Although it left as many questions as it answered (who are 'the people'?   how is the people's will to be determined?), popular sovereignty rests on the idea that the state is responsible to the people and has a duty of care towards them.   In other words, sovereignty entails domestic responsibilities as well as rights.

These ideas were given new impetus in the 1990s as a result of the emergence of a number of decidedly 'uncivil' wars and developed in two different contexts – a discussion about sovereign responsibilities in the face of internal displacement and a

debate about the so-called 'right' of humanitarian intervention. The contemporary idea of sovereignty as responsibility was developed by the UN's Special Representative on Internally Displaced Persons (IDPs), Francis Deng and Roberta Cohen a Senior Fellow at the Brookings Institution, in the 1990s .[9] Their principal challenge was how to persuade governments to improve protection for IDPs and they developed the idea of sovereignty as responsibility to fit this purpose.[10] The concept's starting point was recognition that the primary responsibility for protecting and assisting IDPs lay with the host government.[11] No legitimate state, they argued, could quarrel with the claim that they were responsible for the well-being of their citizens and in practice no governments did in fact quarrel with this proposition. Where a state was unable to fulfil its responsibilities, it should invite and welcome international assistance.[12] Such assistance helped the state by enabling it to discharge its sovereign responsibilities and take its place as a legitimate member of international society.[13] During major crises, troubled states faced a choice: work with international organisations and other interested outsiders to realise their sovereign responsibilities or obstruct those efforts and sacrifice their good standing and sovereign legitimacy.[14] As such, sovereignty as responsibility focused on the responsibilities of host governments and maintained that effective and legitimate states were the best way to protect vulnerable populations. This left unanswered the problem of what to do when a state refused to request assistance or itself commits genocide and mass atrocities, pitting a sovereign's right to non-interference—enshrined in Articles 2(4) and 2(7) of the UN Charter—against a sovereign's putative responsibilities.

This dilemma was most pointed in relation to the question of humanitarian intervention and in the midst of the highly contentious global debate about the legitimacy of NATO's 1999 intervention in Kosovo, the concept of sovereignty as responsibility was picked up by UN Secretary-General Kofi Annan.[15] Mindful of the apparent contradictions between the rights and responsibilities of sovereignty, Annan challenged international society to develop a way of reconciling the twin principles of sovereignty (and protection of self-determination) and fundamental human rights. That challenge was taken up by the Canadian government, which created the International Commission on Intervention and State Sovereignty (ICISS). Chaired by Gareth Evans and Mohammed Sahnoun, the Commission developed the phrase 'the Responsibility to Protect', set out the case for it, and focused on developing ideas in relation to humanitarian intervention.[16]

Although UN Member States adopted the language of RtoP, they chose not to adopt the ICISS' recommendations wholesale but to frame the new principle around the idea of sovereignty as responsibility. As Edward Luck has argued, it is important to not confuse what we would like the R2P principle to be with *what it actually is*.[17] In particular, Member States rejected the ICISS' calls for RtoP to include criteria to guide decision-making about when to intervene; a code-of-conduct for the use of the veto; and the potential for coercive interference in the domestic affairs of states not authorised by the UN Security Council. In short, there is nothing in the 2005 World Summit agreement that creates—or tries to create—*new law* in relation to the RtoP.

But we should not succumb to the view that the RtoP principle that emerged from the 2005 World Summit was too weak or insubstantial to make a positive contribution to strengthening global humanitarianism, or that it is unencumbered with legal responsibilities. First, the World Summit clarified the principle's scope. At the request of Pakistan, it was agreed that RtoP applies to genocide, war crimes, ethnic cleansing

and crimes against humanity. Each of these have fairly precise legal meanings grounded in existing international law. Second, the World Summit has clarified relevant roles and responsibilities. In line with the doctrine put forth by Deng and Cohen, all states have a primary responsibility to their own populations. All other states have a responsibility to assist their peers in fulfilling this primary responsibility. Should a state manifestly fail in its responsibility, the various bodies of the UN in partnership with relevant regional arrangements have a responsibility to use whatever means it determines as necessary and appropriate. Significantly, all measures should be consistent with the UN Charter. Third, the agreement clarified that there is no such thing as an 'RtoP event or crisis' in that there is no moment at which something becomes relevant to RtoP. A state's responsibility does not appear and evaporate; nor does the world's responsibility to assist and support that state or the Security Council's responsibility to take all necessary means when appropriate. In other words, it is not the nature of the responsibility that changes, but the most appropriate means of preventing genocide, war crimes, crimes against humanity and ethnic cleansing and protection vulnerable populations in any given situation. Finally, it is important to stress that as a product of the largest ever gathering of heads of state and government, the agreement produced by the 2005 World Summit carries immense political weight.

In his recent report on *Implementing the Responsibility to Protect* the UN Secretary-General set out a balanced and comprehensive range of ideas of translating the principle from words to deeds. However, he also noted that more work is needed to understand and clarify the measures that States might take to realise this. Furthermore, at the recent General Assembly debate on implementing RtoP, a number of member states identified the need to mainstream RtoP perspectives into the UN's institutional machinery, including its peace and security architecture.[18]

Finally, it is important to note that, conceptually, the RtoP and the Protection of Civilians (POC)[19] are distinct but very closely linked. Put most simply, the RtoP is a political framework for realising the POC in the most egregious cases. Whilst the whole POC agenda is substantially wider than that covered by RtoP, some aspects of the preventive components of RtoP extend beyond the POC domain. The key challenge is to identify which POC strategies or policies contribute to preventing escalation to genocide and mass atrocities, or constitute an effective response to their commission and how the political commitment to RtoP can add value to POC.[20]

3. Contemporary Peace Operations

Peace operations have become one of the foremost tools for managing armed conflict and humanitarian crises. Put crudely, whereas in the 1950s peace operations were the exception in responding to armed conflicts, in the twenty-first century they are the norm. Although early peace operations in the Congo (ONUC) and Cyprus (UNFICYP) took on limited protection roles, it is now the norm for missions to be explicitly mandated to protect civilians from harm. We define peace operations as *the expeditionary use of personnel (military, police and/or civilian) by members of international society, with or without a mandate from the UN, to engage in the prevention, management, or resolution of armed conflict but which falls short of war-fighting.*[21] Understood in this manner, peace operations usually serve one or more of five primary purposes:

1. *Prevention*: deter armed conflict through preventive deployments or support a peace process through peacemaking initiatives.
2. *Observation*: monitor/observe initiatives of other actors undertaken as part of a peace process, including ceasefires and demilitarized zones.
3. *Assistance*: assist local parties in the implementation of peace agreements. Such operations are usually deployed at the invitation of the signatories but may encounter local resistance either from factions outside the peace agreement, parties changing their minds, or rogue elements within a party whose leaders have consented to the operation.
4. *Enforcement*: enforce the terms of peace agreements or the will of an authoritative body within international society upon particular parties.
5. *Administration:* administer territories during a transitional period from armed conflict.[22]

In order to distinguish peace operations from other types of foreign deployment, we require the existence of an armed conflict (either ongoing, imminently expected, or recently concluded) in the target country, that the deployment expressly aim to prevent, manage or resolve that conflict, and that the third-parties refrain from war-fighting. As such, small assistance missions may count as peace operations if they are deployed in the context of an armed conflict. So may large military missions, as long as they fall short of war-fighting. Finally, it is important to note that peace operations can be conducted by a wide range of different actors and undertaken with various sources of authority.

The perceived failures of peacekeeping in the 1990's were synonymous with a failure to protect. The absence of enabling mandates and sufficient human and materiel resource rendered missions – such as those in Rwanda and Bosnia – incapable of providing sufficient protection to civilians in mortal danger. These catastrophes played a significant role in the retreat from UN peacekeeping and raised serious questions about the utility of 'peacekeeping' as a modality for addressing conflict and crisis.[23]

However, the framework for UN peacekeeping has changed significantly since that time. As Security Council practice has evolved to recognise the consequences of human suffering as a threat to international peace and security (e.g. Resolutions 1265 (1999) and 1820 (2008)), there has been a concomitant revolution in the substance of peace operations to include explicit and robust civilian protection mandates. Starting in 1999

with the UN mission in Sierra Leone (UNAMSIL), the Security Council has regularly invoked Chapter VII of the UN Charter to create protection mandates. Today approximately half of UN missions are mandated to protect civilians "under imminent threat of physical violence", in accordance with geographical, temporal and capabilities-based caveats and with "respect to the responsibilities" of the host state.[24] More pointedly, all but one of the missions mandated since 1999 have included these provisions. Since 2002 the UN's *Standing Rules of Engagement* for peace operations have authorized the use of force — 'to defend any civilian person who is in need of protection.' These developments were most recently reflected in the March 2009 report of the General Assembly's Special Committee on Peacekeeping Operations (C-34) which made explicit the relationship between peacekeeping and the protection of civilians.[25] Evidently, peace operations are now firmly in the business of protecting civilians from harm. Indeed, there is an argument to say that in light of past failures and the ephemeral and limited view of global public opinion, the success of peace operations is increasingly judged on their ability to protect civilians.[26]

In light of peacekeeping experiences throughout the last decade — and with particular reference to the ineffective responses from MONUC to violence in eastern DRC in late 2008 (and on-going challenges facing NATO and the UN in Afghanistan) — many argue that the peacekeeping system is in crisis.[27] They suggest this crisis is a consequence of three core characteristics. First, that the system suffers from 'overstretch' as a consequence of the UN Security Council (and other authorising bodies) turning to peace operations as the panacea for addressing the majority of contemporary conflicts. Second, peace operations are perennially 'under-resourced'. That is, there is a paucity of: sufficiently competent available personnel; specialised materiel; and an enduring struggle for requisite financing, exacerbated by the extant global financial crisis. Finally, the contemporary modality of peacekeeping is 'overmatched'. That is to say, that its operating environment, characterised by myriad stakeholders and multiple challenges to durable peace, exceeds the willingness or ability of a large UN bureaucracy, tied up in 'blue tape', to effectively navigate.[28] Such accusations are particularly salient in situations where it is deemed there is no peace to keep and peace operations are deployed as a substitute for a viable political process and hence operate in a strategic vacuum.[29]

This has led some commentators to suggest that peace operations are at the brink — in danger of systematic failure, jeopardising their legitimacy and risking a retreat from the modality as witnessed in the mid-1990s.[30] As we noted in the introduction, given all this it would seem that additional layers of political and operational complexity is not what the peacekeeping apparatus needs at this juncture. Why, we might ask, are we therefore looking to put more demands upon a fragile system by expecting peace operations to implement the RtoP?

Since the 2005 World Summit and the broad-based consensus reached therein, some major stakeholders and influential advocates in the wider peacekeeping community (including major INGOs) have been sceptical about the value-add of involving RtoP in politically sensitive discussions about peacekeeping responses to on-going and emerging crises. Some have pointed to a lack of understanding of RtoP amongst senior bureaucrats and practitioners as well as in troop and police contributing countries and recipient host states as a possible source of this hesitance.[31] However, it is also clear that placating the political sensitivities of key member states - be they significant financiers or contributors of personnel - also factor in the immediate and pragmatic

decisions of those mounting and managing field missions. Furthermore, despite increasing clarity about the conceptual relationship between POC and RtoP (briefly explored above), there has been a concern within peacekeeping organisations, particularly the UN DPKO, that incorporating RtoP in their work may negatively impact upon the existing POC agenda by diverting scarce resources and jeopardising hard-fought political consensus.[32]

As a result of this inertia, some member states, the UN Secretariat and commentators on peacekeeping alike have been resistant to supplementing an already malfunctioning machine with new, complex and potentially controversial tasks. However, these conceptions overestimate the extent to which RtoP represents a radical departure from past practice or expansion of existing commitments. As we demonstrate in the following section, this stance belies the plethora of ways in which peace operations already contribute to implementing the RtoP. The challenge, therefore, lies not in offering a radically new vision of peace operations but in identifying the ways in which peace operations already contribute to RtoP implementation and the capacities that could be augmented to strengthen their performance. The following section will address the possibilities for peace operations doing just this at both strategic and operational/tactical levels. It will also identify the major associated challenges and recommend what needs to be done to facilitate, enable and support these endeavours. As we noted earlier, there are three major roles for peace operations/peacekeepers that contribute to operationalising the RtoP.

1. Capacity-building (i.e. assisting local authorities to build indigenous capacity to protect civilians)
2. *Indirect* protection (i.e. the inclusion of and assistance to civilian components with protection mandates)
3. *Direct* protection (i.e. provision of civilian protection through immediate action in accordance with robust mandates)

All three have precedent in practice and are therefore relatively uncontroversial. These missions and activities can be undertaken in either preventive mode (i.e. as a means of retarding escalation of instability and abuses) or reactive mode (i.e. during or after killing).

4. Capacity-building

Although they are not synonymous, there is a significant amount of evidence to suggest that internal instability and state fragility significantly increase the potential for the commission of one or more of the four crimes associated with the RtoP.[33] In particular, the presence of internal conflict is the most consistent predictor of future mass killing and forced displacement.[34] Since the Second World War, genocide and mass atrocities have almost always been a consequence of internal violent conflict, disruptive regime transitions or 'state failure'.[35] Moreover, countries with at least one previous state failure are twice as likely as other countries to experience genocide and mass atrocities subsequently.[36] In most cases, internal wars are the first in a complex series of events that leads to the commission of genocide and mass atrocities.[37] Be they formal and state-centric or informal and provided by non-state actors, the politicization, degradation and/or collapse of supportive and protective structures and systems has been a significant precondition for the occurrence of mass atrocity crimes.

As such, it is clear that measures designed to prevent state failure, strengthen national resilience and resolve internal conflicts significantly reduce the likelihood that the RtoP related crimes will be committed in the future. Even in cases where there is no immediate threat of the crimes being committed, international efforts to assist states under stress make a direct contribution to reducing the threat of genocide and mass atrocities in the longer-term. Given that peace operations are generally in the business of facilitating the resolution of conflict and building durable peace, it seems logical to suggest that there is a role for peace operations to contribute in this realm.

Returning to the Secretary-General's three-pillar formulation of the RtoP, where a state is struggling to meet its obligations or envisages a deterioration of its capacity, one of the more tangible actions a government can take to fulfil its pillar one responsibility is to solicit international assistance and/or to accept it when offered. When a situation is deemed suitable for the deployment of a peace operation,[38] granting consent for the mission can be understood as evidence of a state exercising its pillar one responsibility. The vast majority of contemporary peace operations are the product of a consensual process, indeed the UN DPKO claims it only deploys missions in this form.[39] However, despite this modality, recent examples such as the hybrid UN-AU mission in Darfur (UNAMID) have shown that even in cases where host state consent is forthcoming in the creation of a mission (albeit tacitly/reluctantly), the effectiveness of peace operations is severely hampered when this consent is not evidenced by full cooperation in the necessary mandating, deployment and functioning of a peace operation.[40]

In partnering with peacekeeping organisations, be that the UN or suitable regional arrangement, states can demonstrate and meet their sovereign responsibilities. As the Secretary-General stated in his report on Implementing RtoP, 'The State…remains the bedrock of the responsibility to protect, the purpose of which is to build responsible sovereignty, not to undermine it.'[41] This is important to point out, given that this first pillar enjoys essentially unanimous support amongst member states, but perhaps receives fewest proposals for how it can be realised.

According to the UN Secretary-General, the second pillar of the R2P involves the international community's duty to assist states in meeting their RtoP obligations through

a combination of persuasion and partnership.[42] It also shares with pillar one an emphasis on preventive measures.[43] According to the 2005 World Summit Outcomes Document, assistance under pillar two of the R2P could take one of four forms:

- Encouraging States to meet their responsibilities under pillar one;
- Helping them to exercise this responsibility;
- Helping them to build their capacity to protect;
- Assisting States 'under stress before crises and conflicts break out.[44]

The primary role of pillar two is to galvanise the international community into assisting states to build and maintain the capacity necessary to address problems, ideally before they become manifest in the commission of mass atrocity crimes. When States under stress request assistance as discussed above, others might fulfil their duties by responding to that call. Measures implemented under pillar two are done so with the consent of the State involved, usually in the form of a specific invitation - particularly in situations where political leadership is weak, divided or uncertain as opposed to where states are seemingly determined to commit mass atrocity crimes. Indeed, as noted above, it is important to recognise that all contemporary UN peace operations can be understood as pillar two endeavours in that they are deployed with the consent of the host State and are mandated to assist the State to maintain order, strengthen capacity and build peace. At the recent GA debate a number of states cautioned against an overly expansive approach to capacity-building, arguing that this could overstretch RtoP's second pillar.[45] It is important, therefore, to identify tangible measures and programmes which target preventing and halting the most egregious of human rights abuses.

As the Secretary-General noted, there is much more learning to be done about the sorts of capacities needed to prevent crises and protect populations, but there is broad agreement that the relatively common non-coercive missions can help States to exercise their RtoP through partnerships aimed at strengthening: the rule of law; human rights; civilian oversight of the security sector; civil society and a tolerant and open political culture. That is, missions and activities that build the specific capacities within societies that would significantly reduce the risk of the commission of RtoP related crimes in the future.

In a preventive modality, the 'special political missions' and 'peacebuilding support offices' present in Africa, and the Middle East as well as south and central Asia, embody attempts to address the root causes of conflict and instability. These efforts are engaged in conflict prevention, peacemaking and/or efforts to build capacities for lasting peace in nations emerging from civil wars and similarly include a range of military, police and civilian personnel. The link between these endeavours and peace operations is less obvious, given that these missions are often deployed under the auspices of the *Department of Political Affairs* (DPA) with increasing involvement of the *Peacebuilding Commission* (PBC).[46] However, the *Department of Peacekeeping Operations* (DPKO) currently contributes around 2,000 personnel to these missions.[47] Moreover, two of these missions are actually administered by DPKO.[48] In several cases, most recently in the Sudan, political missions overseen by the DPA during the stage of peace negotiations have – following the signing of peace agreements – been replaced by peacekeeping missions. In yet other instances, most recently in Sierra Leone, peace operations have given way to special political missions overseeing post-conflict peacebuilding activities. The most recent policy statements and frameworks

emanating from DPKO include contributions to these missions as part of their core business.[49] In relation to the RtoP, this modality is particularly salient where missions take place in countries and regions with a previous history of genocide and/or mass atrocities such as Burundi.

In a reactive posture, increasingly common multidimensional missions will often involve the consensual deployment of civilian, police and military assistance. In the broadest understanding, all of these components have a unity of effort towards supporting the implementation of a peace process towards sustainable security and a just order. More specifically, each component will engage in its own unique programming and capacity-building in different sectors and facets. For example, a wide range of civilian agencies are regularly mandated to support institution-building and capacity-development (whilst promoting local ownership). As the Secretary-General pointed out,[50] areas particularly relevant to RtoP include:

- Human rights instruments
- Local dispute resolution capacity
- Indigenous mediation capacity and coping mechanisms to find 'internal solutions to problems'.
- The ability to facilitate inclusive and participatory processes of dialogue about contentious issues.
- Conflict-sensitive development analysis to ensure that development assistance ameliorates rather than inflames existing tensions.

Most, if not all, contemporary peace operations include civilian experts who are supporting governments and communities to develop capacities in these areas. In addition to the support and assistance provided by peacekeepers themselves, peace operations are increasingly responsible for coordinating the slew of multilateral and bi-lateral engagements in such capacity-building and development programming.[51]

Traditionally, civilian police components were treated by mission architects and member states as a 'bolt-on' capacity – an addendum to military-dominated mission structures.[52] However, this tendency has diminished as the civilian dimension of peacekeeping and police components in particular have become increasingly recognised as mission-critical.[53] In essence, the role of police in peace operations has evolved from passive observation of local police services to capacity-building and a more intrusive reform, restructuring and rebuilding function as part of Rule of Law and holistic Security Sector Reform (SSR) programming. International police advise and support indigenous police services as well as providing training and mentoring. These processes enhance capacities for targeting abusive criminal elements as well as improving standards amongst domestic uniformed personnel, often tainted by a historical legacy of abuse or at least a heavy-handed *modus operandi*. The Secretary-General noted that it is essential that security forces within the state be 'impartial and disciplined' to decrease tension and reinstate order in the society.[54]

In practice, police in peace operations are often involved in building capacity of the broader rule of law system. To that end, police peacekeepers engage with immediate post-conflict/violence and transitional justice processes as well as detention, corrections and rehabilitation needs, in addition to the more traditional policing instruments. A functioning rule of law system with competent and trustworthy policing, judicial and corrections institutions, facilities and processes can be understood to tackle the climate

of impunity which is often synonymous with internecine conflict and the erosion of the rule of law. Building credible deterrence in the law and justice sector is crucial to altering the political calculations/increasing the opportunity cost for rogue elements to commission and/or commit mass atrocity crimes. There are numerous examples of peace operations involved in such reform and capacity-building endeavours, ranging from the systemic overhauls witnessed under the auspices of UNMIK in Kosovo and the succession of UN missions in Timor-Leste, to the less intrusive capacity-development conducted in Cambodia, Sierra Leone, and on-going in the DR Congo.

Military assistance might be offered to help the State to reform and professionalise its armed forces including the provision of planning, logistics/resources and oversight for disarmament and demobilization processes. Support is also provided to enhance civilian oversight mechanisms and strengthen a state's military capacity. This function contributes to a more competent state military, capable of maintaining order and stability in the face of challenges to its authority and monopoly on the legitimate use of force. Importantly, this assistance also supports a more disciplined and trustworthy state security apparatus. Again, there are many instances of such military assistance, but one on-going example is the support provided to the Government of Liberia via the UN mission in Liberia (UNMIL).[55]

In summary, therefore, it is evident that peace operations already do much to develop local capacities to prevent and inhibit the escalation of widespread and systematic rights abuses across a range of mission types, components and functions. Hence, there is clearly a role for peace operations in implementing RtoP through supporting and developing sustainable protective capacities. However, these capacity-building endeavours face their own set of problems. The major challenges facing these efforts are related to suitability and sustainability. Regarding suitability, it is vital to ensure that the capacities buttressed and built do not continue in an abusive vein, but instead are reformed and reconstituted to be more relevant and responsive to the needs of vulnerable populations. This is a particular problem where peacekeepers are deployed in contexts of ongoing violence where patterns of abuse persist, as in Darfur or the DRC. In contexts such as this, capacity-building may inadvertently augment the military capacities of those agents most responsible for the bloodshed in the first place or – as in the DRC especially – raise serious moral questions about cooperation between UN peacekeepers and government forces (FARDC). This requires acute context-sensitivity and the promotion and realisation of genuine local ownership. Although these facets are often highlighted in the contemporary peacebuilding literature,[56] the realities on the ground are less encouraging. Context-specific capacity-development initiatives are typically resource-intensive and not always feasible or even a priority in highly pressurised context of a peacekeeping operation. However, perhaps most importantly regarding sustainability, the litmus test for capacity-building endeavours rests with the extent to which results are durable. A major factor in this sustainability is the perceived legitimacy of the institutions and instruments developed and continued support from end-users after the international presence has departed and/or the resources provided diminish.

5. Indirect Protection

In the peace operations context, the external provision of protection is commonly associated with military intervention for human protection purposes and safe-guarding physical well-being. However, 'protection' has long been part of the vernacular of a myriad of non-military organisations. Indeed, it lies at the core of many civilian agencies' *raison d'être* including humanitarian, political/developmental and human rights organisations. It is widely recognised that the complexity that underpins the vulnerability of populations requires a sound understanding of specific context if mitigating action is to be successful and/or responses most effective. For example, understanding the extent of threats to civilians may require a nuanced appreciation of social dynamics such as the prevalence of sexual and gender-based violence. Similarly, processes of justice and reconciliation must be context-sensitive if they are to gain traction and undergird a future of durable peace and security. The necessary enabling insight and access often emanates from the trust and partnership bourn of long-term engagement and the corollary relationships developed with communities and individuals. This micro-level interaction is rarely nurtured by military actors. Furthermore, where instability reigns, and RtoP-related crimes are more likely to occur, there is a strong correlation with a legacy of abusive security institutions.[57] The fear and mistrust this situation can entrench amongst civilian populations leaves security forces, be they domestic or international, comparatively disadvantaged in relation to their civilian counter-parts in educing, understanding and reacting to protection needs. As a result, peace operations and the civilian actors commonplace therein are central to *indirect* protection strategies. Civilian expertise can help respond to RtoP-related crimes as well as play a critical role in their prevention by restoring order and confidence to societies afflicted by domestic unrest.

When the state is unable to protect its populations and more protracted capacity-development partnerships are not expeditious enough, the RtoP holds that it should fall to outsiders to assist. As with the capacity-building modality explored above, the provision of – and support to – an array of civilian actors engaged in protection activities in peace operations theatres can be understood as fulfilling pillar two responsibilities – that is, an example of the international community providing support and assistance to struggling states. It is also important to remember that the 'timely and decisive responses' referred to under pillar three of the Secretary-General's formulation elaborate on using all peaceful and diplomatic means available under Chapters VI (Pacific Settlement of Disputes) and VIII (Regional Arrangements), as well as Chapter VII (Action with Respect to Threats to the Peace), of the UN Charter as appropriate. Therefore, when national authorities are manifestly failing to protect populations from the four crimes, the plethora of policy options available under these articles of the Charter, point to much that peace operations are regularly mandated to do (short of use of lethal force) which contribute to realising these pillar three commitments.

Indirect protection refers to programming and activities that contribute to both the immediate and longer-term physical and legal protection of civilians and their fundamental human rights. In this sense, indirect protection is more cross-cutting with the broad POC agenda – but here with a specific focus on preventing any escalation towards the four RtoP-related crimes and/or dealing with the needs of victims thereafter. This protection modality implicates the myriad of civilian components, the

UN system's family of agencies and funds as well as the assortment of local/international NGOs and civil society organisations which are all increasingly brought under the umbrella of 'integrated', or 'comprehensive' international peace operations (albeit with some resistance).

It is now commonplace that multidimensional peace operations will contain an array of civilian components, *inter alia*: 'Civil Affairs'; 'Gender Office'; 'Child Protection'; 'Human Rights'; 'Humanitarian Coordination'.[58] These functions contribute to indirect protection through their targeted work and the partnerships they develop and rely upon with recipient populations and particular communities therein. Where mandated accordingly, all components of peace operations have a role to play in monitoring – and at times enforcing – regulatory frameworks such as targeted sanctions, arms embargoes, and resource-extraction/trading restrictions.[59] When efficacious, such instruments can make a significant contribution to restricting the ease with which rights-abusers can operate and persevere. As referred to above, international police peacekeepers execute a range of tasks which can be understood to contribute to the indirect protection of civilians through deterrence and confidence-building. International police presence and patrols conducted in concert with domestic police act as a deterrent to would be perpetrators. Furthermore, these joint patrols simultaneously deter malfeasance by domestic public security actors by bearing witness to the practices of the local police under monitoring and observation activities.

Larger UN engagements are increasingly planned and implemented as integrated endeavours under the *UN Integrated Missions Planning Process* (IMPP), formalised within the DPKO architecture in 2006.[60] This is also known as the 'One UN' approach. In these cases, the head of mission (i.e. Special Representative of the Secretary General) or one of the deputies also performs the role of the in-country Resident Coordinator (RC) and/or Humanitarian Coordinator (HC). This office bears the responsibility for coordinating the wider UN system engagement in a given situation, particularly by harmonizing with the UN Country Team (UNCT). Moreover, such missions provide the managerial mechanism to coordinate and streamline a unity of effort amongst the international community's engagement as a whole, including potential follow-on work by the PBC and wider development community, including the international financial institutions (IFIs). [61]This oversight role is one of the most significant ways in which peace operations can both provide and facilitate a wide range of indirect protection activities. Of particular relevance here are the UN agencies and funds with specific, uniquely defined and targeted protection mandates, *inter alia*: the UN High Commissioner for Refugees (UNHCR); the UN fund for Children (UNICEF); the UN fund for Women (UNIFEM); UN Office of Coordination of Humanitarian Affairs (OCHA); and the UN High Commissioner for Human Rights (UNHCHR).

The military components of peace operations also contribute to indirect protection, as facilitators. Although not without its challenges and contestation, during humanitarian emergencies, the military can be integral to creating the 'humanitarian space' for civilian agencies to operate within.[62] Even where violence is not as prevalent, the ability of military to maintain conditions conducive to indirect protection render the work of military and civilian actors complementary and mutually reinforcing.

Peace operations also contribute to indirect protection by supporting and strengthening the resilience of local communities at risk of severe harm. There remains, however, much scope for improvement in this area. In most cases, violence has reached

its crescendo before support from the international community transpires. By that time, threatened populations have invariably developed quite effective self-protection strategies which are often misunderstood or disregarded by intervening actors. These tend to take one of three forms: 1) escaping violence (i.e. flee); 2) protecting their livelihood and property (i.e. resist); and, 3) reducing threats (i.e. develop local protection mechanisms - e.g. women collecting firewood scenario). Outsiders need a better understanding of local coping strategies and how communities manage various kinds of crises from famine to physical assaults. However, crisis situations are not conducive to enhancing such an appreciation. Given that research shows IDPs/refugees are predisposed to be more vulnerable,[63] during peak emergencies, peace operations must focus on minimising internal displacement by, inter alia, safeguarding humanitarian space for the delivery of aid to vulnerable populations and supporting life sustaining local economic activity. Where violence is widespread and systematic, international actors will need to address the way they engage with perpetrators, including non-state actors, as well as assess their role in the peace process if they are to remain informal providers of protection rather than predatory opportunists.

In summary, the myriad actors engaged in peace operations contribute to indirect protection in ways that remain uncharted. As alluded to above, the provision of indirect protection in the context of peace operations is far from efficient. There are three inhibiting factors in particular. First, whilst it is apparent that a range of civilian components and the broader humanitarian and development communities have a central role to play in providing indirect protection to civilians in the context of peace operations, there remains a deficit in the enabling capabilities at the disposal of the relevant organisations and agencies. A short-fall in well-trained and capable personnel as well as some of the necessary equipment and resources inhibits the respective capacities to protect. Particularly in relation to civilian components in peace operations, the system would benefit immeasurably from the enhanced preparedness associated with stand-by arrangements to include rosters of civilian expertise as well as standing capacities ready for rapid deployment. Recommendations along these lines were made in the Brahimi Report in 2000,[64] but are yet to materialise beyond the recently constituted *Standing Police Capacity* (SPC).[65] Within these personnel requirements, it is now widely recognised that there is a need for a higher percentage of women peacekeepers. This has been identified as a particular necessity in realm of policing.

Second, despite attempts to mainstream the integrated missions concept throughout DPKO operations, in practice the effective coordination of complementary efforts has been limited.[66] In the realm of protection, one of the major reasons that implementation suffers is a lack of conceptual clarity amongst multiple actors and the corollary misunderstanding of respective spheres of operation and responsibility. There is an urgent need for holistic approaches, clear policy frameworks and coordinated planning to avoid duplication of efforts, or worse, leaving gaps in protection strategies due to ignorance or turf wars. One pathway is to make a genuine commitment to embrace and develop the integrated mission concept/One UN approach to be more relevant to the protection realm. To date, attempts to operationalise this have stuttered and the IMPP has not been applied as intended – i.e. a holistic planning and implementation tool.[67] This inertia may endure as resistance remains amongst the humanitarian community due to perceived loss of political neutrality (and the protection it provides) when collaborating with politico-military organisations like peace

operations.[68] In the meantime, initiatives such as the Inter-Agency Standing Committee (IASC) cluster approach[69] for coordinating like-mandated agencies may represent the best avenue for enhancing joined-up approaches for some whilst providing a consolidated point of contact for others.

Third, peacekeepers have been identified as a source of harm in a number of settings. As well as a failure to protect due to in-action, military, police and civilian personnel in peace operations have been accused of exacerbating existing tensions and fuelling or even committing RtoP-related crimes themselves. Allegations of sexual exploitation and abuse (SEA) and participation in organised crime through illicit trade in arms for precious resources continue to be leveled at peacekeepers from Haiti, to Liberia and the DRC.[70] Despite significant advancements in the framework for conduct and discipline in the last five years, such as the implementation of zero-tolerance policies towards SEA, the need endures for better and more widespread/mandatory pre-deployment and in-theatre awareness training in international humanitarian and human rights law as well as more effective monitoring and enforcement of professional standards in field missions. When transgressions do occur, it is vital that peacekeeping organisations take immediate and effective action to ensure the unambiguous and sufficiently public punishment of misconduct by peacekeepers. Only then will peacekeepers gain the trust of the populations they are mandated to assist and justify the label of protector as opposed predator.

6. Direct Protection

When the environment is hostile and mass atrocity crimes are taking place or are apprehended, indirect protection strategies may not be permissible or sufficient to prevent rights violations or impede their escalation. In such cases, more robust and direct protection measures may be necessary. The harsh reality is that the majority of victims in contemporary armed conflict are civilians. Many die as a result of disease and malnutrition – a bi-product of the degraded infrastructure and insecurity caused by war and violence. However, large numbers of civilian casualties are the result of targeted violence and murderous acts. The potential that these preconditions can lead to mass atrocity crimes has already been discussed above. However, it is also the case that the commission and escalation of such violations are entirely avoidable through even a relatively limited deterrent capability.[71]

As mentioned above, peace operations are increasingly tasked with and judged upon civilian protection. Indeed, some argue that the legitimacy of the peacekeeping paradigm rests upon its ability to provide effective civilian protection.[72] Since their inception in the UN mission in Sierra Leone (UNAMSIL) in 1999, the Security Council has frequently invoked Chapter VII of the UN Charter to create protection mandates. More than ten missions have followed suit and today seven UN missions are mandated to protect civilians "under imminent threat of physical violence." Whilst the specific language has not been present, civilian protection responsibilities are also implicit in a number of other UN mandated missions.[73] If peacekeeping and direct civilian protection are increasingly synonymous, it would seem prudent to ask how peace operations can contribute to implementing the RtoP.

The deployment of military forces to protect civilians is usually associated with RtoP's third pillar, as a timely and decisive response under Chapter VII of the Charter. However, military assistance to States is a core part of the second pillar as well. The use of military force should always be the last resort option. However, with the consent of the host government, the military sector can provide many functions that assist the State to protect civilians and enable peace, provided they are 'early, targeted and [their deployment is] restrained'.[74] For example, non-state actors sometimes commit – or threaten to commit – crimes including genocide, war crimes, ethnic cleansing and crimes against humanity. [75] In such circumstances, an international military presence may be useful in cases where a State must combat a non-state entity, which is armed and threatens the State and the general population.[76] Consent-based deployment and preventive deployments are a particular strength of the UN, and have been successfully used in cases predating the acceptance of the RtoP. [77] In extreme cases, where states are unable to prevent atrocities or are seemingly determined to commit them, the key to pillar three is the urgency and decisiveness with which the international community is obliged to respond. In regard to peace operations, this refers to the speed at which a mission can be deployed or its mandate and configuration adjusted to address human suffering deemed to constitute a threat to international peace and security.

Peace operations conceived as responses to such pressing protection needs are likely to take one of two possible forms.[78] The first type is where civilian protection constitutes an important facet, but not primary mission objective, realised through the execution of a set of tasks within a multidimensional peace operation. This mission

modality is increasingly common although the quality of protection varies dramatically depending on the unique circumstances of each particular mission, as elaborated below. The second is where protecting civilians is clearly the primary objective of missions mandated to use all necessary means to prevent or halt widespread and systematic rights violations. This modality is very rare for the UN to conduct exclusively, but there are precedents such as those mentioned below in Sierra Leone and DR Congo as well as more recent hybrid mission/partnership that saw the EU providing the military protection functionality to the UN mission in Chad/CAR (MINURCAT).[79]

The direct protection of civilians by military peacekeepers, typically in a reactive sense, involves one or both of two strategies. The first requires the interposition of troops between at-risk populations and the elements that threaten them so as to deter attacks and be well-situated to respond.[80] The second, less frequently employed strategy involves tactics aimed at or restricting and/or eliminating the activities of pernicious groups that threaten civilians.[81] The first strategy of interposition is synonymous with activities such as mounting barricades around civilian populations, supporting disarmament programmes to diminish risk, as well as patrolling endangered areas.[82] That is, measures which do not include or require the use of force in an offensive posture. Specific operational tasks relate to defending civilian 'safe areas', deterring the abuse of civilians and enhancing a safe and secure environment through patrols, defending populations under imminent threat, protecting displaced peoples in transit and upon return to their homes and tailored activities for protecting women and girls from sexual and gender-based violence. Other examples include , protecting IDP and refugee camps from attack and providing security inside camps and preventing militarisation by separating combatants from non-combatants .[83] In practice, even where missions have not been mandated nor configured to protect civilians, vulnerable groups have gravitated towards the peacekeeping compounds, bases and their environs, thereby becoming *de facto* 'safe areas'.[84] In this configuration, as referred to above, military peacekeepers fulfill an integral role in creating the "humanitarian space" in addition to the support provided to humanitarian agencies including the defence of offices, stores and convoys as well as ensuring access to disconnected and hapless populations as well as at times delivering humanitarian assistance.

The second military strategy for human protection includes the use of force against those targeting civilians in order to eliminate them, weaken their ability to attack civilians or restrict their activities. Although unusual compared to the first type, , they do, however, have precedent in practice. In a moderate manifestation, this may involve peacekeepers carrying out arrest warrants and detentions for international/hybrid tribunals or the International Criminal Court (ICC), as exemplified by the detention of Charles Taylor by UNMIL in Liberia and his transferral to the *Special Court in Sierra Leone*. In a more robust posture, military peacekeepers may conduct operations with the goal of degrading the military capabilities of certain groups to attack the civilian population.[85] Examples, which can be understood as both *reactive* and *preventive* in character, include in Sierra Leone in 2000, where a rebel group known as the 'West Side Boys' was eliminated by British special forces following attacks on civilians, the kidnapping and rape of women and girls and seizure of around 200 peacekeepers.[86] Also, in 2005 MONUC enforced disarmament of groups in Ituri district and subsequently utilised a thick interpretation of the protection of civilians mandate in South Kivu, targeting Hutu *Forces Démocratiques de Libération du Rwanda* (FDLR) militia associated with the 1994 Rwandan genocide and subsequent abuse of civilians in the

DRC. In the absence of tangible improvements, MONUC endorsed the use of helicopter gunships to raze a number of the FDLR's camps.[87]

More often than not, civilian protection mandates have been conceived with a military lens and lethal use of force referent. This modality is quickly becoming outdated as peace operations the world over face a myriad of protection challenges in the aftermath of violent conflict. There is an increasing consensus in the field that guaranteeing the protection of basic rights and freedoms is the job of the law enforcement agencies, and in the absence of a suitable domestic capacity, that of an international proxy.[88] Although some robust protection could only be conducted by military contingents (in the less permissive environments with sufficient rules of engagement), police peacekeepers are increasingly expected to perform protection roles.[89] In the typology put forward above, international police can be understood to contribute to direct protection in the following ways. In relation to the first type, UN Police are regularly mandated to support interim policing capacity whereby accompanying patrols, in a similar fashion to their military counterparts, as well as assisting with arrest, detention and investigation are an effective means of deterrence. Police peacekeepers, in the form of Formed Police Units (FPUs), are also increasingly involved in the protection of IDP camps/vulnerable populations. Furthermore, UNPOL promote a culture of public service and protection through mentoring, training and institutional reform towards a range of community policing initiatives. Regarding the second type, police are increasingly involved in disrupting the activities of pernicious elements which enable their violent practices. In reality, the distinction between armed militia and organised criminal networks is hazy, if not fallacious in 'post-conflict' environments. Indeed, in the event of a cease-fire or peace agreement there is a tendency for militia men and women to transition from 'fighters to felons' – facilitated by the relative ease with which paramilitary activities can be transformed into criminal enterprises, particularly if deterrence is low and impunity high.[90] Although police peacekeepers are rarely mandated with the executive authority required to arrest and detain criminal elements,[91] police work in dismantling organised criminal networks and disrupting illicit activity can be understood as a form of direct protection, in effect putting a stranglehold on illicit supplies of weapons, trade in resources and exploitation of vulnerable people thereby limiting their capacity for mass violence.

Overall, despite some advancements in the design, planning and execution of peace operations, most are unable to protect at-risk populations from attack. For example, in 2008/9 MONUC a wave of violence against civilians sparked by a conflict between Laurent Nkunda's *Congrès national pour la défense du peuple* (CNDP) and the FDLR which displaced approximately 200,000 civilians. MONUC was powerless to prevent and slow to halt these events. Shortly afterwards, due to its limited coverage and scarce resources, MONUC was incapable of preventing attacks by the Lord's Resistance Army (LRA) in Northeastern DRC which perpetrated a succession of atrocities in response to a concerted military offensive against it by Uganda, the SPLA and the FARDC. Amongst others, UN missions in Sierra Leone, Sudan, Côte d'Ivoire and Darfur, have proven equally ineffectual when faced with similar challenges. Three major reasons can be put forward for this.

The first major problem relates to the perennial disconnect between expectations and capabilities. The endurance of the gap is a product of both host country resistance as well as structural deficiencies in peacekeeping organizations. In general, host governments are averse to consent to the deployment of a large and well-equipped

peacekeeping force on its territory unless they perceive in their interests to do so, which is rare. In relation to the peacekeeping system, most operations do not have the capabilities needed to provide comprehensive protection to civilian populations.[92] In large part, this is due to the fact that member states – particularly the most affluent amongst them – have become more and more disinclined to commit troops to missions with civilian protection mandates outside their areas of strategic interest.[93] Perennial discussions regarding a UN standing army and rapid reaction force have spawned proposals such as the UN Emergency Peace Service (UNEPS) project.[94] Such initiatives continue to be discussed as possible solutions as reflected in the Secretary-General's report recommending continued consideration by Member States, the Security Council and the General Assembly towards developing a UN rapid-response military capacity to confront imminent or actual atrocity crimes.[95] However, as alluded to above, it may be through innovative and pragmatic partnerships and hybrid arrangements that these rigidities can be overcome. The division of labour between the UN and regional organizations, such as the European Union Crisis Management and African Union Standby Force capabilities, has become a way of burden-sharing and mitigating the inertia and inefficiency associated with UN deployments. The comparative advantage of regional arrangements with regard to force projection capabilities and standing capacity presents tangible prospects in this area. Collaborations such as those which transpired between the EU and UN in Chad/CAR and the AU and UN in Darfur, Sudan, are indicative of this trend.

The second problem is that there is no clear guidance to direct military and police peacekeepers in their direct protection activities. The Secretary-General's report explicitly identified the need to consider "the principles, rules and doctrine that should guide the application of coercive force in extreme situations relating to the Responsibility to Protect"[96] The UN's latest 'principles and guidelines' for peacekeeping operations identifies civilian protection as requiring "concerted and coordinated action among the military, police and civilian components" of a peace operation and that it "must be mainstreamed into the planning and conduct of [the UN's] core activities." Yet it did not elucidate what protection encompasses or how it could be achieved.[97] Furthermore, key states such as France, India, Canada, the United States, the UK, and the Netherlands, as well as organizations including the EU, ECOWAS, the AU and NATO, have also been dilatory in developing detailed civilian protection instruction in their military and peace operations doctrines.[98] Although extant documentation emphasises protection of civilians as a potential task, their is a conspicuous absence of guidelines on how and when the use of force should be employed to protect civilians.[99]

Hence, there is a paucity of generally agreed recognised (military) strategies and operational concepts to protect civilians under imminent threat. As such, direct civilian protection activities remain *ad hoc* and dependent on the initiative and ingenuity of individual commanders.[100] This presents significant challenges in multinational missions where high staff turnover, contingent rotations and national caveats make it difficult to institute or operationalise long-term strategies.

Third, it has proven difficult to eliminate threats to civilians entirely and identifying and targeting aggressors with robust rules of engagement can make cooperation and buy-in to political settlements a much harder undertaking in the future. Instances of success with this approach have been seldom– the demobilization of the 'West Side Boys' in Sierra Leone and NATO campaigns targeting Bosnian Serbs are two examples.

However, but the former involved a small and politically insignificant militia group and the latter came in the context of wider military reverses on the ground. More often, the capabilities of militia groups are degraded but they may recuperate, even strengthen and return to terrorising civilians. MONUC's targeting of the FDLR neither destroyed the militia nor forced it to disarm.[101] As it transpired, the FDLR responded by partnering with the DRC government, which ultimately led to further conflict with the CNDP in 2008 which had devastating effects on the civilian population. The crux of the matter is that more often than not, , military campaigns employing the use of force are unlikely to eradicate threats to civilians. The increasing centrality of police and rule of law officials in peace operations engaged in combating organised crime may contribute to restricting abusive elements, but eliminating the threats will remain a huge challenge.

7. Conclusion: Institutionalising and Operationalising the RtoP

Mainstreaming RtoP in the contemporary peace operations requires action across a range of organisations at multiple levels. There is a need for a comprehensive approach to its incorporation in the thinking as well as practice of peace operations. In order for this to happen, and deliver on the opportunities identified in this paper, there are at least three major areas in which peace operations need to be augmented: doctrine, training, and progress on capabilities and mandates. Rather than reprise the preceding points, we use the conclusion to briefly reflect on what might be required in these four areas.

Guidance and Doctrine. As emphasised above, the lack of guidance for leaders and peacekeepers in field missions continues to diminish the impact of efforts to protect vulnerable populations. Given existing commitments, there is an urgent need for the development of doctrine for military, police and civilian agencies involved in a wide range of direct and indirect protection activities, as well as overarching guidance on the coordination and harmonisation of their respective efforts. Although member states have traditionally provided a rich source of doctrine, in turn adapted for multilateral peace operations, in the realm of protection there a is a need the UN Security Council, the Secretariat, and/or the General Assembly's Special Committee on Peacekeeping Operations (C-34), to partner with member states in promulgating clear and universal guidance which can be codified as unambiguous doctrine. The independent project on effectiveness of protection mandates in peacekeeping to-date, jointly commissioned by DPKO and OCHA, represents a tangible development in this area and its recommendations suggest some realistic pathways and provide impetus in this regard.[102]

Training. Although the absence of doctrine stymies the identification of training needs, it is clear that peacekeeping training is a central component of improving preparedness and enhancing protection in peace operations. Although it is crucial that the principle is understood at the highest level, it is not enough to rely upon a trickle-down effect. Peacekeeping is notoriously *ad hoc* and inconsistent. That is, the way in which a peace operation operates is invariably contingent on its unique mission environment and the characteristics and competencies of its personnel. For this reason alone, it is vital that peacekeepers themselves are imbued with the necessary understanding of RtoP and guidance for its implementation. The global network of peacekeeping training centres can be a useful vehicle for promoting the RtoP. Therefore, is it important that peacekeeping training centres grasp the concept and integrate protection issues into their curricula.[103] This should include clarity over how and when RtoP requires and dictates different strategies from the complementary but broader realm of POC activities.[104] It is also vital that RtoP perspectives are incorporated into Senior Mission Leaders courses. The political, police and military leaders in missions (i.e. SRSGs, DSRSGs, HCs, PolComs and Force Commanders) are not necessarily protection specialists, however, their RtoP/civilian protection consciousness will dictate the extent to which protection mandates and RtoP-related objectives are realised.

Peacekeeping training centres constitute standard purveyors and therefore their work in policy development can also play a role in ensuring that political will is garnered to promote the RtoP. They are also well-placed to conduct training needs assessments which can point to the most pressing gaps in preparedness in the area of civilian protection. Bodies such as the *International Association of Peacekeeping Training Centres* (IAPTC) and the *African Peace Support Trainers' Association* (APSTA) could also contribute by encouraging their member organisations to focus on activities and programmes aimed at popularising the concept and promoting it as a central facet of their training courses.[105]

Member states and national institutions also have a vital role to play through their own preparation of contributions to multilateral peace operations. Pre-deployment training for military contingents is generally conducted by national training academies and institutions. To date, pre-deployment training for military peacekeepers has focused more on preventing harm to civilians as a consequence of coercive action than on proactively protecting civilians from attack.[106] Developing standardised peacekeeping training modules to address RtoP-related activities and scenarios will make a significant contribution to the state of readiness in the field. National authorities can also contribute through their partnership and assistance to other states and regional arrangements. Training initiatives funded by OECD-countries, such as the US-sponsored *Global Peace Operations Initiative* (GPOI) and the French-led *Reinforcement of African Peacekeeping Capacities* (RECAMP) reach significant numbers of peacekeepers, particularly in Africa, and present a fruitful avenue for incorporating training relating to RtoP scenarios and civilian protection.[107]

Capabilities and Mandates. Clear guidance and better trained peacekeepers will not lead to improved protection unless peace operations have a suitable mission structure and the requisite resourcing to meet these challenges. This demands that peace operations are designed, planned and resourced with a clear understanding of threats to civilian populations and what it will take to address their needs. It is also vital that those expected to implement RtoP-related protection are provided with unambiguous mandates and are not expected to interpret expectations vis-à-vis other peace operations with similar language but vastly differing operational context. Only then can mission managers be confident they have sufficient authority to implement politically sensitive protection strategies.

Peace Operations are one of the most significant tools for implementing the General Assembly's commitment to RtoP. The operational realities surrounding contemporary peacekeeping dictate that whilst peace operations have great potential for supporting the development of protective capacities, providing direct security and enabling a wide range of indirect protection, contemporary operations confront a number of significant challenges. However, given the centrality of the protection of civilians to the legitimacy and credibility of peace operations, the relevant question is not whether peace operations should be in business of implementing the RtoP, but how. As a recent study for the DPKO found:

"Successful missions are those that address the protection of civilians as an inherent part of their aims. Whether charged by the Council to support security and stability, to organize elections, to help build the rule of law, or to help implement a power-sharing accord, the mission's ability to understand the threats and vulnerabilities facing the civilian population will strengthen its ability to deliver on the mandated tasks. Elections

will be supported if people are free and safe to travel to vote; stability will be enhanced if areas of insecurity are quelled; the rule of law will be more easily promoted if human rights are not systematically violated; and power-sharing will work best where stakeholders do not have to fear for their lives."[108]

The challenge now is to use this political momentum to tackle the challenges identified in this paper and develop a strategy for mainstreaming RtoP in contemporary peace operations.

8. References

[1] See, for example: "Annual Review of Global Peace Operations 2009 ", (New York: Centre for International Cooperation, NYU, 2009), 1-2.

[2] See, for example the Brahimi Report: "No failure did more to damage the standing and credibility of United Nations peacekeeping in the 1990s than its reluctance to distinguish victim from aggressor." UN High-Level Panel on United Nations Peace Operations, "Report of the Panel on United Nations Peace Operations," (New York: United Nations, 2000), ix.). Some have gone as far as to argue that UN peacekeepers have an implied legal duty to protect civilians at risk irrespective of their mandate. See Siobhán Wills, *Protecting Civilians: The Obligations of Peacekeepers* (Oxford: Oxford University Press, 2009).

[3] An argument convincingly put forward by Wills, *Protecting Civilians: The Obligations of Peacekeepers.*.

[4] 2005 World Summit Outcome Document, General Assembly, A/60/L.1, 20 September 2005, paras. 138-140. See also: Ban Ki-moon, "Implementing the Responsibility to Protect," in *Report of the Secretary-General* (New York: United Nations, 2009). A/63/677, 12 January 2009.

[5] A/63/L.80, 14 September 2009.

[6] See Neil S. MacFarlane and Yuen Foon Khong, *Human Security and the Un: A Critical History* (Bloomington, Indiana: Indiana University Press, 2006), 39.

[7] On its origins, see: Mlada Bukavansky, *Legitimacy and Power Politics: The American and French Revolutions in International Political Culture* (Princeton, NJ: Princeton University Press, 2002).

[8] Brad R. Roth, *Governmental Illegitimacy in International Law* (Oxford: Oxford University Press, 2000).

[9] Roberta Cohen and Francis M. Deng, *Masses in Flight: The Global Crisis of Internal Displacement* (Washington DC: Brookings Institution, 1998), Francis M. Deng, "The Impact of State Failure on Migration," *Mediterranean Quarterly* Fall (2004), Donald Rothchild et al., *Sovereignty as Responsibility: Conflict Management in Africa* (Washington DC: The Brookings Institution, 1996).

[10] Deng, "The Impact of State Failure on Migration," 20.

[11] Cohen and Deng, *Masses in Flight: The Global Crisis of Internal Displacement*, 275.

[12] Deng, "The Impact of State Failure on Migration," 20.

[13] Rothchild et al., *Sovereignty as Responsibility: Conflict Management in Africa*, 1.

[14] Ibid., 28.

[15] Kofi Annan, "Two Concepts of Sovereignty," *Economist*, 18 September 1999.

[16] "The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty," (Ottawa: IDRC, 2001).

[17] Edward C. Luck, "The Responsible Sovereign and the Responsibility to Protect," *Annual Review of United Nations Affairs 2006/2007* 1 (2008): xxxiii-xliv.

[18] "Implementing the Responsibility to Protect: Asia-Pacific in the Un General Assembly Dialogue," (Brisbane: Asia-Pacific Centre for the Responsibility to Protect, October 2009), 14.

[19] POC more broadly conceived and increasingly entrenched in UN parlance through the thematic Security Council interest including biannual open meetings and collection of resolutions (1265, 1296, 1674, 1738 and most recently 1894).

[20] For further discussion, see: 'The Relationship between the Responsibility to Protect and the Protection of Civilians in Armed Conflict', *Global Center for the Responsibility to Protect*, 2009.

[21] This is based on Alex J. Bellamy and Paul Williams, "Peace Operations in International Society: A Framework for Analysis," *unpublished paper* (2009).

[22] There is thus considerable overlap with the UN's guidelines and principles document. This identifies five 'peace and security activities' undertaken by the organization's peace operations: (1) *Conflict prevention*: including structural and diplomatic measures to prevent disputes from developing into violent conflict. (2) *Peacemaking*: the use of diplomatic measures to bring hostile parties to a negotiated agreement. (3) *Peacekeeping*: the use of military, police and civilian personnel to lay the foundations of sustainable peace. (4) *Peace enforcement*: the use of military and other measures to enforce the will of the UN Security Council. (5) *Peacebuilding*: 'a range of measures aimed at reducing the risk of lapsing or relapsing into conflict'. "United Nations Peacekeeping Operations: Principles and Guidelines," ed. Peacekeeping Best Practices Section (New York: United Nations, 2008). Along similar lines, New York University's Center for International Cooperation (CIC) defined non-UN peace operations as missions 'conducted by regional organizations or ad hoc coalitions of states with the stated intention to (a) serve as an instrument to facilitate the implementation of peace agreements already in place, (b) support a peace process, or (c) assist conflict prevention and/or peacebuilding efforts. Center for International Cooperation, *Annual Review of Global Peace Operations 2006* (Boulder, CO: Lynne Rienner, 2006), 152.

[23] Alex J. Bellamy, Paul Williams, and Stuart Griffin, *Understanding Peacekeeping* (Cambridge: Polity, 2004).

[24] See: "Protection of Civilians in Armed Conflict," in *Cross-cutting Report No. 4* (New York: Security Council Report, 2009), 28-31, Holt, "The Responsibility to Protect: Considering the Operational Capacity for Civilian Protection," 45-56.

[25] 'Report of the Special Committee on Peacekeeping Operations and its Working Group (C-34)', 2009 substantive session, 23 February-20 March 2009, General Assembly Official Records , A/63/19: 24.

[26] A. J. Bellamy and P. D. Williams, "Protecting Civilians in Uncivil Wars," in *Working Paper No. 1* (Brisbane: Asia Pacific Centre for the Responsibility to Protect, 2009), Victoria K. Holt, Glyn Taylor, and Max Kelly, "Protecting Civilians in the Context of Un Peacekeeping Operations: Successes, Setbacks and Remaining Challenges," (New York: United Nations Department of Peacekeeping Operations, United Nations Office for the Coordination oif Humanitarian Affairs, 2009), 170.

[27] Caty Clement and Adam C. Smith, "Managing Complexity: Political and Managerial Challenges in United Nations Peace Operations," (New York: International Peace Institute, 2009), Richard Gowan, "The Future of Peacekeeping Operations: Fighting Political Fatigue and Overstretch," in *Dialogue on Globalization - FES Briefing Paper* (New York: Freidrich Ebert Stiftung & The Century Foundation, 2009), ———, "The Strategic Context: Peacekeeping in Crisis, 2006â€"08," *International Peacekeeping* 15, no. 4 (2008).

[28] Clement and Smith, "Managing Complexity: Political and Managerial Challenges in United Nations Peace Operations," 1-2.

[29] A. Sarjoh Bah, "The Broader Horn of Africa: Peacekeeping in a Strategic Vacuum," *International Peacekeeping* 16, no. 4 (2009).

[30] "Annual Review of Global Peace Operations 2009 ", 1-2.

[31] Jon Harald Sande Lie, "Protection of Civilians, the Responsibility to Protect and Peace Operations," in *Responsibility to Protect* (Oslo: NUPI, 2008).

[32] Interviews with DPKO officials, February 2009.

[33] Helen Fein, *Accounting for Genocide: National Responses and Jewish Victimization During the Holocaust* (New York, NY: Free Press, 1979), Florence Mazian, *Why Genocide?* (Iowa: Iowa State

University Press, 1990), Barbara Harff, "Genocide as State Terrorism," in *Government Violence and Repression: An Agenda for Research*, ed. Michael Stohl and George Lopez (New York, NY: Greenwood Press, 1986), 165-88.

[34] Matthew Krain, "State-Sponsored Mass Murder: The Onset and Severity of Genocides and Politicides," *Journal of Conflict Resolution* 41, no. 3 (1997): 355.

[35] Daniel C. Esty et al., " State Failure Task Force Report: Phase Ii Findings," (McLean, VA: Science Applications International Corporation, 1998), 5.

[36] Barbara Harff and Ted Robert Gurr, "Preconditions of Genocide and Politicide: 1956-1996," in *paper prepared for the State Failure Task Force* (McLean, VA: 1998).

[37] Esty et al., " State Failure Task Force Report: Phase Ii Findings," 5, Krain, "State-Sponsored Mass Murder: The Onset and Severity of Genocides and Politicides," 355.

[38] That is, when a state invites such an operation or when a legitimate authority (i.e. UN Security Council) decides on such a course of action.

[39] "United Nations Peacekeeping Operations: Principles and Guidelines."

[40] Richard Gowan and Ian Johnstone, "New Challenges for Peacekeeping: Protection, Peacebuilding and The "War on Terror"," in *Coping with Crisis Working Paper Series* (New York: International Peace Academy, 2007), 6.

[41] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, 10

[42] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, 15

[43] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, 9

[44] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, 15

[45] "Implementing the Responsibility to Protect: Asia-Pacific in the Un General Assembly Dialogue," 15-16.

[46] See, for example:

In Africa:

BONUCA, United Nations Peace-building Office in the Central African Republic; UNOGBIS, United Nations Peace-building Support Office in Guinea-Bissau; UNOWA, United Nations Office for West Africa; UNIPSIL, United Nations Integrated Peacebuilding Office in Sierra Leone; UNPOS, United Nations Political Office for Somalia;

In South and Central Asia:

UNMIN, United Nations Mission in Nepal; UNRCCA, United Nations Regional Centre for Preventive Diplomacy in Central Asia

In the Middle East:

UNAMI, United Nations Assistance Mission for Iraq; UNSCO, Office of the United Nations Special Coordinator for the Middle East Peace Process; UNSCOL, Office of the United Nations Special Coordinator for Lebanon.

[47] See UN DPKO Background Note: http://www.un.org/Depts/dpko/dpko/bnote.htm

[48] Examples are the on-going *United Nations Assistance Mission in Afghanistan* (UNAMA), and *United Nations Integrated Office in Burundi* (BINUB) and, until recently, *United Nations Integrated Office in Sierra Leone* (UNIOSIL)

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[49] DPKO/DFS, "A New Partnership Agenda: Charting a New Horizon for Un Peacekeeping," (New York: UN Department of Peacekeeping Operations and Department of Field Support, July 2009).

[50] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, pp. 20-1

[51] See Indirect protection section below (p.15) for further discussion of UN Integrated Missions

[52] Joshua G. Smith, Victoria K. Holt, and William J. Durch, "Enhancing United Nations Capacity for Post-Conflict Policing and Rule of Law," in *The Project on Rule of Law in Post-Conflict Settings* (Washington DC: The Henry L. Stimson Center, 2007b), 15.

[53] Annika S. Hansen, "From Congo to Kosovo: Civilian Police in Peace Operations," *Adelphi Papers* 41, no. 343 (2002): 108.

[54] "Implementing the Responsibility to Protect", 21

[55] Mark Malan, "Security Sector Reform in Liberia: Mixed Results from Humble Beginnings," (Strategic Studies Institute, 2008).

[56] For discussion, see: Annika S. Hansen and Sharon Wiharta, "The Transition to a Just Order: Establishing Local Ownership after Conflict," in *Research Report* (Folke Bernadotte Academy, 2007).

[57] On the centrality of regime type and legacy of abuses see: Benjamin Valentino, *Final Solutions: Mass Killing and Genocide in the Twentieth Century* (Ithaca: Cornell University Press, 2004).

[58] E.G.s MINURCAT, UNOCI, MONUC, UNMIL, UNMIS, UNMIT

[59] Highlighted by the Secretary–General SG as means of taking timely and decisive action – i.e. pillar 3. "Implementing the Responsibility to Protect", 25.

[60] "United Nations Integrated Missions Planning Process (Impp) Guidelines Endorsed by the Secretary-General on 13 June 2006," *International Peacekeeping* 15, no. 4 (2008).

[61] Erin A. Weir, "Conflict and Compromise: Un Integrated Missions and the Humanitarian Imperative," in *KAIPTC Monograph No. 4* (Accra, Ghana: Kofi Annan International Peacekeeping Training Centre, 2005), 36-39, Kathleen M. Jennings and Anja T. Kaspersen, "Introduction: Integration Revisited," *International Peacekeeping* 15, no. 4 (2008), Heiner Hänggi and Vincenza Scherrer, "Recent Experience of Un Integrated Missions in Security Sector Reform (Ssr)," (Geneva: Geneva Centre for the Democratic Control of

Armed Forces (DCAF), 2007), 4, Espen Barth Eide et al., "Report on Integrated Missions: Practical Perspectives and Recommendations," in *Independent Study for the Expanded UN ECHA Core Group* (2005), 9-15.

[62] Victoria K. Holt, "The Responsibility to Protect: Considering the Operational Capacity for Civilian Protection," in *Discussion Paper* (Washington DC: The Henry L. Stimson Center, 2005), 18.

[63] Francis M. Deng, "Divided Nations: The Paradox of National Protection," *The Annals of the American Academy of Political and Social Science* 603 (2006): 218, Cohen and Deng, *Masses in Flight: The Global Crisis of Internal Displacement*, 227.

[64] UN High-Level Panel on United Nations Peace Operations, "Report of the Panel on United Nations Peace Operations," 15 & 20-25.

[65] See: http://www.un.org/Depts/dpko/police/capacity.shtml

[66] Hänggi and Scherrer, "Recent Experience of Un Integrated Missions in Security Sector Reform (Ssr).", Jennings and Kaspersen, "Introduction: Integration Revisited."

[67] Interview, UN DPKO, February 2009

[68] Weir, "Conflict and Compromise: Un Integrated Missions and the Humanitarian Imperative," 40-42, Bellamy and Williams, "Protecting Civilians in Uncivil Wars," 31, Sarah Kenyon Lischer, "Military Intervention and the Humanitarian 'Force Multiplier'," *Global Governance* 13, no. 1 (2007).

[69] See: IASC Cluster Approach, http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-cluster-default&mainbodyid=5&publish=7

[70] S. Whitworth, *Men, Militarism, and Un Peacekeeping: A Gendered Analysis* (Boulder, CO: Lynne Rienner, 2004), Sarah Martin, "Must Boys Be Boys? Ending Sexual Exploitation & Abuse in Un Peacekeeping Missions," (Washingtgon DC: Refugees International, 2005), Paul Higate, *Gender and Peacekeeping. Case Studies: The Democratic Republic of the Congo and Sierra Leone*, vol. Monograph No 91 (Pretoria: Institute for Strategic Studies, 2004), Peter Andreas, *Blue Helmets and Black Markets* (Ithaca, NY: Cornell University Press, 2008), ———, "Symbiosis between Peace Operations and Illicit Business in Bosnia," *International Peacekeeping* 16, no. 1 (2009).

[71] Paul D. Williams, "Military Responses to Mass Killing: The African Union Mission in Sudan," *International Peacekeeping* 13, no. 2 (2006): 181.

[72] Wills, *Protecting Civilians: The Obligations of Peacekeepers*, UN High-Level Panel on United Nations Peace Operations, "Report of the Panel on United Nations Peace Operations," xi.

[73] For example: IFOR and SFOR in Bosnia (Security Council Resolutions 1031 and 1088); KFOR in Kosovo (Resolution 1244); INTERFET and then UNTAET in East Timor (Resolutions 1264 and 1272). See also: Gowan and Johnstone, "New Challenges for Peacekeping: Protection, Peacebuilding and The "War on Terror"," 5.

[74] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, 18.

[75] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, 18

[76] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, 15

[77] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, 18-19

[78] Victoria K. Holt and Joshua G. Smith, "Halting Widespread or Systematic Attacks on Civilians: Military Strategies and Operations Concepts," (Washington DC: The Henry L. Stimson Center, 2008), 4.

[79] Gowan and Johnstone, "New Challenges for Peacekeping: Protection, Peacebuilding and The "War on Terror"," 6, "Annual Review of Global Peace Operations 2009 ", 8.

[80] Thomas G. Weiss, "The Humanitarian Impulse," in *The Un Security Council*, ed. David M. Malone (Boulder, CO: Lynne Rienner, 2004), 48.

[81] Bellamy and Williams, "Protecting Civilians in Uncivil Wars."

[82] Victoria K. Holt and Tobias C. Berman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations* (Washington DC: Henry L. Stimson Center, 2006), 52.

[83] This list draws on three Reports of the UN Secretary-General on the Protection of Civilians in Armed Conflict: UN docs S/1999/957, 8 September 1999; S/2004/431, 28 May, 2004; S/2005/740, 28 November 2005. A more detailed list was articulated by Holt and Berkman on the basis of consultations with military leaders. See Ibid., 46. as well as Holt and Smith, "Halting Widespread or Systematic Attacks on Civilians: Military Strategies and Operations Concepts," 25-30.

[84] For example, when a Uruguayan MONUC battalion entered Bunia in eastern DRC in 2003, thousands of civilians sought shelter near its bases despite the fact that the battalion was neither configured nor mandated for civilian protection duties. DPKO, "Operation Artemis: The Lessons of the Interim Emergency Multinational Force " (New York: Peacekeeping Best Practices Unit, Military Division, 2004), 7.

[85] See: Genocide Prevention Task Force, *Preventing Genocide: A Blueprint for U.S. Policymakers* (United States Holocaust Memorial Museum, American Academy of Diplomacy & United States Institute of Peace, 2008), 83, table 3.

[86] R. Connaughton, "Operation 'Barass'," *Small Wars & Insurgencies* 12, no. 2 (2001): 110-19.

[87] Holt and Berman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations* 165.

[88] Holt, "The Responsibility to Protect: Considering the Operational Capacity for Civilian Protection," 18, Gowan and Johnstone, "New Challenges for Peacekeeping: Protection, Peacebuilding and The "War on Terror"," 6.

[89] Particularly the case in current deployments in Darfur (UNAMID), Haiti (MINUSTAH) and Chad/CAR (MINURCAT)

[90] Smith, Holt, and Durch, "Enhancing United Nations Capacity for Post-Conflict Policing and Rule of Law," 10, Jaremey McMullin, "Reintegration of Combatants: Were the Right Lessons Learned in Mozambique?," *International Peacekeeping* 11, no. 4 (2004): 626.

[91] UNPOL missions with executive authority have to date been confined to the missions in Eastern Slavonia (UNTAES), Kosovo (UNMIK) and East Timor (UNTAET/UNMIT).

[92] Thus, between 2000 and 2004, the UN Secretary-General advised against the adoption of protection as a core role for MONUC, even after it had been mandated by the Security Council, on the grounds that the mission lacked the necessary resources. See: K. Månsson, "Use of Force and Civilian Protection: Peace Operations in the Congo," *International Peacekeeping* 12, no. 4 (2005): 507, 12.

[93] Alex J. Bellamy and Paul D. Williams, "The West and Contemporary Peace Operations," *Journal of Peace Research* 46, no. 1 (2009): 39-57.

[94] Robert C. Johansen, ed., *A United Nations Emergency Peace Service: To Prevent Genocide and Crimes against Humanity* (New York: Global Action to Prevent War, Nuclear Age Peace Foundation, and World Federalist Movement, 2006).

[95] "Implementing the Responsibility to Protect", 27

[96] "Implementing the Responsibility to Protect", 27, para 62

[97] "United Nations Peacekeeping Operations: Principles and Guidelines," 24.

[98] Arguably the most advanced attempt to develop military planning tools to respond effectively to mass atrocities is the Mass Atrocity Response Operations (MARO) Project run out of Harvard University with the collaboration of the US Army's Peacekeeping and Stability Operations Institute. See: http://www.hks.harvard.edu/cchrp/maro/index.php

[99] Holt and Berman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations* 114-28.

[100] Holt and Smith, "Halting Widespread or Systematic Attacks on Civilians: Military Strategies and Operations Concepts."

[101] Holt and Berkman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations* 166-67.

[102] Holt, Taylor, and Kelly, "Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges."

[103] Emma Birikorang, "Operationalising the "Responsibility to Protect" " African Peace Support Trainers' Association, http://www.apsta-africa.org/news/article02032007.php.

[104] See: Lie, "Protection of Civilians, the Responsibility to Protect and Peace Operations."

[105] Birikorang, "Operationalising the "Responsibility to Protect" ".

[106] Holt and Smith, "Halting Widespread or Systematic Attacks on Civilians: Military Strategies and Operations Concepts."

[107] Ibid., 37.

[108] Holt, Taylor, and Kelly, "Protecting Civilians in the Context of Un Peacekeeping Operations: Successes, Setbacks and Remaining Challenges," 191-92.

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